



MINUTES - VICTORIA CITY COUNCIL

July 25, 2019, 6:30 P.M.

Council Chambers, City Hall, 1 Centennial Square

The City of Victoria is located on the homelands of the Songhees and Esquimalt People

PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Collins, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young

ABSENT: Councillor Dubow

STAFF PRESENT: J. Jenkyns - City Manager, P. Bruce - Fire Chief, S. Thompson - Deputy City Manager / Director of Finance, F. Work - Director of Engineering & Public Works, T. Soulliere - Director of Parks, Recreation & Facilities, T. Zworski - City Solicitor, B. Eisenhauer - Head of Engagement, C. Havelka - Deputy City Clerk, A. Hudson - Acting Director of Sustainable Planning & Community Development, C. Mycroft - Manager of Executive Operations, P. Martin - Council Secretary, J. Handy - Senior Planner, M. Fedyczkowska - Legislation & Policy Analyst

A. APPROVAL OF AGENDA

The Deputy City Clerk outlined amendments to the agenda.

Moved By Councillor Alto

Seconded By Councillor Collins

That the agenda be approved as amended.

CARRIED UNANIMOUSLY

C. READING OF MINUTES

Moved By Councillor Potts

Seconded By Councillor Alto

That the following minutes be adopted.:

1. Minutes from the daytime meeting held July 4, 2019
2. Minutes from the daytime meeting held July 11, 2019
3. Minutes from the evening meeting held July 11, 2019
4. Minutes from the daytime meeting held June 27, 2019

CARRIED UNANIMOUSLY

D. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Alto
Seconded By Councillor Collins

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

D.1 Major Sheldon Feener: Trees Restaurant - Cannabis Infused Food & Marijuana Vape Lounge

Outlined why Council should consider the proximity of the proposed Trees Restaurant to the Salvation Army Addiction and Rehabilitation Centre.

D.3 Ted Smith: Variance to Clean Air Bylaw

Outlined why Council should support a variance to the Clean Air Act to allow for cannabis consumption sites.

D.5 Alex Robb: Correcting Misconceptions about Trees Restaurant

Outlined why Council should create a zoning category to allow for a commercial cannabis consumption site and outlined the neighbourhood consultation they are undertaking in regards to their Trees Restaurant.

E. PROCLAMATIONS

E.1 "Clover Point Parkrun Day" - August 10, 2019

Moved By Councillor Loveday
Seconded By Councillor Potts

That the following proclamation be endorsed:
1. "Clover Point Parkrun Day" - August 10, 2019

CARRIED UNANIMOUSLY

F. PUBLIC AND STATUTORY HEARINGS

F.1 2921 Gosworth Road: Rezoning Application No. 00667 and Development Permit with Variances Application No. 00096

Zoning Regulation Bylaw, Amendment Bylaw (No. 1197) No. 19-077:

To rezone the land known as 2921 Gosworth Road from the R1-B Zone, Single Family Dwelling District, to the R1-S2 Zone, Restricted Small Lot (Two Storey) District, to permit subdividing the lot and building a new single family dwelling.

Development Permit with Variances Application:

The Council of the City of Victoria will also consider issuing a development permit for the land known as 2921 Gosworth Road, in Development Permit Area 15A: Intensive Residential Small Lot for the purposes of establishment of objectives

for the form and character of intensive residential development, as well as landscaping.

F.1.a Public Hearing & Consideration of Approval

Jim Handy (Senior Planner): *Advised that the application is to subdivide the lot to create two small lots, and to construct a new single family dwelling.*

Mayor Helps opened the public hearing at 6:51 p.m.

Applicant: Provided information regarding the application.

Lee Porteous(Gosworth Road): Expressed concerns with the application due to the height of the proposed development and potential loss of privacy.

Anna-Mary Schmidt (Burton Avenue): Expressed concerns with the application due to the height of the proposed development and potential loss of sunlight.

Council discussed the following:

- *The lack of support received by the immediate neighbours.*
- *How neighbouring properties could be affected by blasting during construction.*

Mayor Helps closed the public hearing at 7:26 p.m.

Moved By Mayor Helps
Seconded By Councillor Alto

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1197) No. 19-077

Council discussed the following:

- *That the proposed development will be a good fit for the neighbourhood.*
- *That the application has not met the Small Lot Zoning Policy, as there is insufficient support of the petition.*

FOR (2): Mayor Helps, and Councillor Alto

OPPOSED (6): Councillor Collins, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, and Councillor Young

DEFEATED (2 to 6)

F.2 945 Pembroke Street: Rezoning Application No. 00642 and Development Permit with Variances Application No. 00078

Zoning Regulation Bylaw, Amendment Bylaw (No. 1199) No. 19-080:

To rezone the land known as 945 Pembroke Street from the R-2 Zone, Two-Family Dwelling District, to the R-K-P2 Zone, Pembroke Multiple Dwelling 2 District, to permit two multi-unit residential buildings.

Development Permit Application:

The Council of the City of Victoria will also consider issuing a development permit for the land known as 945 Pembroke Street, in Development Permit Area 3(HC): Core Mixed-Use Residential, for the purposes of approving the exterior design and finishes for the two multi-unit residential buildings as well as landscaping.

F.2.a Public Hearing & Consideration of Approval:

Jim Handy (Senior Planner): *Advised that the application proposes to subdivide the existing lot and construct two, three-storey, multi-unit residential buildings.*

Mayor Helps opened the public hearing at 7:39 p.m.

Garde Collins (Applicant): Provided information regarding the application.

Rita Godren (Mason Street): Questioned the number of parking stalls relative to the number of units.

Mayor Helps closed the public hearing at 8:03 p.m.

Moved By Councillor Collins

Seconded By Councillor Loveday

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1199) No. 19-080

CARRIED UNANIMOUSLY

Moved By Councillor Collins

Seconded By Councillor Loveday

That the following bylaw **be adopted:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1199) No. 19-080

CARRIED UNANIMOUSLY

Moved By Councillor Alto

Seconded By Councillor Collins

That the following bylaw **be adopted:**

1. Housing Agreement (945 Pembroke Street) Bylaw (2019) No. 19-081

CARRIED UNANIMOUSLY

Moved By Councillor Alto

Seconded By Councillor Potts

That Council authorize the issuance of Development Permit with Variance Application No. 00078 for 945 Pembroke Street, in accordance with:

1. Plans date stamped May 29, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the required number of residential parking spaces from 12 to 10 and the number of visitor parking spaces from two to nil
 - ii. reduce the continuous landscaping screen between a surface vehicle parking area and an adjacent lot primarily for residential uses from 1m to 0.60m.
3. Enter into an Agreement with a car share provider and purchase 12 car share memberships (one car share membership per dwelling unit).
4. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

F.3 2915 Douglas Street: Temporary Use Permit Application No. 00014

Temporary Use Permit with Variance Application:

The Council of the City of Victoria will consider issuing a Temporary Use Permit with Variance for the land known as 2915 Douglas Street, in Development Permit Area 7A: Corridors – Douglas Street and Blanshard Street, for purposes of temporarily allowing supportive rental housing and a substance use treatment facility in the existing building.

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

Jim Handy (Senior Planner): *Advised that the application is to allow for a supportive substance use treatment centre and residential uses in the existing building.*

Mayor Helps opened the opportunity for public comment at 8:11 p.m.

Russ Mayor (Applicant): Provided information regarding the application.

Brent Schinsky (Douglas Street): Expressed concerns with the application due to potential safety concerns with the residents.

Rita Godren (Mason Street): Questioned whether it was a sober facility.

Alex Robb (Fort Street): Expressed support for the application, as they are providing a needed service.

Council discussed the following:

- *How they can work with the neighbouring businesses to help alleviate any safety concerns.*
- *The type of supportive housing that is operated in this location.*

Mayor Helps closed the opportunity for public comment at 8:35 p.m.

Moved By Councillor Isitt
Seconded By Councillor Collins

That Council authorize the issuance of Temporary Use Permit Application No. 00014 for 2915 Douglas Street, in accordance with:

1. Plans date stamped May 17, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the required number of parking spaces from 60 to 40.
3. Registration of a Section 219 Covenant on the adjoining properties located at 2905 and 2909 Douglas Street and 720, 730 and 740 Topaz Avenue to secure an additional 20 parking spaces in order to comply with the parking requirement for the proposed uses in the existing building at 2915 Douglas Street, to the satisfaction of the Director of Engineering and Public Works.
4. The Temporary Use Permit lapsing three years from the date of this resolution.

Council discussed the following:

- *The need for supportive housing in the City.*
- *The need for the operators to mitigate impacts on neighbouring businesses.*

CARRIED UNANIMOUSLY

Council recessed from 8:44 p.m. to 8:50 p.m.

H. UNFINISHED BUSINESS

H.1 Letters Regarding Restoration of Provincial Support for Libraries

Letters of response from British Columbia Municipalities regarding advocacy for the restoration of provincial funding for libraries.

Moved By Councillor Isitt
Seconded By Councillor Loveday

That the correspondence regarding advocacy for the restoration of provincial funding for libraries be received for information.

CARRIED UNANIMOUSLY

H.2 Letter from the Minister of Public Safety and Solicitor General

A letter of response dated July 5, 2019, regarding the City's resolution in support of a regional police department for the Capital Regional District (CRD).

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the correspondence dated July 5, 2019 from the Minister of Public Safety and Solicitor General be received for information.

Amendment:

Moved By Councillor Isitt

Seconded By Councillor Loveday

That the motion be amended as follows:

That the correspondence dated July 5, 2019 from the Minister of Public Safety and Solicitor General be **referred to the September 5, 2019 COTW Meeting** ~~received for information.~~

CARRIED UNANIMOUSLY

On the main motion as amended:

That the correspondence dated July 5, 2019 from the Minister of Public Safety and Solicitor General be referred to the September 5, 2019 COTW Meeting.

CARRIED UNANIMOUSLY

H.3 Letter from the Office of the Prime Minister

A letter of response dated June 20, 2019, regarding *The Ban on Shark Fin Importation Act*.

Moved By Councillor Thornton-Joe

Seconded By Councillor Loveday

That the correspondence dated June 20, 2019 from the Office of the Prime Minister be received for information.

CARRIED UNANIMOUSLY

H.4 Rise and Report

H.4.a From the June 20, 2019 Closed Council Meeting

That staff proceed with a Request for Proposals for a five-year Animal Control Services Contractor.

H.4.b From the July 25, 2019 Closed Council Meeting

That Council direct:

1. the Director of Engineering and Public Works to bring forward a public report on the process for, and resource implications of, developing a comprehensive bylaw for the protection of the natural environment that would regulate, prohibit, and impose requirements in relation to single-use plastics and other products; and

2. the City Solicitor to report back in a closed meeting in early September on the advisability of the City seeking leave to appeal the Court of Appeal decision to the Supreme Court of Canada.

I. REPORTS OF COMMITTEES

I.1 Committee of the Whole

I.1.a Report from the July 18, 2019 COTW Meeting

I.1.a.a Conference Attendance Request for Councillor Alto at the Canadian Capital Cities Annual Conference

Moved By Councillor Isitt
Seconded By Councillor Loveday

That Council authorize the attendance and associated costs, up to \$1942.94, for Councillor Alto to attend the 2019 CCCO Conference to be held in Regina, Saskatchewan, for the period September 13 – 18, 2019.

CARRIED UNANIMOUSLY

I.1.a.b City Family - Oral Presentation - Brianna Dick

Moved By Councillor Alto
Seconded By Councillor Collins

That Council receive the presentation for information.

CARRIED UNANIMOUSLY

Councillor Young withdrew from the meeting at 9:00 p.m. due to a pecuniary conflict of interest with the following item, as the proponent is a client of his firm.

I.1.a.c Rezoning Application No. 00598 and Development Permit with Variance Application No. 00506 for 953 Balmoral Road (North Park)

Moved By Councillor Alto
Seconded By Councillor Loveday

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:
 - i. Statutory Right-of-Way of 1.22m on Balmoral Road.
 - ii. 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.

Development Permit with Variance Application No. 000506

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 May 14, 2019.
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 to 1.52m
 - 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. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

Mayor Helps recalled the motion.

Moved By Councillor Alto

Seconded By Councillor Loveday

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:
 - i. Statutory Right-of-Way of 1.22m on Balmoral Road.
 - ii. 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.

Development Permit with Variance Application No. 000506

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 May 14, 2019.
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 to 1.52m
 - 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. The Development Permit lapsing two years from the date of this resolution."

FOR (6): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe

OPPOSED (1): Councillor Isitt

CARRIED (6 to 1)

Councillor Young returned to the meeting at 9:02.

I.1.a.d Government Street Report

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That Council:

1. Amend the strategic plan Action 2019 Action #2 from “consider pedestrian only Government Street in 2020-2021 budget process” to “create a ‘people-priority’ Government Street with the complete transformation of the street between Humboldt and Yates to be completed by the end of 2022.”
2. Direct staff to research other cities with people first multi-use streets and determine best practices,
3. Direct staff to bring forward a budget request as part of the 2020 Financial Planning process to undertake a detailed design and cost estimate to implement the short term actions identified between Humboldt and Yates as approved in the 2017 Downtown Public Realm Plan and 2015 Charrette outputs for consideration.
4. Coordinate timing of short term actions in conjunction with other major infrastructure work.
5. Direct staff to incorporate in the 2020 budget an analysis of options to transform Government Street into a people-priority place from Humboldt to Yates by 2022.
6. Direct staff to incorporate into the 2021 and 2022 budget improvements to the street based on the 2020 analysis to make it a people-priority place and significantly limit vehicle traffic.
7. That major infrastructure work be conducted during tourism and holiday off-season as much as practical.
8. That Council consider pedestrianization of Government Street one year after people-centric adjustments are complete and all the information from the stakeholders has been received.

Amendment:

Moved By Councillor Isitt

Seconded By Councillor Young

That the motion be amended as follows:

5. Direct staff to incorporate in the 2020 budget an analysis of options to transform Government Street into a people-priority place from ~~Humboldt-Herald~~ to Yates by 2022.

FOR (2): Councillor Isitt, and Councillor Young

OPPOSED (6): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe

DEFEATED (2 to 6)

Amendment:

Moved By Councillor Isitt

Seconded By Councillor Young

That the motion be amended as follows:

1. Amend the strategic plan Action 2019 Action #2 from “consider pedestrian only Government Street in 2020-2021 budget process” to “create a ‘people-priority’ Government Street with the complete transformation of the street between Humboldt to ~~Yates~~ **Herald** to be completed by the end of 2022.”
5. Direct staff to incorporate in the 2020 budget an analysis of options to transform Government Street into a people-priority place from Humboldt to ~~Yates~~ **Herald** by 2022.

Amendment to the amendment:

Moved By Mayor Helps

Seconded By Councillor Alto

That the amendment be amended by changing the street name in point #3 instead of points #1 and #5, as follows:

3. Direct staff to bring forward a budget request as part of the 2020 Financial Planning process to undertake a detailed design and cost estimate to implement the short term actions identified between Humboldt and ~~Yates~~ **Herald** as approved in the 2017 Downtown Public Realm Plan and 2015 Charrette outputs for consideration.

CARRIED UNANIMOUSLY

On the amendment:

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Isitt

Seconded By Councillor Collins

That the motion be amended as follows:

5. Direct staff to incorporate in the 2020 budget an analysis of options to transform Government Street into a people-priority place from Humboldt to ~~Yates~~ **Herald** by 2022.

CARRIED UNANIMOUSLY

On the main motion as amended:

That Council:

1. Amend the strategic plan Action 2019 Action #2 from “consider pedestrian only Government Street in 2020-2021 budget process” to “create a ‘people-priority’ Government Street with the complete transformation of the street between Humboldt and Yates to be completed by the end of 2022.”
2. Direct staff to research other cities with people first multi-use streets and determine best practices,
3. Direct staff to bring forward a budget request as part of the 2020 Financial Planning process to undertake a detailed design and cost estimate to implement the short term actions identified between Humboldt and Herald as approved in the 2017 Downtown Public Realm Plan and 2015 Charrette outputs for consideration.
4. Coordinate timing of short term actions in conjunction with other major infrastructure work.
5. Direct staff to incorporate in the 2020 budget an analysis of options to transform Government Street into a people-priority place from Humboldt to Herald by 2022.
6. Direct staff to incorporate into the 2021 and 2022 budget improvements to the street based on the 2020 analysis to make it a people-priority place and significantly limit vehicle traffic.
7. That major infrastructure work be conducted during tourism and holiday off-season as much as practical.
8. That Council consider pedestrianization of Government Street one year after people-centric adjustments are complete and all the information from the stakeholders has been received.

Councillor Isitt requested that point #1 be voted on separately.

On the main motion as amended:

That Council:

1. Amend the strategic plan Action 2019 Action #2 from “consider pedestrian only Government Street in 2020-2021 budget process” to “create a ‘people-priority’ Government Street with the complete transformation of the street between Humboldt and Yates to be completed by the end of 2022.”

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

OPPOSED (1): Councillor Isitt

CARRIED (7 to 1)

On the main motion as amended:

That Council:

2. Direct staff to research other cities with people first multi-use streets and determine best practices,

3. Direct staff to bring forward a budget request as part of the 2020 Financial Planning process to undertake a detailed design and cost estimate to implement the short term actions identified between Humboldt and Herald as approved in the 2017 Downtown Public Realm Plan and 2015 Charrette outputs for consideration.
4. Coordinate timing of short term actions in conjunction with other major infrastructure work.
5. Direct to staff to incorporate in the 2020 budget an analysis of options to transform Government Street into a people-priority place from Humboldt to Herald by 2022.
6. Direct staff to incorporate into the 2021 and 2022 budget improvements to the street based on the 2020 analysis to make it a people-priority place and significantly limit vehicle traffic.
7. That major infrastructure work be conducted during tourism and holiday off-season as much as practical.
8. That Council consider pedestrianization of Government Street one year after people-centric adjustments are complete and all the information from the stakeholders has been received.

CARRIED UNANIMOUSLY

I.1.a.e Centennial Square Action Plan - Update Report

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That Council endorse the design concept for Phase 1 to guide short term operations and maintenance needs based on the results of the Centennial Square Action Plan process to date.

Amendment:

Moved By Councillor Isitt

Seconded By Councillor Potts

That Council direct staff to consider the temporary placement of picnic tables in the vicinity of the sequoia tree.

CARRIED UNANIMOUSLY

On the main motion as amended:

1. That Council endorse the design concept for Phase 1 to guide short term operations and maintenance needs based on the results of the Centennial Square Action Plan process to date
2. That Council direct staff to consider the temporary placement of picnic tables in the vicinity of the sequoia tree.

CARRIED UNANIMOUSLY

I.1.b Report from the July 25, 2019 COTW Meeting

**I.1.b.a 1175 Douglas Street - Development Permit with Variance
Application No. 00225 (Downtown)**

Moved By Councillor Potts
Seconded By Councillor Alto

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

“That Council authorize the issuance of Development Variance Permit Application No. 00225 for 1175 Douglas Street, in accordance with:

1. Plans date stamped May 22, 2019
2. The following variance to the Sign Bylaw
 - i. Vary the cumulative size allowance for the north elevation from 16.37 m² to 38.26 m².
 - ii. Vary the cumulative size allowance for the west elevation from 11.19 m² to 23.68 m².”

CARRIED UNANIMOUSLY

I.1.b.b Appointment of Bylaw Officer

Moved By Councillor Alto
Seconded By Councillor Potts

That Council approve the appointment of Francoise Schearer:

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

**I.1.b.c 1002 Pandora Avenue - Rezoning Application No. 00696
(Airspace Parcel Subdivision) (North Park)**

Moved By Councillor Loveday
Seconded By Councillor Young

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00696 for 1002 Pandora Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

CARRIED UNANIMOUSLY

**I.1.b.d 208/210, 220, 230, and 240/242 Wilson Street - Rezoning
Application No. 00686 & Development Permit with Variance
Application No. 00111 (Victoria West)**

Moved By Councillor Loveday
Seconded By Councillor Potts

Rezoning Application No. 00686:

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00686 for 208/210, 220, 230 and 240/242 Wilson Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. An executed legal agreement between the owner and the Capital Regional District, in a form to the satisfaction of the City Solicitor, to secure three two-bedroom strata dwelling units for ownership as below-market housing (offered for sale at 15% below market rate, in perpetuity).
2. An executed legal agreement in a form to the satisfaction of the City Solicitor, to ensure no restrictions are placed on the rental of all dwelling units, with the exception of the three below-market dwelling units, in perpetuity.
3. Registration of a statutory right-of-way of 1.38m along the Alston Street frontage, with terms and in a form to the satisfaction of the Director of Engineering and the City Solicitor.
4. Registration of a legal agreement on the property's title, with terms and in a form to the satisfaction of the Director of Engineering and the City Solicitor, to secure Transportation Demand Management measures that include:
 - a. provision of one car share vehicle;
 - b. a dedicated on-site car share parking space with access to electric vehicle charging;
 - c. one car share membership for each dwelling unit;
 - d. six on-site bicycles that are part of a bike share program;
 - e. five long term bike parking spaces in addition to what is required by the *Zoning Regulation Bylaw*, and
 - f. 14 short term bike parking spaces in addition to what is required by the *Zoning Regulation Bylaw*.

Development Permit with Variance Application No. 00111:

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. 00686, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00111 for 208/210, 220, 230 and 240/242 Wilson Street in accordance with:

1. Plans date stamped May 16, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the west (interior lot line) setback from 4m to 2.5m;
 - ii. reduce the number of parking stalls (non-visitor) from 37 to 23.
3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

I.1.b.e 1811 Oak Bay Avenue - Development Permit with Variance Application No. 00060 (Gonzales)

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That, subject to the preparation and execution of the following legal agreements in a form satisfactory to the City Solicitor:

1. a Housing Agreement to ensure a future strata cannot restrict the rental of dwelling units, to the satisfaction of the Director of Sustainable Planning and Community Development
2. a Section 219 covenant to secure a Statutory Right-of-Way of 3.35m along the Oak Bay Avenue frontage to the satisfaction of the Director of Engineering and Public Works.

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. 00060 for 1811 Oak Bay Avenue, in accordance with:

1. Plans date stamped April 5, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the minimum lot size for multiple dwelling use from 920.0m² to 799m²;
 - ii. increase the maximum site coverage from 32 percent to 74.5 percent;
 - iii. reduce the minimum open site space from 60 percent to 23.4 percent;
 - iv. reduce the minimum front setback (east) from 12m to 2.63m (to privacy screen) and 3.58m (to building);
 - v. reduce the minimum rear setback (west) from 8.41m to 4.32m (to building) and 0.0m (to parkade structure);
 - vi. reduce the minimum side setback (north) from 8.41m to 1.99m;
 - vii. reduce the minimum side setback (south) from 8.41m to 3.12m (to building) and 0.0m (to parkade structure).

3. Development Permit lapsing two years from the date of this resolution.
4. That the applicant write a letter to the neighbourhood CALUC notifying a change from rental to strata."

FOR (5): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Potts, and Councillor Thornton-Joe

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

CARRIED (5 to 3)

I.1.b.f Victoria Reconciliation Dialogues Project Update

Moved By Councillor Alto

Seconded By Councillor Isitt

That Council receive the report for information.

CARRIED UNANIMOUSLY

I.1.b.g Council Member Motion - Councillor Unpaid Leave

Moved By Councillor Isitt

Seconded By Councillor Alto

1. That Council approve a leave of absence without pay for Councillor Collins starting on August 9th, 2019 and ending on October 25th, 2019.
2. That Council appoint Councillor Alto as the liaison to the James Bay Neighbourhood Association.

CARRIED UNANIMOUSLY

I.1.b.h Council Member Motion - City Family Process Improvements

Moved By Councillor Alto

Seconded By Councillor Collins

1. That all Council resolutions regarding the City Family be replaced with the following:
 - a. Victoria City Council recognizes the existence of the "City Family" – a gathering of members from the City of Victoria, the Esquimalt Nation, the Songhees Nation and urban Indigenous Peoples.
 - b. At this time, the City requests that Mayor Lisa Helps, Councillor Marianne Alto, Councillor Ben Isitt, Councillor Charlayne Thornton-Joe, Director Thomas Soulliere, and Manager Colleen Mycroft participate as members of the City Family.
 - c. In accordance with the Indigenous custom of gift giving, the City's Director of Finance is authorized to pay the

- following honoraria to appointees of the Songhees and Esquimalt peoples to the City Family:
 - i. \$200 for each meeting that is four hours or less;
 - ii. \$400 for each meeting that is more than four hours.
 - iii. Funding to be from the Witness Reconciliation budget.
- d. A standing invitation is extended to the Indigenous members of the City Family to attend Victoria City Council meetings and provide a summary of City Family gatherings as deemed appropriate by them.
- 2. That Council direct the City Solicitor to bring forward amendments to the City's *Council Procedure Bylaw*, and consequential amendments to any other City bylaws as he considers necessary, to give Council procedural flexibility as part of the reconciliation process, provided that no City business is conducted and no decisions made when alternative procedures are in effect; and
- 3. That Council request the Mayor to write to the Ministers of Reconciliation and Indigenous Relations and the Minister of Municipal Affairs and Housing and request that the Province consider amending the *Community Charter* to expressly authorize local governments to engage in reconciliation dialogue with the First Nations and utilize, when appropriate, Indigenous practices as part of that process.

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

CARRIED (7 to 1)

I.1.b.i Council Member Motion - Establishment of City of Victoria Seniors' Task Force

Moved By Councillor Isitt

Seconded By Councillor Alto

That Council:

1. Adopt the attached Terms of the Reference for the City of Victoria Seniors' Task Force, with the following amendments:
 - a. Add Victoria Immigrant and Refugee Centre Society with 1 nominee
 - b. An additional member from the Our Place Senior Group.
 - c. A member proposed by the Aboriginal Coalition to End Homelessness and the Victoria Native Friendship Centre.
2. Direct staff to engage the community organizations identified in the Terms of Reference, inviting nominees for Council's consideration for appointment to the Task Force by September 5, 2019.
3. Direct staff to ensure that the call for nominees is sent to ethno-cultural organizations in the city who work with or

represent racialized minorities and organizations that work with low income seniors.

4. Appoint and alternative liaison to the Seniors' Task Force.
5. Staff will act as a resource to the committee as appropriate as directed by the City Manager.

That Council appoint Councillor Young as an alternate liaison to the Seniors' Task Force.

CARRIED UNANIMOUSLY

K. BYLAWS

K.1 Bylaws for 1712 and 1720 Fairfield Road: Rezoning Application No. 00618 and Development Permit with Variances Application No. 00098

Moved By Councillor Loveday
Seconded By Councillor Alto

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1193) No. 19-065

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

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

Moved By Councillor Loveday
Seconded By Councillor Potts

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

1. Housing Agreement (1712 & 1720 Fairfield Road) Bylaw (2019) No. 19-066

CARRIED UNANIMOUSLY

K.2 Bylaw for Garden Suites Regulations

Moved By Councillor Alto
Seconded By Councillor Potts

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1202) No. 19-086

CARRIED UNANIMOUSLY

K.3 Storefront Cannabis Retailer Regulation Bylaw

Moved By Councillor Isitt
Seconded By Councillor Potts

That the following bylaw **be adopted**:

1. Storefront Cannabis Retailer Regulation Bylaw No. 19-053

CARRIED UNANIMOUSLY

K.4 Bylaw for 409-411 Government Street: Strata Conversion and Housing Agreement

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That the following bylaw **be adopted**:

1. Housing Agreement (409/411 Government Street) Bylaw (2019) No. 19-028

CARRIED UNANIMOUSLY

Mayor Helps recalled the vote.

Councillor Collins withdrew from the meeting at 9:39 p.m. due to a pecuniary conflict of interest with the following item, as she lives within 100 meters of the property.

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That the following bylaw **be adopted**:

1. Housing Agreement (409/411 Government Street) Bylaw (2019) No. 19-028

CARRIED UNANIMOUSLY

Councillor Collins returned to the meeting at 9:40 p.m.

N. QUESTION PERIOD

A question period was held.

O. ADJOURNMENT

Moved By Councillor Alto

Seconded By Councillor Collins

That the Council meeting adjourn.

TIME: 9:40 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR