



## MINUTES - VICTORIA CITY COUNCIL

August 8, 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 Potts, Councillor Thornton-Joe, Councillor Young
- ABSENT: Councillor Loveday
- ABSENT FOR A PORTION OF THE MEETING: Councillor Dubow
- STAFF PRESENT: J. Jenkyns - City Manager, C. Coates - City Clerk, 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, C. Havelka - Deputy City Clerk, A. Hudson - Acting Director of Sustainable Planning & Community Development, C. Mycroft - Manager of Executive Operations, P. Martin - Council Secretary, A. Johnston - Planner, S. Johnson - Manager of Engagement, L. Van Den Dolder - Assistant City Solicitor

### A. APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

**Moved By** Councillor Potts  
**Seconded By** Councillor Alto

That the agenda be approved as amended.

**CARRIED UNANIMOUSLY**

### B. Poetry Reading

John Barton, Poet Laureate, read a poem titled "The indigenous name for that place".

### C. READING OF MINUTES

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

That the following minutes be adopted:

1. Minutes from the daytime meeting held April 4, 2019

2. Minutes from the daytime meeting held July 18, 2019
3. Minutes from the daytime meeting held July 25, 2019
4. Minutes from the evening meeting held July 25, 2019
5. Minutes from the daytime meeting held August 1, 2019
6. Minutes from the special evening meeting held August 1, 2019

**CARRIED UNANIMOUSLY**

**D. REQUESTS TO ADDRESS COUNCIL**

**Moved By** Councillor Alto

**Seconded By** Councillor Isitt

That the following speakers be permitted to address Council.

**CARRIED UNANIMOUSLY**

**D.1 Ian Sutherland: Gaming the R48 Zone**

Outlined why Council should follow the Harris Green Charrette recommendations for the neighbourhood, regarding height and density.

**D.2 Angela Plasterer: Excessive Property Taxes Due to Assessed Valuation At "Highest and Best Use"**

Outlined why Council should amend the Official Community Plan designation for non-profit and recreation facilities, to achieve a sustainable property tax rate in order to encourage their survival.

**D.3 Anne Topp: Excessive Property Taxes Due to Assessed Valuation At "Highest and Best Use"**

Outlined why Council should amend the Official Community Plan designation for non-profit and recreation facilities, to achieve a sustainable property tax rate in order to encourage their survival.

*Councillor Dubow joined the meeting at 6:51 p.m.*

**E. PROCLAMATIONS**

**E.1 "National Polycystic Kidney Disease Awareness Day" - September 4, 2019**

*Councillor Dubow withdrew from the meeting at 6:53 p.m.*

**Moved By** Councillor Collins

**Seconded By** Councillor Thornton-Joe

That the following proclamation be endorsed:

1. "National Polycystic Kidney Disease Awareness Day" - September 4, 2019

**CARRIED UNANIMOUSLY**

## **F. PUBLIC AND STATUTORY HEARINGS**

*Councillor Dubow returned to the meeting at 6:54 p.m.*

### **F.1 2713 Quadra Street: Development Permit with Variances Application No. 00112**

#### Development Permit with Variances Application:

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 2713 Quadra Street, in Development Permit Area 5: Large Urban Villages, for the purposes of upgrading the exterior of the building and constructing a clerestory by raising the roof for a proposed dance studio.

#### **F.1.a Opportunity for Public Comment & Consideration of Approval**

Alec Johnston (Senior Planner): *Advised that the application is for exterior upgrades, to reduce the number of required parking stalls and to reduce the landscape buffer in order to permit a dance school.*

*Mayor Helps opened the opportunity for public comment at 6:57 p.m.*

David Lang and Bleiddyn Del Villar Bellis (Applicant): Provided information regarding the application.

John Burrows (Quadra Street): Expressed support for the application as the upgrades will be a great benefit to the Quadra Village neighbourhood.

Jennifer Liu (Community Liaison for Fairway Markets): Expressed support for the application, as the Victoria Academy of Ballet will be a benefit to the neighbourhood.

Ken Walt (Yates Street): Expressed support for the application, in relation to his daughter's enrollment at the Victoria Academy of Ballet.

Alex Tang (Hillside Avenue): Expressed support for the application, as the Victoria Academy of Ballet will be a better business in this location.

Treasurer of Sons of Norway (Hillside Avenue): Expressed support for the application.

Robin Butterfield: Expressed support for the application, in relation to her enrollment at the Victoria Academy of Ballet.

Samantha: Expressed support for the application, in relation to her enrollment at the Victoria Academy of Ballet.

Daniel (Earl Street): Expressed support for the application, in relation to her enrollment at the Victoria Academy of Ballet.

Kristen Reed: Expressed support for the application, in relation to her enrollment at the Victoria Academy of Ballet.

Sophia Dixon: Expressed support for the application, in relation to her enrollment at the Victoria Academy of Ballet.

Jeanine Dellnor (Yates Street): Expressed support for the application, in relation to her daughter's enrollment at the Victoria Academy of Ballet.

Jennifer Dixon (Oliver Street): Expressed support for the application, in relation to her daughters' enrollment at the Victoria Academy of Ballet.

Resident: Expressed support for the application, in relation to her childrens' enrollment at the Victoria Academy of Ballet.

Riga Godren: Expressed support for the application, as the business will be a positive addition to the neighbourhood.

*Council discussed the following:*

- *That Monarch Furniture has offered the use of their parking lot to the Victoria Academy of Ballet, for after hours use.*

*Mayor Helps closed the opportunity for public comment at 7:45 p.m.*

**Moved By** Councillor Isitt  
**Seconded By** Councillor Dubow

That Council authorize the issuance of Development Permit with Variances Application No. 00112 for 2713 Quadra Street, in accordance with:

1. Plans date stamped April 25, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - a. reduce the number of vehicle parking stalls from 38 to 7; and
  - b. reduce the landscape buffer between a parking stall and a street from 1.0m to 0.50m.
3. Registration of a Statutory Right of Way of 3.2m off Quadra Street to the satisfaction of the Director of Engineering.
4. The Development Permit lapsing two years from the date of this resolution.

**CARRIED UNANIMOUSLY**

*Council recessed from 7:53 p.m. until 7:58 p.m.*

## **F.2 Garden Suite Regulations**

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

To update garden suite regulations (Schedule M) to reduce the maximum height of garden suites on "plus sites" from 5.5m to 4.2m and to prohibit conversion of accessory buildings to garden suites unless they were completed before July 11,

2019, or have been completed and in situ for at least five years. These changes will potentially affect all properties in Victoria where single family dwellings and garden suites are permitted.

## **F.2.a Public Hearing & Consideration of Approval**

Alec Johnston (Senior Planner): *Advised that the matter is a city led application to amend the Zoning Regulation Bylaw in order to update garden suite regulations (Schedule M) to reduce the maximum height of garden suites on "plus sites" from 5.5m to 4.2m and to prohibit the conversion of accessory buildings to garden suites unless they were completed before July 11, 2019, or have been completed and in situ for at least five years.*

*Mayor Helps opened the public hearing at 7:59 p.m.*

Taylor: Expressed concerns with the amendment, as a transition period should be allowed for applications that are currently underway.

Jeff Farrow: Expressed concerns with the amendment, as it will hinder good projects.

Resident: Expressed support for the amendment, as it will ensure that garden suites are built in a sensitive manner to the neighbourhood.

*Council discussed the following:*

- *Whether a provision to provide a transition period could be added to the bylaw.*
- *That all in-stream applications will not be notified by this change.*

*Mayor Helps closed the public hearing at 8:13 p.m.*

### **Moved By Mayor Helps**

That the bylaw is amended in section 3 to add the following language after "This Bylaw comes into force on adoption":

**"except section 2(b), which comes into force on January 1, 2020."**

### **Failed to proceed due to no seconder**

**Moved By** Councillor Isitt

**Seconded By** Mayor Helps

That the bylaw is amended in section 3 to add the following language after "This Bylaw comes into force on adoption":

**"except section 2(b), which comes into force on November 1, 2019."**

*Council discussed the following:*

- *Whether a transitional period is appropriate.*

FOR (5): Mayor Helps, Councillor Collins, Councillor Dubow, Councillor Isitt, and Councillor Potts

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

**CARRIED (5 to 3)**

**Moved By** Councillor Isitt  
**Seconded By** Councillor Collins

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

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

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Collins  
**Seconded By** Councillor Alto

That the following bylaw **be adopted**:

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

**CARRIED UNANIMOUSLY**

**F.3 1712 & 1720 Fairfield Road: Rezoning Application No. 00618 and Development Permit with Variances Application No. 00098**

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

To rezone the land known as 1712 & 1720 Fairfield Road from the R1-G Zone, Gonzales Single Family Dwelling District, to the RK-F Zone, Fairfield Road Ground-Oriented Dwelling District, to permit development of three buildings with multiple ground-oriented dwelling units.

Development Permit with Variance Application:

The Council of the City of Victoria will also consider issuing a development permit with variance for the land known as 1712 & 1720 Fairfield Road, in Development Permit Area 16: General Form and Character for the purposes of approving the exterior design, finishes and landscaping of the proposed buildings.

**F.3.a Public Hearing & Consideration of Approval:**

Alec Johnston (Senior Planner): *Advised that the application proposes to allow for a 2.5 storey, multi-unit residential development.*

*Mayor Helps opened the public hearing at 8:23 p.m.*

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

Resident: Expressed concerns with the application, as the potential high cost of the units make it unaffordable.

Val Coopersmith (Hollywood Crescent): Expressed support with the application, as it will provide a variety of options for those wishing to live in the neighbourhood.

Debbie Chan (St. Charles Street): Expressed concerns with the application, as it is too large to be beside a neighbourhood park.

Grace Lore (Fernwood Road): Expressed support for the application, due to the need for diversified and densified housing during a housing crisis.

Trisha Lees (Richardson Street): Expressed support for the application, due to the need for three bedroom town-houses.

Dave Davies (Fairfield Road): Expressed concerns with the application, as the size is not a good fit for the property.

David Lal (North Park Street): Expressed support for the application, in regards to his relationship with the developers.

Eric Swanson (Central Road): Expressed support for the application, due to the need for diverse housing during the housing crisis.

Karen Brown (Yates Street): Expressed support for the application, due to the need for diverse housing types in this neighbourhood.

Heather Morris (Irving Street): Expressed support for the application, due to the need for diverse housing types in this neighbourhood that will allow more families to live there.

Ian McDonald (Irving Road): Expressed support for the application, due to the need for more density in this neighbourhood.

Franc D'Ambrosio (Dalhousie Street): Expressed support for the application, due to the great design.

Dale Bate (Fairfield Road): Expressed concerns with the application, as the massing and requested setbacks are not appropriate for the property and area.

Eugene Vesely (Fairfield Road): Expressed concerns with the application, as the potential high cost of the units make it unaffordable.

Richard Egli (Bushby Street): Expressed support for the application, as there is a need for three bedroom, townhouse developments.

Norm Fiege (Fairfield Road): Expressed concerns with the application, due to the look of the proposed building, increased density, and lack of affordability.

Virginia Errick (Foul Bay Road): Expressed concerns with the application, as the development will make the whole area less affordable.

Mike Colwill (Richardson Street): Expressed support for the application, due to the need for this type of housing in the City.

Vittoreo Cheli (May Street): Expressed support for the application, due to the need for this type of housing in the City.

Timothy Stonehouse (Earle Street): Expressed concerns with the application, due to the lack of community engagement.

Kimberly Delay (Johnson Street): Expressed support for the application, due to the need for this type of housing in the the City.

Victor Ramraj (Runnymede Avenue): Expressed support for the application, due to the need for this type of housing in the City.

Dave Coopersmith (Hollywood Crescent): Expressed support for the application, as additional housing stock will help the housing market.

*Council recessed from 9:54 p.m. until 9:59 p.m.*

Sharon Walls (Robertson Street): Expressed support for the application, due to the need for new and diverse housing stock.

Brian Raymer (Richmond Street): Expressed support for the application, due to the need for diverse housing stock.

Donna Ruppel (Robertson Street): Expressed concerns with the application, due to the height of the proposed building and its negative change to the area.

Andrew Coopersmith (Poplar Avenue): Expressed support for the application, due to the need for diverse housing stock.

Brad Atchison (Fairfield Place): Expressed concerns with the application, due to the proposed massing of the property.

Simon Whitfield (Irving Road): Expressed support for the application, due to the need for diverse housing stock.

Sam Edney (Oak Bay Avenue): Expressed support for the application, in regards to his past employment with the developer's company.

Jennifer Cooper (Tyee Road): Expressed support for the application, as the development will be a good fit in that area.

Sam Titmuss (Richardson Street): Expressed support for the application and presented a video submission, which included remarks from other residents, who also expressed their support for the application.



Victoria Wells (McNeill Avenue): Expressed support for the application, as the development will be a positive addition to the neighbourhood.

Michael Cashmore (Crescent Road): Expressed support for the application, due to the need for increased housing.

Molly Vermeulen (Queen Anne Heights): Expressed support for the application, as the development will be a positive addition to the neighbourhood.

Mary Anne Regan (Hillian Road): Expressed concerns with the application, as the proposed development is too much for the property and the loss of trees.

Adam Carlson (Keating X Road): Expressed support for the application, as the development will be a positive addition to the neighbourhood.

Julian West (Central Spur Road): Expressed support for the application, due to the need for this type of housing stock in the City.

Mark Walsh (Queen Anne Heights): Expressed support for the application, due to the need for this type of housing stock in this neighbourhood.

Daniel Davies (Olive Street): Expressed support for the application, due to the need for this type of diverse housing stock in the neighbourhood as well as the need for increased density.

**Motion to extend:**

**Moved By** Councillor Collins

**Seconded By** Councillor Alto

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

**CARRIED UNANIMOUSLY**

Graham Whitehead (Earle Street): Expressed concerns with the application, as the size is not appropriate for the site.

Susanne Rautio (Richmond Avenue): Expressed concerns with the application, as the proposed development is not in keeping with the neighbourhood plan.

Patrick Czyz (Earle Street): Expressed concerns with the application, as the size and massing of the proposed building is not appropriate for this site.

Neal Wasser (Earle Street): Expressed concerns with the application, including the requested setback.

Mary Doody Jones (Kipling Street): Expressed concerns with the application, as the proposed development is not in keeping with the neighbourhood plan.

Karen Cofield (Earle Street): Expressed concerns with the application, due to the loss of rental properties.

Margery: Expressed concerns with the application, as the size is not appropriate for the site.

Andrew (Edmond Street): Expressed support for the application, due to the positive life-span of the proposed building.

Resident: Expressed concerns with the application, as it will not be a good fit for the neighbourhood and does not have an affordability component.

*Council discussed the following:*

- *The number of trees that will be removed to allow for the development.*
- *The material that will be used for the building.*
- *That the application is consistent with the Official Community Plan.*
- *How the 15 percent below market rate units will be calculated.*
- *The number of trees that will be planted and their growth potential.*

*Mayor Helps closed the public hearing at 11:47 p.m.*

*Council recessed from 11:47 p.m. until 11:58 p.m.*

**Moved By** Mayor Helps

**Seconded By** Councillor Potts

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

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

*Council discussed the following:*

- *The need for diverse housing in the City and this neighbourhood.*
- *That densification in areas that are walkable and with access to bike lanes and transit, are a benefit to both the City and the environment.*
- *The limited affordability built into this project.*
- *The mix of immediate neighbours' support and concerns.*
- *How this application may affect the immediate neighbours.*

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

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

**CARRIED (6 to 2)**

**Moved By** Councillor Alto  
**Seconded By** Councillor Potts

That the following bylaw **be adopted**:

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

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

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

**CARRIED (6 to 2)**

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

That the following bylaw **be adopted**:

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

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Alto  
**Seconded By** Councillor Potts

That Council authorize the issuance of Development Permit Application No. 000519 for 1712 & 1720 Fairfield Road, in accordance with:

1. Plans date stamped May 28, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
  - i. Reduce the required vehicle parking stalls from 24 to 22.
3. The Development Permit lapsing two years from the date of this resolution.

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

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

**CARRIED (6 to 2)**

**“It is noted that these minutes contain an incorrect application number reference in the motion above. Application No. 000519 should be 00098. A motion to correct this was passed at the October 3, 2019 daytime meeting to this motion to correct the application number and to include this notation in these minutes.”**

## **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 Alto  
**Seconded By** Councillor Potts

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

**CARRIED UNANIMOUSLY**

**H.3 Letter from the Minister of Public Safety and Solicitor General**

A letter of response dated July 18, 2019, regarding a request that the government provide the Victoria Sexual Assault Centre with multi-year funding to cover core operational costs.

**Moved By** Councillor Alto  
**Seconded By** Councillor Potts

That the correspondence dated July 18, 2019 from the Minister of Public Safety and Solicitor General be received for information.

**CARRIED UNANIMOUSLY**

**H.4 Letter from the Minister of Veterans Affairs**

A letter of response dated July 19, 2019, regarding support of BC and Alberta Guide Dogs' plan to build a training and breeding centre of excellence in Delta, British Columbia.

**Moved By** Councillor Alto  
**Seconded By** Councillor Potts

That the correspondence dated July 19, 2019 from the Minister of Veterans Affairs be received for information.

**CARRIED UNANIMOUSLY**

**H.5 Letter from the Minister of Finance**

A letter of response dated July 19, 2019, regarding the need for increased action to counter money laundering, fentanyl distribution, and the associated implications related to real estate affordability in British Columbia.

**Moved By** Councillor Alto  
**Seconded By** Councillor Potts

That the correspondence dated July 19, 2019 from the Minister of Finance be received for information.

**CARRIED UNANIMOUSLY**

## **H.6 Letter from the Union of British Columbia Municipalities**

A letter dated July 22, 2019 regarding the Gas Tax Agreement Community Works fund payment.

**Moved By** Councillor Alto

**Seconded By** Councillor Potts

That the correspondence dated July 22, 2019 from the Union of British Columbia Municipalities be received for information.

**CARRIED UNANIMOUSLY**

## **H.7 Letter from the Minister of Labour**

A letter of response dated July 26, 2019, regarding the City of Victoria's support for amendments to the *Employment Standards Act* to require paid leave for employees who have experienced intimate, personal, and relationship violence.

**Moved By** Councillor Alto

**Seconded By** Councillor Potts

That the correspondence dated July 26, 2019 from the Minister of Labour be received for information.

**CARRIED UNANIMOUSLY**

## **H.2 Letter from the Minister of Transportation and Infrastructure**

A letter of response dated July 17, 2019, regarding a proposal for a pilot program that would allow the operation of electric scooters on public roadways in Victoria.

**Moved By** Councillor Isitt

**Seconded By** Councillor Potts

That the correspondence dated July 17, 2019 from the Minister of Transportation and Infrastructure be received for information and that it be referred to the Active Transportation Advisory Committee.

**CARRIED UNANIMOUSLY**

## **I. REPORTS OF COMMITTEES**

### **I.1 Committee of the Whole**

#### **I.1.a Report from the August 1, 2019 COTW Meeting**

##### **I.1.a.a 1450 Douglas Street - Liquor License Application No. 000296 - Veneto Tapa Lounge (Downtown)**

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

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

1. Council, after conducting a review with respect to noise and community impacts, does support the application of Veneto Tapa Lounge located at 1450 Douglas Street having hours of operation from 9:00 am to 1:30 am daily with the existing occupant load of 36 persons.

Providing the following comments on the prescribed considerations:

- a. 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 negligible based on experience with the operator, and nature of the request. The requested hours of operation in conjunction with the existing occupant load are not expected to result in negative impacts to the community.
- b. 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.
- c. The views of residents were solicited via a mail out which included 370 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 supported the application and included one letter of support from the Downtown Residents Association.
- d. Council recommends the license endorsements be approved.

### **CARRIED UNANIMOUSLY**

#### **I.1.a.b 1450 Douglas Street - Liquor License Application No. 000297 - Café Veneto (Downtown)**

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

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

1. Council, after conducting a review with respect to noise and community impacts, does support the application of Café Veneto located at 1450 Douglas Street having hours of operation from 9:00 am to 1:00 am daily with the existing occupant load of 96 persons.

Providing the following comments on the prescribed considerations:

- a. 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 negligible based on experience with the operator, and nature of the request. The requested hours of operation in conjunction with the existing occupant load are not expected to result in negative impacts to the community.
- b. 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.
- c. If the application is approved, it is not expected to result in the service area being operated in a manner contrary to the primary purpose.
- d. The views of residents were solicited via a mail out which included 370 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 supported the application and included one letter of support from the Downtown Residents Association.
- e. Council recommends the license endorsements be approved.

**CARRIED UNANIMOUSLY**

**I.1.a.c Council Member Motion - Attendance at the Canadian Capital Cities Conference, Regina, SK Sept. 15-17**

**Moved By** Councillor Alto  
**Seconded By** Councillor Isitt

That Council authorize the attendance and associated costs for Councillor Charlayne Thornton-Joe to attend the Canadian Capital Cities Organization Conference to be held in Regina, September 15th – 17th, 2019.

**CARRIED UNANIMOUSLY**

**I.1.a.d Council Member Motion - Regional Deer Management**

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

That the Mayor add her signature along with other municipalities in the Region to a letter written to the Honourable Doug Donaldson, Minister Forests, Lands, Natural Resource Operations and Rural Development asking to meet with the Minister at UBCM to discuss regional deer management and to request that we utilize a region-wide deer immuno-contraception strategy to manage and gradually reduce the deer population across our municipalities.

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

**CARRIED (7 to 1)**

**I.1.a.e School Crossing Guards - Report back on Strategic Plan Grant**

**Moved By** Councillor Isitt

**Seconded By** Councillor Dubow

That Council provide the Greater Victoria Crossing Guards Association an additional grant of \$69,000 from contingency in addition to the recently awarded \$25,000 grant to cover expenses from September 2019 to June 2020 and increase service levels from prior years by filling vacancies at the Bay and Forbes, Hillside and Doncaster intersections.

**CARRIED UNANIMOUSLY**

**I.1.b Report from the August 8. 2019 COTW Meeting**

**I.1.b.a Council Member Motion - Marking the 100th Remembrance Day**

**Moved By** Councillor Alto

**Seconded By** Councillor Thornton-Joe

That staff be directed to report back at the September 5<sup>th</sup> Committee of the Whole meeting on the costs and resource implications associated with:

1. creating memorial medallions commemorating the 100<sup>th</sup> anniversary of the establishment of Remembrance Day
2. installing medallions on existing street and/or some traffic signs along both sides of Shelbourne Street from Bay Street to North Dairy Road
3. hosting an event to mark the installations in the week prior to November 11, 2019.

**CARRIED UNANIMOUSLY**

**I.1.b.b Council Member Motion - Urban Food Table's Food Production on Private Land Inventory Survey**

**Moved By** Councillor Collins

**Seconded By** Councillor Isitt

That Council direct staff to invite representatives from the Urban Food Table to present at the September 12, 2019 Committee of



the Whole to provide a brief report on the results of the Food Production on Private Land Inventory survey.

**CARRIED UNANIMOUSLY**

**I.1.b.c Conference Attendance Request for Mayor Helps - Future Cities Canada Summit**

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

That Council authorize the attendance and associated costs for Mayor Lisa Helps to attend the Future Cities Canada Summit in Toronto, November 7<sup>th</sup> – 8<sup>th</sup>, 2019.

**CARRIED UNANIMOUSLY**

**I.1.b.d Conference Attendance Request for Councillor Young - UBCM**

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

That Council authorize the attendance and associated costs for Councillor Geoff Young to attend the UBCM Conference to be held in Vancouver, September 23-27, 2019.

**CARRIED UNANIMOUSLY**

**I.1.b.e Conference Attendance Request for Councillor Alto - UBCM**

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

That Council authorize the attendance and associated costs, up to a maximum of \$1599.90, for Councillor Marianne Alto to attend the UBCM Conference to be held in Vancouver, September 23-27, 2019.

**CARRIED UNANIMOUSLY**

**I.1.b.f Conference Attendance Request for Councillor Thornton-Joe - International Downtown Association Conference**

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

That Council authorize the attendance and associated costs for Councillor Charlayne Thornton-Joe to attend the IDA Conference to be held in Baltimore, October 26-30, 2019.

**CARRIED UNANIMOUSLY**

**I.1.b.g 829-899 Fort Street and 846-856 Broughton Street - Rezoning Application No. 00613 and Development Permit Application No. 000516 (Fairfield)**

**Moved By** Councillor Collins

**Seconded By** Councillor Young

Rezoning Application No. 00613

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00613 for 829-899 Fort Street and 846-856 Broughton 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. Preparation and execution of legal agreements to secure the following:
  - a. a 1.73m Statutory Right-of-Way along the Quadra Street frontage, to the satisfaction of the Director of Engineering and Public Works.
  - b. rental of all of the dwelling units in perpetuity, to the satisfaction of the Director of Sustainable Planning and Community Development
  - c. sixty-three dwelling units of below market student rental housing (with a monthly cost of \$850 per student) for a period of four years, to the satisfaction of the Director of Sustainable Planning and Community Development
  - d. fourteen dwelling units of seniors housing to be rented at 60% below market value for a period of 12 years, to the satisfaction of the Director of Sustainable Planning and Community Development
  - e. community use of the multi-purpose rooms, to the satisfaction of the Director of Sustainable Planning and Community Development
  - f. frontage improvements to bury the hydro lines and provide street trees along all three street frontages, to the satisfaction of the Director of Engineering and Public Works
  - g. a childcare facility with a below market lease rate to be operated by a non-profit care provider, to the satisfaction of the Director of Sustainable Planning and Community Development
  - h. a music wellness centre to be operated by the Victoria Conservatory of Music with some availability for community use.
2. Preparation of a staff update report to Council on the applicant's proposed public art contribution.

Development Permit Application No. 00516

That Council, after the Public Hearing for Rezoning Application No. 00613, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 000516 for 829-899 Fort Street and 846-856 Broughton Street, in accordance with:

1. Plans date stamped May 31, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements.
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.
4. The Development Permit lapsing two years from the date of this resolution."

**CARRIED UNANIMOUSLY**

**I.1.b.h 605-629 Speed Avenue and 606-618 Frances Avenue - Development Permit with Variance Application No. 00115 (Burnside)**

**Moved By** Councillor Alto

**Seconded By** Councillor Potts

1. That prior to giving notice and giving an opportunity for public comment at a meeting of Council:
  - a. That Council instruct staff to work with the applicant to provide a functional road design and appropriate cross-sections to demonstrate that the proposed buildings, installation of underground utilities, driveway crossings and ramp grades will accommodate the existing London Plane trees located on Speed Avenue.
  - b. That Council instruct staff to prepare and execute a housing agreement that secures ten dwelling units (seven studios, two 1-bedroom and one 2-bedroom) in the six-storey building as rental in perpetuity and affordable as per the City's definition of Affordable Housing for a period of ten years.
2. 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 Variances Application No. 00115 for 605-629 Speed Avenue and 606-618 Frances Avenue, in accordance with:

- a. Plans date stamped July 18, 2019.
- b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. increase the height of building from 37m to 45.34m;
  - ii. reduce the front yard setback of the 14-storey portion of the building from 6m to 1.60m to allow for a canopy projection only;

- iii. reduce the front yard setback of the six-storey portion of the building from 6m to 1.52m to allow for a canopy projection only;
  - iv. reduce the side yard (east) setback from 5.90m to 0.00m for a parkade projection only;
  - v. reduce the required number of residential parking spaces from 237 to 151;
  - vi. reduce the required number of visitor parking space from 25 to 17;
  - vii. reduce the separation space between an accessory building (timber pavilion) and the principal building from 2.40m to 1.30m;
  - viii. reduce the separation space between an accessory building (bicycle storage building) and the principal building from 2.40m to 1.40m and locate the accessory building in the side yard.
- c. The Development Permit lapsing two years from the date of this resolution."

**CARRIED UNANIMOUSLY**

**I.1.b.i 1002 Vancouver Street - Heritage Alteration Permit No. 00237 (Fairfield)**

**Moved By** Councillor Alto

**Seconded By** Councillor Potts

1. That Council approve Heritage Alteration Permit Application No. 00237 for 1002 Vancouver Street as presented; and
2. That the City send a letter to BC Housing expressing disappointment in the removal of character-defining elements from the heritage-designated Mount Edwards apartment building without a permit, and stating the City's expectation that this situation does not recur.
3. As part of the letter we request that BC Housing make a voluntary contribution to one of the City's heritage funds for the amount that the wood windows would have cost.

*Councillor Isitt requested that part one of the motion be voted upon separately.*

**Moved By** Councillor Alto

**Seconded By** Councillor Potts

1. That Council approve Heritage Alteration Permit Application No. 00237 for 1002 Vancouver Street as presented; and

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

OPPOSED (1): Councillor Isitt

**CARRIED (7 to 1)**

**Moved By** Councillor Alto  
**Seconded By** Councillor Potts

1. That the City send a letter to BC Housing expressing disappointment in the removal of character-defining elements from the heritage-designated Mount Edwards apartment building without a permit, and stating the City's expectation that this situation does not recur.
2. As part of the letter we request that BC Housing make a voluntary contribution to one of the City's heritage funds for the amount that the wood windows would have cost.

**CARRIED UNANIMOUSLY**

**I.1.b.j Community Gardens License of Occupation**

**Moved By** Councillor Isitt  
**Seconded By** Councillor Dubow

That Council authorize the Mayor and City Clerk to execute new licences of occupation for the following community gardens, subject to the publication of notices as required by the Community Charter, and with all terms to the satisfaction of the City Solicitor and the Director of Parks, Recreation and Facilities:

1. Banfield Commons/ Tea Garden (Banfield Park on Craigflower Rd)
2. Banfield Orchard (Banfield Park on Craigflower Rd)
3. Fairfield Community Garden (Robert Porter Park)
4. Wark Street Commons (Wark Street Park between Bay St and Kings Rd)
5. Fernwood Community Orchard/ Stevenson Community Orchard (William Stevenson Park)
6. Earthbound Garden (2507 Garden Street)
7. Spirit Garden (1769 Newton St & 1782 Kings Rd)
8. James Bay New Horizons Pollinator Garden (Irving Park, James Bay)
9. Yates Street Community Garden (1012/14 Yates St.)

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Isitt  
**Seconded By** Councillor Dubow

Motion arising:

That staff report as part of the 2020 budget process on options for making community gardens more accessible for people with disabilities, people from diverse ethno cultural communities, and people in lower income neighbourhoods.

**CARRIED UNANIMOUSLY**

### **I.1.b.k Bike Master Plan Update - 2019 Projects**

**Moved By** Councillor Alto

**Seconded By** Councillor Isitt

That Council:

1. Approve the recommended design for the Vancouver Street AAA corridor, including adjacent road network improvements as per the details of this report and direct staff to proceed to detailed design and tendering to enable construction start in late 2019;
2.
  - a. Approve the recommended design for the Harbour Road AAA corridor and direct staff to proceed to detailed design and tendering to enable a construction start in late 2019; and
  - b. Direct staff to prepare a Bike BC funding application for this project and if successful, authorize the Mayor and the City Clerk to execute the associated grant agreement under the funding program, with terms similar to the 2017/2018 Bike BC program.
3.
  - a. Approve the alternate alignment of Graham and Jackson Street as the priority AAA corridor in the Hillside Quadra neighbourhood and proceed with priority engagement with residents of the 3000 and 3100 block of Jackson Street on intersection options at Finlayson Road; and
  - b. Direct staff to advance to detailed design and tendering for Graham and Jackson to enable a construction start in late 2019; and
  - c. Direct staff to initiate a partnership offer with School District 61 to collaborate on installation of outdoor covered bicycle parking at Quadra Elementary School.
4. That consideration be given to the following adjustments during the detailed design phase:
  - a. Consideration of phased implementation of new parking spaces on Vancouver Street, particularly between Southgate and Fairfield, to allow for review of functionality of the network prior to the introduction of new incursions into the right of way;
  - b. Consideration of retaining the landscaped traffic island on Harbour road north of the crosswalk connecting to the Galloping Goose Trail.

Motion to Refer:

That Council endorse the concept of developing a “Fernwood / Oaklands connector” off the Vancouver Street route in North Park, in conjunction with traffic safety improvements in the vicinity of the George Jay Elementary School funded as a distinct project, with consideration of signalized crossings at Princess / Cook and

Cedar Hill / Bay and refer the matter to budget discussions in the fall.

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

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

**CARRIED (6 to 2)**

**I.1.b.I Dallas Road Balustrade Replacement**

**Moved By** Councillor Alto

**Seconded By** Councillor Collins

That Council:

1. Endorse the replacement of the existing balustrade along Dallas Road seawall with the steel stanchion and wire cable design (like other waterfront railing designs along city waterfront locations), as recommended in this report; and,
2. Direct staff to amend the 2019 Financial Plan by adding \$150,000 in project funding to allow for detailed design and contract preparation for the replacement balustrade, funded from the Buildings and Infrastructure Reserve.

**CARRIED UNANIMOUSLY**

**I.1.b.m 2030 BOMA Resilient District Grant Funding Allocation**

**Moved By** Councillor Collins

**Seconded By** Councillor Potts

That Council approve a grant of \$25,000 to be awarded to the Building Owners and Managers Association of BC (BOMA) for the creation of a 2030 Resilient District in Greater Victoria.

**CARRIED UNANIMOUSLY**

**I.1.b.n Notice of Proposed Amendment - Canadian Aviation Regulation Advisory Council (CARAC) - Transport Canada - Victoria Harbour Airport (YWH)**

**Moved By** Councillor Isitt

**Seconded By** Councillor Collins

That Council direct staff on the submission of comments to Civil Aviation Regulation Advisory Council (CARAC), specifically in response to "Notice of Proposed Amendments (NPA); dated July 8, 2019. The original date for response to CARAC was identified as August 22nd, 2019 but subsequent discussion has indicated extension to September 2nd. In an abundance of caution, it is recommended to provide the submission prior to August 22nd.

With regard to the "proposed changes" as identified on Page four (4) of the NPA, the applicability of the amendment **does not** relate to the Victoria Harbour Water Airport (YWH) as, it is presently identified as a "certified" water airport under definition of both options of the proposal. There are presently six (6) certified water airports in Canada.

Specific to Victoria Harbour Airport, the following recommendations are provided for Council's consideration to be included in submission as a wholesome response to the CARAC "Notice of Proposed Amendment."

1. Support and encourage compliance with Subpart 302 of the Canadian Aviation Regulations (CAR), specifically Part III which may provide greater safety and ensure effective resources are in place for emergency service provision, including rescue, within and surrounding the Victoria Harbour
2. Support the proposal for Transport Canada to adopt the recommended solution(s) to establish the requirement for the certification and operation of water airports, including safety requirements, organizational requirements, emergency response plans and reporting requirements. Additional reference to included surrounding the establishment of cost recovery or fee for service agreements with applicable agencies.
3. Incorporation into Part III of the CARs will provide for further exploration on the incorporation of legal binding contractual arrangements and/or contractual arrangements to further clarify "lines of authority", incident command and authority having jurisdiction (AHJ) in emergency response situations
4. Acceptance and publication to the Gazette of this amendment to promote further define the requirements for the certification and operation of water airports in Canada and, allow a standardized application of these emergency response and safety requirements by Transport Canada.
5. Request that Transport Canada provide the City of Victoria with a Noise Exposure Forecast for the Victoria Harbour water airport as soon as possible and on an ongoing basis.
6. That Transport Canada provide an up to date safety assessment of the harbour airport.

**CARRIED UNANIMOUSLY**

**Motion to extend:**

**Moved By** Mayor Helps

**Seconded By** Councillor Dubow

That the meeting be extended to 1:05 a.m.

**CARRIED UNANIMOUSLY**



K. **BYLAWS**

K.1 **Bylaws for 819-823, 825, and 827 Fort Street: Rezoning Application No. 00621, Heritage Alteration Permit with Variances Application No. 0009, and Heritage Designation Application No. 000176**

**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. 1186) No. 19-050
2. Heritage Designation (819-823 Fort Street) Bylaw No. 19-072

**CARRIED UNANIMOUSLY**

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

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

1. Housing Agreement (825 Fort Street) Bylaw (2019) No. 19-051

**CARRIED UNANIMOUSLY**

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

That Council, after giving notice and allowing an opportunity for public comment and after a Public Hearing for a Rezoning Application, if it is approved, consider the following motion:

"That Council authorize the issuance of Heritage Alteration Permit Application with Variances No. 00009 for 819-823, 825 and 827 Fort Street, in accordance with:

1. Plans, date stamped May 27, 2019.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. increase the height from 30m to **31.1m** for the main roof
  - ii. **increase the maximum projection into height for rooftop structures from 5.0m to 5.1m for the elevator overrun**
  - iii. reduce **short term** bicycle parking from 12 to 0
  - iv. reduce parking from **76 stalls** to 57 stalls.
3. Receipt of a car-share agreement that includes 45 MODO car-share memberships for residents without vehicles in perpetuity and a dedicated car-share vehicle parking stall on site.
4. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.
5. Heritage Alteration Permit with Variances lapsing two years from the date of this resolution."

**CARRIED UNANIMOUSLY**

**K.2 Bylaws for 2566-2580 Fifth Street: Official Community Plan Amendment, Rezoning Application No. 00673, and Development Permit with Variances Application No. 00100**

**Moved By** Councillor Alto  
**Seconded By** Councillor Potts

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

1. Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 32) No. 19-071
2. Zoning Regulation Bylaw, Amendment Bylaw (No. 1195) No. 19-069

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Alto  
**Seconded By** Councillor Potts

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

1. Housing Agreement (2566-2580 Fifth Street) Bylaw (2019) No. 19-070

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Alto  
**Seconded By** Councillor Potts

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for an Official Community Plan Amendment and Rezoning Application No. 00673, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00100 for 2566-2580 Fifth Street, in accordance with:

1. Plans date stamped April 24, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. reduce the residential vehicle parking stalls from 45 to 18
  - ii. reduce the visitor vehicle parking stalls from 6 to 2
  - iii. reduce the commercial vehicle parking stalls from 8 to 5.
3. The Development Permit lapsing two years from the date of this resolution."

**CARRIED UNANIMOUSLY**

**K.3 Bylaw for 1284-1298 Gladstone Avenue: Rezoning Application No. 00640**

**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. 1172) No. 19-013

**CARRIED UNANIMOUSLY**

*Councillor Isitt withdrew from the meeting at 1:01 a.m. due to a potential non-pecuniary conflict of interest with the following item, as he wrote a letter of support for their request for provincial funding to expand childcare spaces.*

**K.4 Bylaw for 1661 Burton Avenue: Rezoning Application No. 00692**

**Moved By** Councillor Dubow  
**Seconded By** Councillor Collins

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1201) No. 19-085

**CARRIED UNANIMOUSLY**

*Councillor Isitt returned to the meeting at 1:02 a.m.*

**K.5 Bylaw for 423 Edward Street: Development Variance Permit Application No. 00207**

**Moved By** Councillor Collins  
**Seconded By** Councillor Alto

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

1. Housing Agreement (423 Edward Street) Bylaw (2019) No. 19-049

**CARRIED UNANIMOUSLY**

**K.6 Bylaws for 952 Johnson Street and 1400 Vancouver Street (McCall's Floral Chapel): Rezoning Application No. 00666, Development Permit with Variances Application No. 00095, and Heritage Designation Application No. 000184**

**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. 1189) No. 19-057
2. Heritage Designation (952 Johnson Street and 1400 Vancouver Street) Bylaw No. 19-063

**CARRIED UNANIMOUSLY**

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

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

1. Housing Agreement (1400 Vancouver Street and 952 Johnson Street) Bylaw (2019) No. 19-058

**CARRIED UNANIMOUSLY**

**L. CORRESPONDENCE**

**L.1 Letter from the Mayor of the Corporation of the District of Saanich**

A letter dated May 17, 2019, in which the City was carbon-copied, requesting that the Capital Regional District undertake beach water sampling as a public health service for the region.

**Moved By** Councillor Alto  
**Seconded By** Councillor Dubow

That the correspondence dated May 17, 2019 from the Mayor of the Corporation of the District of Saanich be received for information.

**CARRIED UNANIMOUSLY**

**L.2 Letter from the Minister of Children and Family Development and the Minister of State for Child Care**

A letter dated July 15, 2019, regarding the Childcare BC New Spaces Fund.

**Moved By** Councillor Alto  
**Seconded By** Councillor Dubow

That the correspondence dated July 15, 2019 from the Minister of Children and Family Development and the Minister of State for Child Care be received for information.

**CARRIED UNANIMOUSLY**

**N. QUESTION PERIOD**

A question period was held.

**O. ADJOURNMENT**

**Moved By** Councillor Alto  
**Seconded By** Councillor Potts

That the Council meeting adjourn.  
TIME: 1:03 a.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR