



MINUTES - VICTORIA CITY COUNCIL

September 19, 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: Councillor Dubow in the Chair, Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young

ABSENT FOR A PORTION OF THE MEETING: Mayor Helps in the Chair

LEAVE OF ABSENCE: Councillor Collins

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, T. Zworski - City Solicitor, B. Eisenhauer - Head of Engagement, C. Havelka - Deputy City Clerk, A. Meyer - Assistant Director of Development Services, C. Mycroft - Manager of Executive Operations, P. Martin - Council Secretary, A. Johnston - Planner

A. APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Moved By Councillor Loveday

Seconded By Councillor Alto

That the agenda be approved as amended.

CARRIED UNANIMOUSLY

B. Poetry Reading

Youth Poet Laureate, Aziza Moqia Sealey-Qaylow, read a poem titled "Open skies".

C. READING OF MINUTES

Moved By Councillor Alto

Seconded By Councillor Potts

That the following minutes be adopted:

1. Minutes from the daytime meeting held August 8, 2019
2. Minutes from the evening meeting held September 5, 2019
3. Minutes from the special evening meeting held September 12, 2019

CARRIED UNANIMOUSLY

D. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Isitt

Seconded By Councillor Alto

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

D.2 Michael Crawford: Chambers Street Traffic Issues

Michael Crawford's neighbour read a letter on his behalf, outlining for Council the issues they have experienced with traffic on Chambers Street.

D.3 Trish Richards: Traffic Calming Measures on Chambers and Caledonia

Outlined for Council the issues they have experienced with traffic on Chambers Street, and their request for potential fixes.

D.4 Brett & Shelley Gaylor: Increased Traffic on Chambers Street

Outlined for Council the issues they have experienced with traffic on Chambers Street, and their request for potential fixes.

D.5 Marianne Ketchen: Traffic Calming Measures on Chambers and Caledonia

Outlined for Council the issues they have experienced with traffic on Chambers Street, and their request for potential fixes.

D.6 Ben Cram: Traffic on Chambers

Outlined for Council the issues they have experienced with traffic on Chambers Street, and their request for potential fixes.

Mayor Helps joined the meeting at 7:00 p.m. and assumed the Chair.

E. PROCLAMATIONS

E.1 "Performance and Learning Month" - September 2019

Moved By Councillor Alto

Seconded By Councillor Loveday

That the following proclamation be endorsed:

1. "Performance and Learning Month" - September 2019

CARRIED UNANIMOUSLY

E.2 "British Home Child Day" - September 28, 2019

Moved By Councillor Isitt

Seconded By Councillor Potts

That the following proclamation be endorsed:

1. "British Home Child Day" - September 28, 2019

CARRIED UNANIMOUSLY

E.3 "Manufacturing Month" - October 2019

Moved By Councillor Loveday
Seconded By Councillor Potts

That the following proclamation be endorsed:

1. "Manufacturing Month" - October 2019

CARRIED UNANIMOUSLY

E.4 "Small Business Month" - October 2019

Moved By Councillor Thornton-Joe
Seconded By Councillor Dubow

That the following proclamation be endorsed:

1. "Small Business Month" - October 2019

CARRIED UNANIMOUSLY

E.5 "World Cerebral Palsy Day" - October 6, 2019

Moved By Councillor Dubow
Seconded By Councillor Thornton-Joe

That the following proclamation be endorsed:

1. "World Cerebral Palsy Day" - October 6, 2019

CARRIED UNANIMOUSLY

E.6 "Fire Prevention Week" - October 6-12, 2019

Moved By Councillor Alto
Seconded By Councillor Loveday

That the following proclamation be endorsed:

1. "Fire Prevention Week" - October 6-12, 2019

CARRIED UNANIMOUSLY

F. PUBLIC AND STATUTORY HEARINGS

F.1 902, 906, and 910 McClure Street (Abigail's Hotel): Rezoning Application No. 00648, Development Permit with Variances Application No. 000530, and Heritage Designation Application No. 00181

Zoning Regulation Bylaw, Amendment Bylaw (No. 1203) No. 19-087:

To rezone the land known as 902, 906 and 910 McClure Street from the T-7 Zone, Bessborough Transient Accommodation District, and the R-K Zone, Medium Density Attached Dwelling District, to the T-25 Zone, McClure Transient Accommodation District, to permit an expansion to the existing hotel. The Zoning

Regulation Bylaw is also amended to repeal the T-7 Zone, Bessborough Transient Accommodation District.

Development Permit with Variances Application:

The Council of the City of Victoria will also consider issuing a development permit with variances for the land known as 902, 906 and 910 McClure Street, in Development Permit Area 16: General Form and Character for the purposes of approving the exterior design and finishes for the hotel building as well as landscaping.

Heritage Designation Application:

The Council of the City of Victoria will also consider approving the heritage designation of the building located at 906 McClure Street.

F.1.a Public Hearing & Consideration of Approval

Alec Johnston (Senior Planner): *Advised that the application is to permit the construction of a new four-storey building with additional guest rooms, while retaining the two existing hotel buildings.*

Mayor Helps opened the public hearing at 7:04 p.m.

Alison Fairhurst and Billy Cause (Applicant): Provided information regarding the application.

Kathy Gregson (Burdett Street): Expressed support for the application, as it provides a great asset to the City and neighbourhood.

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

Moved By Councillor Thornton-Joe

Seconded By Councillor Loveday

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1203) No. 19-087
2. Heritage Designation (906 McClure Street) Bylaw No. 19-088

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe

Seconded By Councillor Loveday

That the following bylaws **be adopted:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1203) No. 19-087
2. Heritage Designation (906 McClure Street) Bylaw No. 19-088

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe

Seconded By Councillor Dubow

That Council authorize the issuance of Development Permit with Variance Application No. 000530 for 902, 906 and 910 McClure Street, in accordance with:

1. Plans date stamped March 5, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - i. reduce the minimum landscape strip for a surface parking lot from 1.0m to 0.67m.
3. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

F.2 952 Johnson Street and 1400 Vancouver Street: Rezoning Application No. 00666, Development Permit with Variances Application No. 00095, and Heritage Designation Application No. 00692

Zoning Regulation Bylaw, Amendment Bylaw (No.1189) No. 19-057:

To rezone the land known as 1400 Vancouver Street and 952 Johnson Street from the S-2 Zone, Special District, to the CA-91 Zone, Harris Green (1400 Vancouver and 952 Johnson) District to permit a mixed-use development with residential and commercial uses.

Development Permit with Variance Application:

The Council of the City of Victoria will also consider issuing a development permit for the land known as 1400 Vancouver Street and 952 Johnson Street, in Development Permit Area 3 (HC) Core Mixed-Use Residential for the purposes of approving the exterior design and finishes for the mixed-use development as well as landscaping.

Heritage Designation Application:

The Council of the City of Victoria will also consider approving the heritage designation of the Floral Chapel of the McCall's Funeral Home at 1400 Vancouver Street and 952 Johnson Street, in Development Permit Area 3 (HC).

Under the provisions of the Local Government Act, the City of Victoria intends to designate the exterior and portions of the interior of the 1955 chapel building located at 952 Johnson Street and 1400 Vancouver Street, legally described as Lot A, District Lots 832, 833, 834 and 835, Victoria City, Plan 13740, as protected heritage property, under Heritage Designation (952 Johnson Street & 1400 Vancouver Street) Bylaw No. 19-063.

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

Alec Johnston (Senior Planner): *Advised that the application is to develop a mixed-use building with commercial at grade and residential units above, with an increase in density. The existing chapel is proposed to be retained for future commercial use.*

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

Applicants: Provided information regarding the application.

Dean Stephans (Garbally Road): Expressed support for the application as it will provide an asset to the City.

Resident: Expressed the need for continued landscaping at this site in order to provide a safer feeling area.

Patrick Stoneberg (Cook Street): Expressed support for the application due to the need for rental housing in the City.

Blair Bahan (Cook Street): Expressed support for the application due to the need for rental housing in the City.

Chris Past (Victoria Conservatory of Music): Expressed support for the application due to the planned design of the building and as it will be an asset to the neighbourhood.

Resident: Expressed support for the application due to the unique and thoughtful design.

Wayne Foster: Expressed support for the application due to how the new development will be mixed with the original building.

Scott (Cook Street): Expressed support for the application due to the need for rental housing in the City.

Council discussed the following:

- *The potential cost of the rental units.*

Mayor Helps closed the public hearing at 7:53 p.m.

Moved By Councillor Thornton-Joe

Seconded By Councillor Loveday

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

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

Council discussed the following:

- *The need for rental housing of varying sizes in the City.*

CARRIED UNANIMOUSLY

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the following bylaws **be adopted**:

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

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That Council authorize the issuance of Development Permit with Variance Application No. 00095 for 952 Johnson Street and 1400 Vancouver Street in accordance with:

1. Plans date stamped March 27, 2019
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - i. increase the building height to 49.8m
3. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

Moved By Mayor Helps
Seconded By Councillor Dubow

That Council request that the Mayor write a letter of support on behalf of Council for this project to the Canadian Mortgage and Housing Corporation.

CARRIED UNANIMOUSLY

Councillor Isitt withdrew from the meeting at 8:09 p.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.

F.3 1661 Burton Avenue: Rezoning Application No. 00692

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

To rezone the land known as 1661 Burton Avenue from the R1-B Zone, Single Family Dwelling District, to the R1-K Zone, Kindergarten House Conversion District, to permit a daycare.

F.3.a Public Hearing & Consideration of Approval

Alec Johnston (Senior Planner): *Advised that the application is to permit daycare use within the existing building.*

Mayor Helps opened the public hearing at 8:11 p.m.

Applicant: Provided information regarding the application.

Bridey Morgan (Burton Avenue): Expressed concerns with the application due to the proposed number of children and the related increased traffic and parking.

Ryan Moen (Menzie Street): Expressed support for the application due to the need for childcare in the City.

Rob Sherman (Burton Avenue): Expressed concerns with the application due to the proposed number of children and the related increased traffic and parking.

Sally Watson (Burton Avenue): Expressed concerns with the application due to the proposed number of children and the related increased traffic and parking.

Council discussed the following:

- *The potential traffic and parking issues.*

Mayor Helps closed the public hearing at 8:48 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. 1201) No. 19-085

Council discussed the following:

- *The need for additional childcare in the City.*

CARRIED UNANIMOUSLY

Adoption of Zoning Regulation Bylaw, Amendment Bylaw (No. 1201) No. 19-085 was withheld, pending execution of the required Statutory Right-of-Way.

Councillor Isitt returned to the meeting at 9:01 p.m.

Council recessed from 9:01 p.m. until 9:09 p.m. Councillors Dubow and Potts were not present.

G. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Isitt

Seconded By Councillor Thornton-Joe

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

G.1 Ryan Moen: Beyond the Plastic Bag

Outlined why Council should request approval of a single use container ban bylaw.

Councillor Potts joined the meeting at 9:10 pm.

Councillor Dubow joined the meeting at 9:10 pm.

G.2 Deborah Diduck: Transgender Movement

Outlined concerns relating to the Transgender, Non-Binary, and Two Spirit Inclusion Action Plan.

G.6 Tom Walker: Trolleys and Cruise Ships

Outlined why Council should not support the motion relating to Horse Drawn Carriages.

G.7 Katarina Sjoblom: Industry

Outlined why Council should not support the motion relating to Horse Drawn Carriages.

G.8 Donna Friedlander: SPCA Recommendations to Enhance the Horse-Drawn Carriage Industry in Victoria

Outlined why Council should not support the motion relating to Horse Drawn Carriages.

G.9 Jamie Goyman: Victoria Cannabis Buyers Club

Outlined why Council should work to help block the closure of the Victoria Cannabis Buyers Club.

G.3 Jordan Reichert: SPCA Recommendations to Ban Horse Carriages in Victoria

Outlined why Council should support the BC SPCA recommendations to prohibit the operation of horse carriages and trolleys in Victoria.

G.4 Kari Sloane: Horse-Drawn Carriages

Outlined why Council should support the BC SPCA recommendations to prohibit the operation of horse carriages and trolleys in Victoria.

G.5 Tony Aston: Horse Drawn Carriages

Outlined why Council should support the BC SPCA recommendations to prohibit the operation of horse carriages and trolleys in Victoria.

H. UNFINISHED BUSINESS

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

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 dated September 6, 2019 from the Minister of Environment and Climate Change be received for information.

CARRIED UNANIMOUSLY

H.2 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 Loveday

Seconded By Councillor Alto

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

CARRIED UNANIMOUSLY

I. REPORTS OF COMMITTEES

I.1 Committee of the Whole

I.1.a Report from the September 12, 2019 COTW Meeting

I.1.a.a Draft OCP Regional Context Statement

Moved By Councillor Alto

Seconded By Councillor Loveday

That Council:

1. Direct staff to prepare an Official Community Plan amendment bylaw to replace section 5 of Schedule "A" with an updated regional context statement that summarizes the policy alignment between the OCP and the 2018 CRD Regional Growth Strategy.
2. Consider consultation under Section 475(1) of the Local Government Act and direct staff to post a notice on the City's website of the draft regional context statement, and such notice will provide the contact information of a Planning staff member to which members of the public may speak and provide input, and the staff member will provide a report on input received to Council prior to first reading.
3. Consider consultation under Section 475(2)(b) of the Local Government Act and direct staff to refer the draft regional context statement for comments to the Capital Regional District Board, District of Oak Bay, District of Saanich, Township of Esquimalt, Songhees First Nation, Esquimalt First Nation, and School District 61.
4. Direct staff to report back to Council with a summary of feedback, the updated regional context statement, and the Official Community Plan amendment bylaw for first reading.

CARRIED UNANIMOUSLY

I.1.a.b Conference Attendance Request for Councillor Loveday - UBCM

Moved By Councillor Isitt

Seconded By Councillor Thornton-Joe

That Council approve the attendance of the 2019 Union of BC Municipalities Convention and related expenses for Councillor Loveday.

CARRIED UNANIMOUSLY

I.1.a.c Urban Food Table - Food Production on Private Land Inventory Survey

Moved By Councillor Isitt
Seconded By Councillor Loveday

That Council receive this presentation for information and express appreciation to the Urban Food Table for undertaking the survey and other contributions for a sustainable food system.

CARRIED UNANIMOUSLY

I.1.a.d Work Without Permit: 1551 Bay Street/Bylaw File #71170 (Fernwood)

Moved By Councillor Alto
Seconded By Councillor Potts

That the hearing be recessed for 60 days.

CARRIED UNANIMOUSLY

I.1.a.e 910 Government Street and 525 Broughton Street: Rezoning Application No. 00662

Moved By Councillor Isitt
Seconded By Councillor Potts

That Council decline Rezoning Application No. 00662 for the property located at 910 Government Street and 525 Broughton Street.

CARRIED UNANIMOUSLY

I.1.a.f Tree Preservation Bylaw Update

Moved By Councillor Isitt
Seconded By Councillor Potts

That staff bring forward the attached Tree Preservation Bylaw, Amendment Bylaw (No.1) No. 19-082 for first, second and third readings.

Amendments:

1. That "i" be changed from 80 centimeters to 60 centimeters.
2. That Council direct staff to convene an opportunity for public comment as part of the bylaw approval process.
3. That the permit fee goes from \$30 to \$50
4. That the security deposit goes from \$350 to \$700

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

CARRIED (7 to 1)

I.1.a.g Horse Drawn Carriages - Referred from May 23, 2019 Council Meeting

Moved By Councillor Isitt
Seconded By Councillor Potts

That Council receive the presentation from the SPCA for information.

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

CARRIED (7 to 1)

Moved By Councillor Isitt
Seconded By Councillor Potts

Motion Arising:

That Council requests that the BC SPCA provide advice to Council on the following possible amendments to regulations respecting horse-drawn carriage operations in the City of Victoria and have the response from the SPCA go to the next quarterly update for Council's consideration:

Specifying that use of the municipal rights of way and parking stands for commercial horse-drawn carriage operations be limited to:

1. vehicles pulled by one horse;
2. a geographic area bounded by Humboldt Street to the north, Cook Street to the east, Dallas Road to the south, and Victoria Harbour to the west.
3. working conditions limited to an air temperature not exceeding 28 degrees Celsius measured in the City of Victoria and good air quality consistent with Vancouver Island Health Authority advisories.

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

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

CARRIED (6 to 2)

Moved By Councillor Thornton-Joe

Seconded By Councillor Loveday

Motion Arising:

At the next quarterly update for staff to provide an update on the previously approved motion regarding the banning of the sale of puppies, kittens.

CARRIED UNANIMOUSLY

I.1.a.h Permissive Tax Exemptions

Councillor Loveday withdrew from the meeting at 10:06 p.m., due to a non-pecuniary conflict of interest with the following motion, as his partner applied for an exemption under part one.

Moved By Councillor Isitt

Seconded By Councillor Young

That Council:

Direct staff to bring forward a 2020-2022 permissive tax exemption bylaw for properties as follows:

1. Renewal Applications Recommended for Approval (Appendix A)
2. New Application Recommended for Approval: (Appendix B)
3. *The Salvation Army, folio 12814031, 943 Fullerton Ave*
4. City of Victoria Exemptions Recommended for Approval (Appendix D)

CARRIED UNANIMOUSLY

Councillor Loveday returned to the meeting at 10:08 p.m.

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

Motion Arising:

Direct staff to report back to Council at the next quarterly update on changes needed to the City's Permissive Tax Exemption Policy to allow applications for tax exemptions from non-profit organizations categorized as long term care facilities, cultural associations, service clubs, and affordable housing providers located in the City, and the costs and other implications of such policy changes.

Amendment:

Moved By Councillor Isitt

Seconded By Councillor Young

That the motion be amended as follows:

Direct staff to report back to Council at the next quarterly update on changes needed to the City's Permissive Tax Exemption Policy to allow applications for tax exemptions from non-profit organizations categorized as ~~long term care facilities~~, cultural associations, ~~and~~ service clubs, ~~and affordable housing providers~~ located in the City, and the costs and other implications of such policy changes.

FOR (4): Mayor Helps, Councillor Dubow, Councillor Isitt, and Councillor Young

OPPOSED (4): Councillor Alto, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe

DEFEATED (4 to 4)

Main motion:

Direct staff to report back to Council at the next quarterly update on changes needed to the City's Permissive Tax Exemption Policy to allow applications for tax exemptions from non-profit organizations categorized as long term care facilities, cultural associations, service clubs, and affordable housing providers located in the City, and the costs and other implications of such policy changes.

Councillor Isitt requested that four application categories be voted upon separately.

Category 1:

Direct staff to report back to Council at the next quarterly update on changes needed to the City's Permissive Tax Exemption Policy to allow applications for tax exemptions from non-profit organizations categorized as **long term care facilities** located in the City, and the costs and other implications of such policy changes.

FOR (4): Councillor Alto, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe

OPPOSED (4): Mayor Helps, Councillor Dubow, Councillor Isitt, and Councillor Young

DEFEATED (4 to 4)

Councillor Loveday requested that the vote be recalled.

Mayor Helps recalled the motion.

Category 1:

Direct staff to report back to Council at the next quarterly update on changes needed to the City's Permissive Tax Exemption Policy to allow applications for tax exemptions from non-profit organizations categorized as **long term care facilities** located in the City, and the costs and other implications of such policy changes.

FOR (4): Councillor Alto, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe
OPPOSED (4): Mayor Helps, Councillor Dubow, Councillor Isitt, and Councillor Young

DEFEATED (4 to 4)

Category 2:

Direct staff to report back to Council at the next quarterly update on changes needed to the City's Permissive Tax Exemption Policy to allow applications for tax exemptions from non-profit organizations categorized as **cultural associations** located in the City, and the costs and other implications of such policy changes.

CARRIED UNANIMOUSLY

Category 3:

Direct staff to report back to Council at the next quarterly update on changes needed to the City's Permissive Tax Exemption Policy to allow applications for tax exemptions from non-profit organizations categorized as **service clubs** located in the City, and the costs and other implications of such policy changes.

CARRIED UNANIMOUSLY

Category 4:

Direct staff to report back to Council at the next quarterly update on changes needed to the City's Permissive Tax Exemption Policy to allow applications for tax exemptions from non-profit organizations categorized as **affordable housing providers** located in the City, and the costs and other implications of such policy changes.

FOR (4): Councillor Alto, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe
OPPOSED (4): Mayor Helps, Councillor Dubow, Councillor Isitt, and Councillor Young

DEFEATED (4 to 4)

Moved By Councillor Loveday

Seconded By Councillor Isitt

Motion to Refer:

That this matter be referred to the next quarterly update for staff to report on the implications of doing this work.

FOR (5): Mayor Helps, Councillor Isitt, Councillor Loveday, Councillor Potts, and Councillor Young

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

CARRIED (5 to 3)

I.1.b Report from the September 19, 2019 COTW Meeting

I.1.b.a Recommendation for Urban Earth Med Compassion Club at 2020 Douglas Street (Burnside-Gorge)

Moved By Councillor Alto

Seconded By Councillor Loveday

That Council direct staff to advise the Liquor and Cannabis Regulation Branch:

1. Council supports the application of Urban Earth Med Compassion Club at 2020 Douglas Street to receive a provincial cannabis retail store license with the following comments on the prescribed considerations:
 - a. The Council recommends that the LCRB issue a license to Urban Earth Med Compassion Club at 2020 Douglas Street, subject to the condition that this license not be issued until after Urban Earth Med Compassion Club obtains a Delegated Development Permit for any proposed alterations to the building exterior that are required to operate the business.
 - b. The application has been reviewed by the Victoria Police Department, Bylaw Services Division, and Sustainable Planning and Community Development Branch and there are no site-specific comments in terms of impacts on the community and the property has been zoned for retail sale of cannabis.
 - c. The views of residents were solicited through a mail-out to neighbouring property owners and occupiers within 100 metres of this address and to the relevant neighbourhood association. The City sent 136 letters and received 2 letters in response. Both letters share a concern about the sale of cannabis in this location. The City did not receive correspondence from the neighbourhood association.
 - d. A Delegated Development Permit is required to ensure alterations to the building exterior do not diminish the pedestrian experience and create safety concerns by obstructing the view from the sidewalk or street into the store.

CARRIED UNANIMOUSLY

I.1.b.b Council Member Motion - Enforcement of the CRD Clean Air Bylaw

Moved By Councillor Thornton-Joe

Seconded By Councillor Loveday

Request that the City's CRD representatives ask that the CRD report to its Board on the number, distribution and capacity of its current bylaw enforcement staff, and further petition the CRD to hire additional staff necessary to adequately enforce the CRD Clean Air Bylaw.

FOR (4): Councillor Alto, Councillor Loveday, Councillor Thornton-Joe, and Councillor Young
OPPOSED (4): Mayor Helps, Councillor Dubow, Councillor Isitt, and Councillor Potts

DEFEATED (4 to 4)

I.1.b.c Council Member Motion - Conference Attendance Request for Councillor Isitt - UBCM

Moved By Councillor Dubow

Seconded By Councillor Young

That Council authorize the attendance and associated costs for Councillor Isitt to attend the Union of BC Municipalities (UBCM) annual meeting in Vancouver, BC, from September 23-27, 2019, with estimated costs as follows:

Registration: \$550

Transportation: \$250

Accommodation: \$1200

Means and Incidentals: \$240

Estimated total costs: \$2240

CARRIED UNANIMOUSLY

I.1.b.d Council Member Motion - Conference Attendance Request for Councillor Isitt - Climate Caucus Summit

Moved By Councillor Dubow

Seconded By Councillor Young

That Council retroactively authorize the attendance and associated costs for Councillor Isitt to attend the Climate Caucus Summit, which took place in Vancouver, BC, on August 13, 2019, with the following costs:

Transportation: \$250

Means and Incidentals: \$25

Estimated total costs: \$275

CARRIED UNANIMOUSLY

I.1.b.e Council Member Motion - Conference Attendance Request for Councillor Potts - UBCM

Moved By Councillor Dubow

Seconded By Councillor Young

That Council approve the attendance of the 2019 Union of BC Municipalities Convention and related expenses for Councillor Potts.

Estimated Expenses:

Travel: \$300

Incidentals: \$100

Conference registration: \$840

Total: \$1240

CARRIED UNANIMOUSLY

I.1.b.f Council Member Motion - Conference Attendance Request for Councillor Dubow

Moved By Councillor Dubow

Seconded By Councillor Young

That Council authorize the attendance and associated costs for Councillor Dubow to attend the 2019 Union of BC Municipalities Convention on September 23rd to September 27th, 2019.

The costs are as follows:

Transportation: \$150

Accommodation: \$1600

Registration: \$620

Incidentals: \$100

Total: \$2470

CARRIED UNANIMOUSLY

I.1.b.g Permissive Tax Exemptions

Moved By Councillor Alto

Seconded By Councillor Dubow

That the Royal Canadian Legion Pro Patria Branch be exempted from all property taxes for the Class 8 taxable assessment for the years 2020 to 2022.

CARRIED UNANIMOUSLY

Councillor Isitt withdrew from the meeting at 10:34 p.m. due a non-pecuniary conflict of interest with the following item, as his father's residence shares a property line.

I.1.b.h 415 and 435 Michigan Street: Rezoning Application No. 00637 and Development Permit with Variances Application No. 00055

Moved By Councillor Potts

Seconded By Councillor Loveday

Rezoning Application No. 00637

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00637 for 415 and 435 Michigan Street, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set once the following conditions are met:

1. An executed legal agreement in a form to the satisfaction of the City Solicitor, to secure all of the dwelling units on site as rental, in perpetuity.
2. An executed legal agreement in a form to the satisfaction of the City Solicitor, to secure two of the proposed one-bedroom rental dwelling units as below-market housing (offered for rent at 30% of the gross annual household income for \$55,200 households, in perpetuity).
3. That Council direct staff to work with the applicant to revise the proposal to provide additional parking spaces and/or develop a comprehensive TDM package to mitigate the parking shortfall and submit revised plans to address inconsistencies in the project data table, and bring the revised proposal back to a future Committee of the Whole meeting.

Amendment:

Moved By Councillor Loveday

Seconded By Mayor Helps

That point three of the motion be amended as follows:

3. That Council direct staff to work with the applicant to revise the proposal to ~~provide additional parking spaces and/or~~ develop a comprehensive TDM package to mitigate the parking shortfall and submit revised plans to address inconsistencies in the project data table, and bring the revised proposal back to a future Committee of the Whole meeting.

CARRIED UNANIMOUSLY

Amendment:

Moved By Mayor Helps

Seconded By Councillor Alto

That point three of the motion be amended as follows:

3. That Council direct staff to work with the applicant to revise the proposal to develop a comprehensive TDM package to mitigate the parking shortfall and submit revised plans to address inconsistencies in the project data table, ~~and bring the revised proposal back to a future Committee of the Whole meeting.~~

CARRIED UNANIMOUSLY

Main motion as amended:

Rezoning Application No. 00637

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00637 for 415 and 435 Michigan Street, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set once the following conditions are met:

1. An executed legal agreement in a form to the satisfaction of the City Solicitor, to secure all of the dwelling units on site as rental, in perpetuity.
2. An executed legal agreement in a form to the satisfaction of the City Solicitor, to secure two of the proposed one-bedroom rental dwelling units as below-market housing (offered for rent at 30% of the gross annual household income for \$55,200 households, in perpetuity).
3. That Council direct staff to work with the applicant to revise the proposal to develop a comprehensive TDM package to mitigate the parking shortfall and submit revised plans to address inconsistencies in the project data table.

Moved By Councillor Alto

Seconded By Councillor Loveday

Development Permit with Variances Application No. 00055

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. 00637, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variances Application No. 00055 for 415 and 435 Michigan Street, in accordance with:

1. Plans date stamped June 4, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. increase the number of buildings permitted on one lot from one to three;
 - ii. reduce the front setback to buildings from 15m to 5.5m;

- iii. reduce the front setback to canopies on a building from 12m to 5m;
 - iv. reduce the front setback to stairs on a building from 12m to 2.0m;
 - v. increase the site coverage from 14% to 23.6%;
 - vi. reduce the open site space from 40% to 31%;
 - vii. reduce the number of parking spaces (not visitor) from 221 to 130;
 - viii. reduce the number of parking spaces (visitor) from 22 to 11;
 - ix. permit accessory buildings in the side yard;
 - x. increase the floor area for an accessory building from 37m² to 54m².
- 3. Revised plans addressing inconsistencies in the project data table.
 - 4. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

Councillor Isitt returned to the meeting at 10:42 p.m.

I.1.b.i 514 and 518 Sumas Street: Rezoning Application No. 00691 (Burnside-Gorge)

Moved By Councillor Potts

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. 00691 for 514 and 518 Sumas 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. Prepare and execute a Housing Agreement to ensure that future Strata Bylaws cannot prohibit the rental of dwelling units.
- 2. Prepare and execute a legal agreement to secure a 1.172m Statutory Right-of-Way along the lane frontage.

CARRIED UNANIMOUSLY

I.1.b.j 1139 Burdett Avenue: Rezoning Application No. 00690 and Heritage Alteration Permit with Variances Application No. 00232 (Fairfield)

Moved By Councillor Thornton-Joe

Seconded By Councillor Potts

Rezoning Application No. 00690

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00690 for 1139 Burdett Avenue, 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 condition is met:

1. Preparation and execution of a Housing Agreement to secure rental of the dwelling units in perpetuity, to the satisfaction of the Director of Sustainable Planning and Community Development.

Heritage Alteration Permit with Variances Application No. 00232

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 Heritage Alteration Permit with Variances Application No. 00232 for 1139 Burdett Street, in accordance with:

1. Plans date stamped May 9, 2019, and the Heritage Restoration Plan date stamped July 8, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the minimum rear yard setback from 9.18m to 2.03m
 - ii. reduce the minimum side yard setback (east) from 2.19m to 1.50m
 - iii. increase the maximum height from 7.6m to 9.3m.
3. Heritage Alteration Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

I.1.b.k 2 Paul Kane Place: Development Permit Application No. 00544 and 1 Cooperage Place: Development Permit Application No. 000545 (Vic West)

Moved By Councillor Loveday

Seconded By Councillor Isitt

1. That Council decline Development Permit Application No. 000544 for the property located at 2 Paul Kane Place; and
2. That Council decline Development Permit Application No. 000545 for the property located at 1 Cooperage Place.

CARRIED UNANIMOUSLY

Moved By Councillor Isitt

Seconded By Councillor Loveday

Motion Arising:

That Council direct staff to work with the property owner to install signage indicating that the Statutory Right of Way is a public walkway.

CARRIED UNANIMOUSLY

I.1.b.I Official Community Plan Annual Review 2018

Moved By Councillor Potts

Seconded By Councillor Loveday

That Council:

1. Receive the Official Community Plan Annual Review 2018 and City of Victoria 2018 Housing Report for information and direct staff to communicate the findings and highlights to the public.
2. Direct staff to undertake an updated housing demand forecast and OCP capacity assessment.
3. Direct staff to report back with recommendations for using the contributions accrued in the Downtown Heritage Seismic Upgrade Reserve Fund.

CARRIED UNANIMOUSLY

I.1.b.m Tenant Assistance Policy Review and Enhancements

Moved By Councillor Dubow

Seconded By Councillor Isitt

That Council direct staff to:

1. Amend the Tenant Assistance Policy to:
 - a. Update compensation structure for market rental housing to be based on length of tenancy at either:
 - i. the higher of CMHC average rent for the City of Victoria (as identified in CMHC's Annual Rental Market Report, adjusted annually) or the tenant's existing rent; or
 - ii. free rent in a different building.
 - b. Update compensation structure for non-market or social housing to be based on length of tenancy and tenant's existing rents, where compensation on free rent in a different building is preferred.
 - c. Add moving expense option for 3+ bedroom units at \$1,000.
 - d. Where right of first refusal applies, moving expenses are covered for both the move out and return to the building.
 - e. "Vulnerable Tenants" to be referred to as "Tenants Requiring Additional Assistance" with additional supports identified.
2. Consider an additional 1 FTE for the Tenant Ambassador Position as part of the 2020 Financial Planning process.

3. Report back to Council following any significant changes to the *Residential Tenancy Act* that may impact provisions outlined in the Tenant Assistance Policy.
4. That staff undertake further engagement with the Renters Advisory Committee and report back to Council on preliminary information for tenant engagement.

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

CARRIED (7 to 1)

I.1.b.n Council Member Motion - Advocacy for Legislation to Recover Municipal Costs Arising from Climate Change

Moved By Councillor Isitt
Seconded By Councillor Loveday

That Council requests that the Mayor write, on behalf of Council, to the Premier of British Columbia, asking that the Government of British Columbia consider introducing legislation to support local governments in recovering a portion of costs incurred in relation to climate change.

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

CARRIED (7 to 1)

I.1.b.o Council Member Motion - Accessible Voting

Moved By Councillor Potts
Seconded By Councillor Loveday

That Council direct staff to:

1. Make an accessible voting machine available for the next municipal election or by-election on polling day and that it be located at City Hall or another equally central polling location;
2. Widely publicize these accessibility options well in advance of polling day.

CARRIED UNANIMOUSLY

I.1.b.p Council Member Motion - Temporary Accommodation of Peers Victoria Resources Society

Moved By Councillor Potts
Seconded By Councillor Alto

Recognizing the importance of Peers Victoria Resources Society in preventing violence and providing support and counselling resources for vulnerable individuals in the City, that Council directs City staff to work with Peers Victoria Resources Society to determine if a temporary office space can be secured for their use (with minimal expense) for the period of October 1, 2019 to December 31, 2019 at the City's Old Island Saw Building on Bridge Street; and if so confirmed by staff that this can be accommodated, Council further authorizes the Mayor and City Clerk to execute a lease or license agreement, the terms of which are acceptable to the City Solicitor, for the space during the term at a rent that is affordable to them.

CARRIED UNANIMOUSLY

J. NOTICE OF MOTIONS

J.1 Council Member Motion: Support for Victoria Native Friendship Centre 50th Anniversary

Moved By Mayor Helps
Seconded By Councillor Alto

That this matter be considered at this meeting.

CARRIED UNANIMOUSLY

Moved By Mayor Helps
Seconded By Councillor Alto

That Council waive policy and direct staff to apply the non-profit rate for the Victoria Native Friendship Centre's event on September 29, 2019.

CARRIED UNANIMOUSLY

K. BYLAWS

K.1 Bylaw for Tree Preservation Amendments

Moved By Mayor Helps
Seconded By Councillor Potts

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

1. Tree Preservation Bylaw, Amendment Bylaw (No. 1) No. 19-082

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

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

K.2 Bylaw for 589 Toronto Street: Rezoning Application No. 00661

Moved By Councillor Alto

Seconded By Councillor Dubow

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1196) No. 19-074

CARRIED UNANIMOUSLY

Motion to extend:

Moved By Councillor Alto

Seconded By Councillor Isitt

That the meeting be extended to 11:05 p.m.

CARRIED UNANIMOUSLY

K.3 Bylaw for 1002-1008 Pandora Avenue: Rezoning Application No. 00696

Moved By Councillor Loveday

Seconded By Councillor Potts

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1205) No. 19-090

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

OPPOSED (1): Councillor Isitt

CARRIED (7 to 1)

K.4 Bylaw for 561 and 565 Toronto Street: Development Permit with Variances Application No. 00091

Moved By Councillor Alto

Seconded By Councillor Potts

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

1. Housing Agreement (561 & 565 Toronto Street) Bylaw (2019) No. 19-073

CARRIED UNANIMOUSLY

K.5 Bylaw for 2220 Cook Street: Rezoning Application No. 00648 and Development Permit with Variances Application No. 00107

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. 1194) No. 19-068

CARRIED UNANIMOUSLY

Moved By Councillor Alto

Seconded By Councillor Young

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

1. Housing Agreement (2220 Cook Street) Bylaw (2019) No. 19-076

CARRIED UNANIMOUSLY

L. CORRESPONDENCE

L.1 Letter from the Green Communities Committee

A letter dated August 15, 2019, extending congratulations to Mayor and Council for their successful efforts to undertake significant corporate or community-wide climate action to reduce greenhouse gas emissions in the 2018 reporting year.

Moved By Councillor Alto

Seconded By Councillor Isitt

That the correspondence dated August 15, 2019 from the Green Communities Committee be received for information.

CARRIED UNANIMOUSLY

N. QUESTION PERIOD

A question period was held.

O. ADJOURNMENT

Moved By Councillor Alto

Seconded By Councillor Young

That the Council meeting adjourn.

TIME: 11:04 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR