



MINUTES - VICTORIA CITY COUNCIL

October 24, 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 Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young

ON LEAVE: 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, M. Betanzo – Senior Planner, P. Martin - Council Secretary

GUEST: M. Quattrocchi - Barrister & Solicitor, Young Anderson

A. APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Moved By Councillor Isitt

Seconded By Councillor Loveday

That the agenda be approved as amended.

Amendment:

Moved By Councillor Loveday

Seconded By Councillor Isitt

That the agenda be amended to add Paula Buchholz to the second Request to Address Council section of the agenda.

CARRIED UNANIMOUSLY

Main motion as amended:

CARRIED UNANIMOUSLY

B. Poetry Reading

The Poet Laureate, John Barton, read a poem titled "The sound of waves came in from the open door".

C. READING OF MINUTES

Moved By Councillor Alto
Seconded By Councillor Loveday

That the following minutes be adopted:

1. Minutes from the special daytime meeting held October 3, 2019
2. Minutes from the daytime meeting held October 3, 2019
3. Minutes from the evening meeting held October 10, 2019

CARRIED UNANIMOUSLY

D. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Loveday
Seconded By Councillor Thornton-Joe

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

D.2 Anne Topp: Preservation of Edelweiss Club Building for Community Use
Outlined why Council should rezone the property located at 108 Niagara Street, to address the property tax issue for the Victoria Edelweiss Club.

D.3 Jaz Snider: Zoning for Victoria Edelweiss Club
Outlined why Council should rezone the property located at 108 Niagara Street, to address the property tax issue for the Victoria Edelweiss Club.

D.4 Petra Kixmoller: Rezoning 108 Niagara Street
Outlined why Council should rezone the property located at 108 Niagara Street, to address the property tax issue for the Victoria Edelweiss Club.

D.5 Carla MacGillivray: Value of Victoria Edelweiss Club as Non-Profit Society
Outlined why Council should support the Victoria Edelweiss Club in addressing their property tax issue.

D.6 Brian Money: Rezoning the Edelweiss Club Property
Outlined why Council should rezone the property located at 108 Niagara Street, to address the property tax issue for the Victoria Edelweiss Club.

E. PROCLAMATIONS

E.1 "National Diabetes Awareness Month and World Diabetes Day" - November 2019 and November 14, 2019

Moved By Councillor Alto
Seconded By Councillor Potts

That the following proclamation be endorsed:

1. "National Diabetes Awareness Month and World Diabetes Day" - November 2019 and November 14, 2019

CARRIED UNANIMOUSLY

F. PUBLIC AND STATUTORY HEARINGS

F.1 2708 Graham Street and 1050-1054 Hillside Avenue: Development Permit with Variance Application No. 00043

Development Permit with Variances Application No. 00043:

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 2708 Graham Street & 1050-1054 Hillside Avenue, in Development Permit Area 16, for purposes of demolishing the existing single-family dwelling and constructing four new townhouses to the rear of the existing duplex.

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

Miko Betanzo (Senior Planner): *Advised that the application is to build four new townhouse units to the rear of the existing duplex.*

Mayor Helps opened the opportunity for public comment at 6:59 p.m.

Applicant: Provided information regarding the application.

James Jackson (Graham Street): Expressed concerns with the application, due the lack of provided parking and loss of trees.

Mayor Helps closed the opportunity for public comment at 7:13 p.m.

Moved By Councillor Isitt
Seconded By Councillor Loveday

That Council authorize the issuance of Development Permit with Variance Application No. 00043 for 2708 Graham Street and 1050-1054 Hillside Avenue, in accordance with:

1. Plans date stamped December 17, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. increase the number of buildings from one to two
 - ii. decrease the site area from 920.0m² to 911.93m²
 - iii. decrease the rear (north) yard setback from 4.57m to 2.31m
 - iv. decrease the side (east) yard setback from the building from 4.57m to 2.42m
 - v. decrease the side (east) yard setback from the stairs from 3.0m to 0.0m
 - vi. increase the site coverage from 40.0% to 48.4%
 - vii. decrease the open site space from 60.0% to 51.6%.
3. Revised plans, to the satisfaction of the Director of Sustainable Planning and Community Development, to add canopies above the

- townhouse front doors, change the horizontal metal siding to wood, amend the landscape plan bicycle parking to be consistent with site plan, and change the garage door to wood.
4. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

Moved By Councillor Isitt
Seconded By Councillor Thornton-Joe

That the following bylaw **be adopted**:

1. Housing Agreement (2708 Graham Street & 1050-1054 Hillside Avenue) Bylaw (2019) No. 19-039

CARRIED UNANIMOUSLY

F.2 1025-1031 Johnson Street and 1050 Yates Street: Official Community Plan Amendment, Rezoning Application No. 00660, and Development Permit Application No. 000536

Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 31) No. 19-032:

To include all of the land known as 1025-1031 Johnson Street and 1050 Yates Street in the Core Residential Urban Place Designation with added text to specify a new density.

Phasing Agreement Bylaw, 2019 No. 19-108:

To enter into a phased development agreement with 1133863 B.C. Ltd. and Nadar Holdings Ltd for the land known as 1025-1031 Johnson Street and 1050 Yates Street for a period of ten years for the construction of a four phased comprehensive development including a twelve-storey, mixed-use firehall building with offices and affordable dwelling units and three mixed-use buildings of up to seventeen storeys.

Zoning Regulation Bylaw, Amendment Bylaw (No. 31) No. 19-033:

To rezone the land known as 1025-1031 Johnson Street and 1050 Yates Street from the R-48 Zone, Harris Green District, and the S-1 Zone, Limited Service District, to the CA-90 Zone, Mid Cook District, to increase the density and allow institutional and multi-unit uses at this location to allow for the construction of a four phased comprehensive development including a twelve-storey, mixed-use firehall building with offices and affordable dwelling units and three mixed-use buildings of up to seventeen storeys.

Development Permit Application:

The Council of the City of Victoria will also consider issuing a development permit for the land known as 1025-1031 Johnson Street and 1050 Yates Street, in Development Permit Area 3 (HC), Core Residential, for the purposes of approving the exterior design and finishes for the first phase (twelve-storey, mixed-use firehall building with offices and affordable dwelling units) of the comprehensive development as well as landscaping.

F.2.a Public Hearing & Consideration of Approval

Miko Betanzo (Senior Planner): *Advised that the application is to increase the density and add residential uses for a phased development, that includes four development areas with four main buildings (12 storeys, 14 storeys, 15 storeys, and 17 storeys). Mixed housing, commercial and retail space, a public plaza, and a new post disaster building (Fire Hall No. 1) are proposed.*

Mayor Helps opened the public hearing at 7:17 p.m.

David Jawl and Alan Fox (Applicants): Provided information regarding the application.

Council discussed the following:

- *Why the application is coming forward as a phased development.*

Nora Lurch (Pandora Avenue): Asked various questions regarding the application, such as how the neighbourhood will be affected by the construction and the Fire Hall.

Brian Berth: Expressed concerns with the application, as the Fire Hall should not be combined with the remainder of the development.

Jane Butler McGregor (Victoria Conservatory of Music): Expressed support for the application, as it will provide a positive benefit to the neighbourhood, and due to the need for affordable housing in the City.

Amber Rainshadow: Expressed support for the application, in relation to her positive experiences with Pacifica Housing, and due to the need for affordable housing in the City.

William Hoar (Fisgard Street): Expressed support for the application, in relation to his positive experiences with Pacifica Housing, and due to the need for affordable housing in the City.

Kathrin Lake (Yates Street): Expressed concerns with the application, due to potential shadowing issues and the change to the character of the neighbourhood.

Ian Sutherland (Chair of the Downtown Residents Association): Expressed concerns with the application, due to the amount of the requested Floor Space Ratio, as well as the proposed massing, form, and character.

Ratinder Sahota (Pacifica Housing): Provided information regarding Pacifica Housing and their plan for the development.

Rachel Litton (Richmond Road): Expressed support for the application, due to the need for affordable housing in the City.

Ty Whittaker (St. Charles Street): Expressed support for the application, due to the need for affordable housing in the City.

Rob Wittman (Fernwood Street): Expressed concerns with the application, due to the proposed height and character of the building.

Shelly Urquhart (Johnson Street): Expressed concerns with the application, due to the potential increase of noise from the construction and Fire Hall.

Jim Mayer (Tyee Road): Expressed support for the application, due to the need for an emergency response centre, and because the development will provide a benefit to the neighbourhood and City.

Wendy Bowkelt: Expressed concerns with the application, due to the size, height, and massing of the proposed development.

Gail Caryn (Mount Douglas Senior Housing): Expressed support for the application, due to the need for affordable housing in the City.

Jenn Boulton-Stehle (Pacifica Housing): Provided information regarding Pacifica Housing and the need for affordable housing in the City.

Mike Nugent (Nugent Properties Ltd.): Expressed support for the application, due to the need for affordable housing.

Graham Bennett (Newton Street): Expressed concerns with the application, due first response risks related to the combination of the emergency management services in one location.

Jaime Hall (Pentrelew Place): Expressed support for the application, due to the need for affordable housing.

Fred Rohani (Hampshire Road): Expressed support for the application, due to the need for affordable housing.

Ed Adams (Johnson Street): Expressed support for the application, due to the need for affordable housing and need for an updated Fire Hall.

JC Scott (Fan Tan Alley): Expressed support for the application, due to the need for affordable housing, but also expressed concerns with the precedent he believes Council is setting in relation to the amendments required to the Official Community Plan.

Council recessed from 8:46 p.m. until 8:53 p.m. Councillors Alto, Dubow, and Isitt were not present when the meeting was reconvened.

Ken Greenwood (Johnson Street): Expressed concerns with the application, due to the phased process and needed changes to the Official Community Plan.

Councillor Dubow returned to the meeting at 8:54 p.m.

Councillor Alto returned to the meeting at 8:55 p.m.

Jayne Bradbury (Yates Street): Expressed support for the application, due to the positive benefit the development will bring to the neighbourhood.

Councillor Isitt returned to the meeting at 8:58 p.m.

Susanne Bradbury: Expressed support for the application, due to the need for affordable housing.

Patrick Hyde-Lay: Expressed support for the application, due to the need for affordable housing.

Bobbe June: Expressed concerns with the application, due to the requested changes required to the zoning and Official Community Plan.

Valerie Stanley-Jones: Expressed concerns with the application, due to the requested changes required to the zoning and Official Community Plan.

Reed Kip (Devon Properties): Expressed support for the application, due to the need for affordable housing.

Vicki Vukmirovich (Cormorant Street): Expressed support for the application, due to the need for affordable housing.

Blair Hagkull: Expressed support for the application, due to the inclusion of amenities in the development and the need for affordable housing.

Council discussed the following:

- *The engagement process followed by the City and developer.*
- *That the location falls in the recommended area for a Fire Station.*
- *The shadow studies and the potential impact on neighbouring properties, due to the height and massing of the proposed development.*
- *How the developer will ensure minimal disruption to neighbouring properties during the construction process.*
- *How the Fire Hall will be a good neighbour and the benefits of a combined first response centre.*

Mayor Helps closed the public hearing at 10:14 p.m.

Moved By Mayor Helps
Seconded By Councillor Loveday

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

1. Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 31) No. 19-032
2. Zoning Regulation Bylaw, Amendment Bylaw (No. 1184) No. 19-033
3. Phased Development Agreement Bylaw No. 19-108, 2019

Council discussed the following:

- *The need for affordable housing in the City.*
- *The importance of being able to amend the Official Community Plan to meet the needs of the City.*
- *The importance of the seismically secure Fire Hall No. 1.*
- *Why the proposed setbacks are important to create proper spacing and livability.*

CARRIED UNANIMOUSLY

Moved By Councillor Alto

Seconded By Councillor Loveday

That the following bylaw **be adopted:**

1. Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 31) No. 19-032
2. Zoning Regulation Bylaw, Amendment Bylaw (No. 1184) No. 19-033
3. Phased Development Agreement Bylaw No. 19-108, 2019
4. Housing Agreement (1025-1031 Johnson Street and 1050 Yates Street) Bylaw (2019) No. 19-106
5. Housing Agreement (1025-1031 Johnson Street and 1050 Yates Street) Bylaw (2019) No. 19-107

CARRIED UNANIMOUSLY

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That Council authorize the issuance of Development Permit Application No. 000536 for 1025-1031 Johnson Street and 1050 Yates Street, in accordance with:

1. Plans date stamped February 4, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements.
3. That Council authorize the Mayor and City Clerk to execute encroachment agreements, to be executed at the time of building permit approval, in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works for:
 - a. building encroachment(s) in the City Right-of-Way
 - b. anchor-pinning in the City Right-of-Way
4. Final plans to be generally in accordance with the plans identified above, to the satisfaction of City staff.
5. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

Motion to extend:

Moved By Councillor Isitt
Seconded By Councillor Dubow

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

CARRIED UNANIMOUSLY

Council recessed from 11:01 p.m. to 11:11 p.m.

G. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Loveday
Seconded By Councillor Isitt

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

- G.1 Robin Evans: Edelweiss Club 108 Niagara St.**
Outlined why Council should support the Victoria Edelweiss Club in addressing their property tax issue.
- G.2 John Lee & Deborah Cooper: Edelweiss Club**
Outlined why Council should support the Victoria Edelweiss Club in addressing their property tax issue.
- G.3 Edna Traynor: Downzone 108 Niagara St. Victoria, BC**
Outlined why Council should support the Victoria Edelweiss Club in addressing their property tax issue.
- G.4 Pat Warren: Approval of Our License Application**
Outlined his appreciation for Council's decision at the Committee of the Whole meeting to send their comments to the Province for their consideration.
- G.5 Bruce Webster: Cruise Industry Ogden Point**
Outlined concerns relating to media that reported the number of cruise ships would be limited.
- G.6 Valerie Stanley-Jones: Downzoning Edelweiss**
Outlined why Council should support the Victoria Edelweiss Club in addressing their property tax issue.

H. UNFINISHED BUSINESS

H.1 Rescinding Earlier Plans Upon Approval of the Fairfield Neighbourhood Plan (2019)

Moved By Councillor Loveday
Seconded By Councillor Potts

That Council rescind the *Cathedral Hill Precinct Plan* (2004) and the *Humboldt Valley Precinct Plan* (2005).

CARRIED UNANIMOUSLY

H.2 Victoria Edelweiss Club Zoning Request - Referred from the October 17 Committee of the Whole

Moved By Councillor Isitt
Seconded By Councillor Loveday

That Council lift the following motion from the table:

That Council directs staff to initiate a rezoning and Official Community Plan amendment for the property at 108 Niagara Street to designate the existing use as the permitted use, with consideration of amendment bylaws for final adoption by Council prior to December 31, 2019.

CARRIED UNANIMOUSLY

Moved By Councillor Isitt
Seconded By Councillor Loveday

That Council directs staff to initiate a rezoning and Official Community Plan amendment for the property at 108 Niagara Street to designate the existing use as the permitted use, with consideration of amendment bylaws for final adoption by Council prior to December 31, 2019.

Amendment:

Moved By Councillor Isitt
Seconded By Councillor Loveday

That Council replace the motion with the following:

That Council:

- 1. Supports the Victoria Edelweiss Club / German Canadian Cultural Society pursuing options if it wishes to reduce the market value of the property at 108 Niagara Street and limit annual property taxes owing (recognizing that land values are determined by the BC Assessment Authority based on a number factors), including consideration of the following possible options:**
 - a. Registering a Restrictive Covenant on title limiting the use to a community hall; and/or**
 - b. Applying to change the Zoning and/or Official Community Plan designation to the existing use.**
- 2. Indicates Council's willingness to consider providing a grant-in-aid to the Society equivalent to the cost of applying for a change in Zoning and/or Official Community Plan designation if the Society wishes to pursue this option.**

3. Directs city staff to share a sample Restrictive Covenant with the Society's legal counsel if they wish to pursue this option.
4. Directs city staff to provide information to the Society regarding the process of applying to change the Zoning or Official Community Plan designation if the Society wishes to pursue this option.

CARRIED UNANIMOUSLY

On the main motion as amended:

That Council:

1. Supports the Victoria Edelweiss Club / German Canadian Cultural Society pursuing options if it wishes to reduce the market value of the property at 108 Niagara Street and limit annual property taxes owing (recognizing that land values are determined by the BC Assessment Authority based on a number factors), including consideration of the following possible options:
 - a. Registering a Restrictive Covenant on title limiting the use to a community hall; and/or
 - b. Applying to change the Zoning and/or Official Community Plan designation to the existing use.
2. Indicates Council's willingness to consider providing a grant-in-aid to the Society equivalent to the cost of applying for a change in Zoning and/or Official Community Plan designation if the Society wishes to pursue this option.
3. Directs city staff to share a sample Restrictive Covenant with the Society's legal counsel if they wish to pursue this option.
4. Directs city staff to provide information to the Society regarding the process of applying to change the Zoning or Official Community Plan designation if the Society wishes to pursue this option.

CARRIED UNANIMOUSLY

Motion to extend:

Moved By Councillor Loveday

Seconded By Councillor Potts

That the meeting be extended to 12:20 a.m.

CARRIED UNANIMOUSLY

H.3 Letter from the Minister of Municipal Affairs and Housing

A letter of response dated September 4, 2019, regarding the importance of accessible parking.

Moved By Councillor Alto

Seconded By Councillor Loveday

That the correspondence dated September 4, 2019 from the Minister of Municipal Affairs and Housing be received for information and be referred to the Accessibility Working Group for advice on next steps.

CARRIED UNANIMOUSLY

H.4 Letter from the Minister of Municipal Affairs and Housing

A letter of response dated September 20, 2019, regarding amending the Community Charter to authorize local governments to engage in reconciliation dialogue with First Nations.

Moved By Councillor Alto
Seconded By Councillor Loveday

That the correspondence dated September 20, 2019 from the Minister of Municipal Affairs and Housing be received for information.

CARRIED UNANIMOUSLY

H.5 Rise and Report

H.5.a From the October 24, 2019 Closed Council Meeting:

1. That staff bring forward a revised Tree Protection Amendment Bylaw in an open meeting to introduce transitional provisions that don't impact existing applications already received by the City on or before October 24, 2019.
2. Staff to include in the amendments a provision for cash in lieu where a site cannot accommodate replacement trees.

Moved By Mayor Helps
Seconded By Councillor Alto

1. That staff bring forward a revised Tree Protection Amendment Bylaw in an open meeting to introduce transitional provisions that don't impact existing applications already received by the City on or before October 24, 2019.
2. Staff to include in the amendments a provision for cash in lieu where a site cannot accommodate replacement trees.

CARRIED UNANIMOUSLY

I. REPORTS OF COMMITTEES

I.1 Committee of the Whole

I.1.a Report from the October 17, 2019 COTW Meeting

I.1.a.a Council Member Motion - Travel Request for Councillor Isitt - Climate Leaders Institute

Moved By Councillor Alto
Seconded By Councillor Loveday

That Council authorize the attendance and associated costs for Councillor Isitt to attend the Climate Leaders Institute in Richmond, BC, from November 7-8, 2019, with estimated costs as follows:

Registration:	\$245
Ferry (return):	\$35
Public Transit:	\$20
Accommodation:	\$250
Meals and Incidentals:	\$120
Estimated total costs:	\$670

CARRIED UNANIMOUSLY

I.1.a.b Service Delivery Improvement and Performance Measurement Resources

Moved By Councillor Potts
Seconded By Councillor Loveday

That Council:

Forward the recommended option of supporting both a service delivery improvement function and a performance measurement function to advance the 2019-2022 Strategic Plan for consideration in the 2020 Financial Plan as follows:

- Service Delivery Improvement Function (2.0 FTE): \$264,200 (On-Going)
- Performance Measurement Function (1.0 FTE): \$107,900 (On-Going)
- Survey Support (BC Stats): \$100,000 (One-Time)

FOR (6): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe
OPPOSED (2): Councillor Isitt, and Councillor Young

CARRIED (6 to 2)

I.1.a.c 2020 Financial Plan Introduction

Moved By Councillor Alto
Seconded By Councillor Isitt

That Council receive this report for information and further consideration on December 5, 2019.

CARRIED UNANIMOUSLY

I.1.a.d Corporate Equity - Next Steps Workshop

Moved By Councillor Dubow
Seconded By Councillor Alto

That Council:

1. Direct staff to report back in early 2020 with a summary of Council input, as well as a plan to further the equity lens discussions with equity seeking groups and the community as a whole in early 2020.
2. Direct staff to bring forward financial costs associated with development and implementation of an equity lens as part of the 2020 Financial Plan.
3. Direct that the report from Councillor Dubow along with the other feedback from Council be referred to staff to inform the report back as noted in #1.

CARRIED UNANIMOUSLY

I.1.a.e Council Workshop - Crystal Pool and Wellness Centre Replacement Project

Moved By Councillor Isitt
Seconded By Councillor Dubow

That the pool project include consideration of a possible neighbourhood library branch.

CARRIED UNANIMOUSLY

I.1.a.f Renters' Advisory Committee - Terms of Reference and Work Plan

Moved By Councillor Loveday
Seconded By Councillor Alto

That Council:

1. Approve the revised Terms of Reference for the Renters Advisory Committee
2. Approve the Renters' Advisory Committee Work Plan

CARRIED UNANIMOUSLY

I.1.a.g Council Member Motion - Cruise Ship Emissions Report

Moved By Councillor Isitt
Seconded By Councillor Potts

1. That Council direct staff to report back on the City's jurisdiction on regulations for the cruise ship industry with respect to waste and emissions, and on the potential of requiring shore power by a particular date in order to significantly reduce and eventually eliminate the negative impact of waste, carbon emissions and particulate matter from the ships while they are in the City of Victoria.
2. That Council invite the Greater Victoria Harbour Authority to present the recent study it commissioned which outlines the impact of cruise operations on the environment in a workshop at an upcoming COTW meeting.
3. That Council request that the Greater Victoria Harbour Authority work more aggressively with the cruise ship industry to install shore power at Ogden Point.
4. That Council request that the Greater Victoria Harbour Authority not increase the number of cruise ships coming to Victoria, sign any long-term contracts, or consider home-porting cruise ships until the emissions and waste issues are dealt with to the satisfaction of Council based on the advice of the Director of Engineering and Public Works.
5. Council direct staff to work with GVHA and the CRD to reduce the volume of solid waste being disposed of from the cruise ship sector.

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

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

CARRIED (5 to 3)

I.1.a.h Council Member Motion - Providing Stable Funding for the City of Victoria Butler Book Prize and the Children's Book Prize

Moved By Councillor Loveday

Seconded By Councillor Thornton-Joe

That Council provide an annual \$5,000 grant to the Victoria Book Prize Society for the Children's Book Prize beginning in 2020, and in perpetuity, to recognize and celebrate exceptional children's and youth literature in our community. This funding would be in addition to the \$5,000 prize for the City of Victoria Butler Book Prize and would allow for both awards to be branded as "City of Victoria" prizes.

And That Council direct staff to work with the Victoria Book Prize Society to rebrand the Children's Book Prize as the City of Victoria Children's Book Prize.

CARRIED UNANIMOUSLY

I.1.a.i Council Member Motion - Resolution of Support for Greta Thunberg and the Climate Strike Movement

Moved By Councillor Isitt

Seconded By Councillor Potts

That Council adopt the following resolution:

Resolution of Support for Greta Thunberg and the Climate Strike Movement

WHEREAS the global consensus of the scientific community is that human-induced climate change is undermining the ability of all species to survive and thrive on this small planet;

AND WHEREAS young people including Greta Thunberg of Sweden are leading the world-wide movement demanding action by all levels of government to curb greenhouse-house emissions in response to the climate crisis;

THEREFORE BE IT RESOLVED THAT the City of Victoria welcomes Greta Thunberg to Canada and expresses appreciation for her contribution and the contributions of millions of young people who are spearheading the world-wide movement toward an ecologically sustainable society and economy;

AND BE IT FURTHER RESOLVED THAT the City of Victoria condemns discriminatory attacks on Ms. Thunberg's character and capacity.

AND BE IT FURTHER RESOLVED THAT the City of Victoria reaffirms that we are in a climate emergency and renews its commitment to work with all levels of government to increase climate ambition in line with the science of keeping global warming below 1.5 degrees Celsius, including substantially reducing greenhouse gas emissions to achieve net carbon neutrality by 2030.

CARRIED UNANIMOUSLY

I.1.a.j Council Member Motion - Victoria Edelweiss Club Zoning Request

Moved By Councillor Alto

Seconded By Councillor Isitt

Motion Arising:

Direct staff to request that BC Assessment come to present at a Committee of the Whole meeting to provide information and the rationale on the taxation process.

CARRIED UNANIMOUSLY

Moved By Councillor Isitt
Seconded By Councillor Alto

Motion to refer:

That this item be referred to the quarterly update to report back on the resource implications and advisability:

1. That Council invites other community halls and cultural facilities in the City of Victoria to indicate their interest in pursuing a downzoning in order to align property taxation with the existing use of cultural facilities, thereby increasing their financial sustainability.

Amendment:

Moved By Councillor Isitt
Seconded By Councillor Loveday

That the motion be amended as follows:

That this item be referred to the quarterly update to report back on the resource implications and advisability:

1. ~~That Council direct staff to work with the existing non-profit cultural facilities to assist them in identifying options for reducing the property tax burden, including zoning and other options invites other community halls and cultural facilities in the City of Victoria to indicate their interest in pursuing a downzoning in order to align property taxation with the existing use of cultural facilities, thereby increasing their financial sustainability.~~

CARRIED UNANIMOUSLY

Amendment:

On the main motion as amended:

That this item be referred to the quarterly update to report back on the resource implications and advisability:

1. That Council direct staff to work with the existing non-profit cultural facilities to assist them in identifying options for reducing the property tax burden, including zoning and other options.

CARRIED UNANIMOUSLY

Motion to extend:

Moved By Councillor Isitt
Seconded By Councillor Dubow

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

CARRIED UNANIMOUSLY

I.1.b Report from the October 24, 2019 COTW Meeting

I.1.b.a 2019 External Audit Plan

Moved By Councillor Dubow

Seconded By Councillor Thornton-Joe

That Council receive this report for information.

CARRIED UNANIMOUSLY

I.1.b.b 913-929 Burdett Avenue and 914-924 McClure Street - Update on Rezoning Application No. 00466 and Heritage Alteration Permit Application No. 00214 (Fairfield)

Moved By Councillor Thornton-Joe

Seconded By Councillor Loveday

Rezoning Application No. 00466

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00466 for 913-929 Burdett Avenue and 914-924 McClure Street; and that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council subject to the following conditions:
 - a. Preparation of a Housing Agreement Bylaw for the following:
 - i. to secure 50% of the total units as market rental for a minimum of 20 years;
 - ii. to secure a minimum of 26 units be used as assisted living for a minimum of 20 years;
 - iii. to secure a minimum of five affordable rental units for a minimum of 20 years;
 - iv. to ensure that future strata bylaws cannot prohibit strata owners from renting residential strata units; and
 - v. to repeal the formerly adopted Housing Agreement from a past development proposal.
 - b. Preparation of a Section 219 Covenant to secure the sustainability features and construction achieving a minimum BUILT GREEN® Bronze Certification level.
 - c. That Council request the applicant change the protection of rentals to 60 years instead of 20 years.
 - d. That Council give authorization for the following, if the Housing Agreement and Rezoning Bylaws are adopted:
 - e. Mayor and City Clerk to execute the documents required in order to discharge or terminate the following legal documents related to a past development proposal, which are not applicable to the current development proposal:

- f. 219 Covenant relating to the provision of full frontage works along the Burdett Avenue and McClure Street frontages;
- g. Statutory Right-of-Way for the provision of a 1.2m public walkway along the east of the property; and
- h. Heritage Revitalization Agreement dated February 14, 2008.
- i. Introduction of a bylaw to repeal the February 14, 2008 Heritage Revitalization Agreement, as required.

Heritage Alteration Permit No. 00214

Following consideration of Rezoning Application No. 00466, staff recommend that Council consider this updated motion with respect to Heritage Alteration Permit with Variances No. 00214:

"That Council authorize the issuance of the Heritage Alteration Permit No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street in accordance with:

1. Plans date stamped October 7, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. increasing the building height from 16.5m to 20.55m;
 - ii. reducing the front yard setback from 10.6m to 8.75m;
 - iii. reducing the rear yard setback from 5.4m to 4.7m;
 - iv. reducing the west yard setback from 3.6m to 3.2m for the principal building and from 3.6m to 3.05m for the Cartreff Residence; and
 - v. reducing the vehicle parking requirement from 59 stalls to 56 stalls.
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff.
4. The Heritage Alteration Permit is subject to the conditions for Mount St. Angela (917-923 Burdett Avenue), the Cartreff Residence (913 Burdett Avenue), and the Temple Residence (924 McClure Street), detailed in Appendix A, Appendix B, and Appendix C attached to this report.
5. The Heritage Alteration Permit lapsing two years from the date of this resolution."

FOR (6): Mayor Helps, Councillor Alto, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, and Councillor Young
 OPPOSED (2): Councillor Dubow, and Councillor Isitt

CARRIED (6 to 2)

I.1.b.c 844 Johnson Street - Development Permit with Variance Application No. 00056 (Harris-Green)

Moved By Councillor Young
Seconded By Councillor Potts

That the item be referred to staff to engage the applicant on time limitations related to the fence and that staff report back to Council by November 14, including closed meeting advice if necessary.

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

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

CARRIED (6 to 2)

I.1.b.d Local Area Planning - Next Phases

Moved By Mayor Helps

Seconded By Councillor Isitt

That Council direct staff to:

1. Undertake local area planning with a focus on integrated planning for land use, transportation, urban design and public realm, and limiting the scope to urban villages, town centres, frequent transit and mobility corridors in three phases as follows:
 1. Phase 1: Villages and corridors within Hillside-Quadra, North Park and Fernwood neighbourhoods
 2. Phase 2: Villages and corridors within Rockland, Fernwood, North and South Jubilee neighbourhoods (in particular, the Fort Street Corridor and Oak Bay Avenue).
 3. Phase 3: Town Centres, villages and corridors within Oaklands and James Bay neighbourhoods;
2. Initiate work with Neighbourhood Associations on community-led planning components to support local area planning in accordance with the Terms of Reference attached to this report;
3. Reallocate previously approved funding for pre-work and community-led planning based on revised timing of neighbourhood plans, as follows:
 1. \$10,000 each for Phase 1 and 2 neighbourhoods: Hillside-Quadra, North Park, Fernwood, Rockland, North/South Jubilee, Gonzales;
 2. \$20,000 each for Phase 3 neighbourhoods: Oaklands and James Bay;
4. Use transportation planning funds previously allocated to local area planning, totalling \$180,000, for data collection, corridor planning or neighbourhood transportation management planning for the three phases.
5. Complete an update of the Neighbourhood Plan for each of these neighbourhoods by the end of this phased approach.

Amendment to the Terms of Reference in Attachment A:

That the working groups for all phases aim to represent the percentage of renters and owners in the City of Victoria according to the most recent census.

Staff bring the proposed composition of each working group to closed meetings for final approval by Council.

Amendment:

Moved By Councillor Alto
Seconded By Councillor Dubow

That the motion be amended as follows:

3. Reallocate previously approved funding for pre-work and community-led planning based on revised timing of neighbourhood plans, as follows:
 1. \$10,000 each for Phase 1 and 2 neighbourhoods: Hillside-Quadra, **North Park**, Fernwood, Rockland, **North/South Jubilee**, Gonzales;
 2. \$20,000 each for Phase 3 neighbourhoods: Oaklands, James Bay, **North Park**, and **North/South Jubilee**;

FOR (4): Mayor Helps, Councillor Loveday, Councillor Thornton-Joe, and Councillor Young

OPPOSED (4): Councillor Alto, Councillor Dubow, Councillor Isitt, and Councillor Potts

DEFEATED (4 to 4)

On the motion:
CARRIED UNANIMOUSLY

Motion to extend:

Moved By Councillor Alto
Seconded By Councillor Dubow

That the meeting be extended to 12:45 a.m.

CARRIED UNANIMOUSLY

I.1.b.e Recommendation for Pineapple Express at 608 Esquimalt Road

Moved By Councillor Isitt
Seconded By Councillor Potts

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

Council supports the application of Pineapple Express located

at 608 Esquimalt Road to receive a provincial cannabis retail store license with following comments on the prescribed considerations:

- a. The Council recommends that the LCRB issue a license to Pineapple Express located at 608 Esquimalt Road, subject to the condition that a license not be issued until after the applicant obtains a Development Permit for any proposed alterations to the building exterior that are required to operate the business, if required.
 - b. Bylaw Services and Sustainable Planning and Community Development reviewed the applicant and did not raise any concerns in terms of impacts on the community. The Victoria Police Department did not provide any comments.
 - c. The views of residents were solicited through a mail-out to neighboring property owners and occupiers within 100 meters of this address and to the relevant neighborhood association.
 - d. The City sent 645 notices and received 94 letters in response. 51 letters were from residents or businesses within 100 metres of the property, while 12 were from other Victoria residents, 21 were from residents of another municipality, and 10 did not specify an address. The City did not receive correspondence from the Vic West Community Association.
 - e. Of the 94 letters received, 63 support issuing a license and 29 oppose issuing a license. However, of the 51 respondents within 100 metres of the proposed cannabis retail store that provided written comments, 22 support issuing a license, 27 oppose issuing a license, and 1 did not provide comments about a license.
 - f. Respondents raised concerns about increased traffic, insufficient parking for clients resulting in use of residential only parking, proximity spaces where there are children such as Vic West Elementary School, Vic West Park and skate park, and residential areas, and early hours of operation (e.g. 7:30 a.m.).
 - g. A Development Permit may be 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.
 - h. That Council wishes the province to make its own deliberations about the fact that this operation remained in operation for 10 months following legalization.
2. That Council direct staff to advise the LCRB of Council's recommendation subject to the applicant's compliance with City bylaws and permits.

Councillor Isitt requested that the motion be divided and that item "H" be voted upon separately.

Moved By Councillor Isitt
Seconded By Councillor Potts

- h. That Council wishes the province to make its own deliberations about the fact that this operation remained in operation for 10 months following legalization.

Amendment:

Moved By Councillor Alto
Seconded By Councillor Potts

That the motion be amended as follows:

- h. That Council wishes the province to make its own deliberations about the fact that this operation remained in operation for **approximately 9** ~~10~~ months following legalization.

CARRIED UNANIMOUSLY

On the main motion as amended:

- h. That Council wishes the province to make its own deliberations about the fact that this operation remained in operation for approximately 9 months following legalization.

FOR (6): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Potts, Councillor Thornton-Joe, and Councillor Young

OPPOSED (2): Councillor Isitt, and Councillor Loveday

CARRIED (6 to 2)

Moved By Councillor Isitt
Seconded By Councillor Potts

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

Council supports the application of Pineapple Express located at 608 Esquimalt Road to receive a provincial cannabis retail store license with following comments on the prescribed considerations:

- a. The Council recommends that the LCRB issue a license to Pineapple Express located at 608 Esquimalt Road, subject to the condition that a license not be issued until after the applicant obtains a Development Permit for any proposed alterations to the building exterior that are required to operate the business, if required.

- b. Bylaw Services and Sustainable Planning and Community Development reviewed the applicant and did not raise any concerns in terms of impacts on the community. The Victoria Police Department did not provide any comments.
 - c. The views of residents were solicited through a mail-out to neighboring property owners and occupiers within 100 meters of this address and to the relevant neighborhood association.
 - d. The City sent 645 notices and received 94 letters in response. 51 letters were from residents or businesses within 100 metres of the property, while 12 were from other Victoria residents, 21 were from residents of another municipality, and 10 did not specify an address. The City did not receive correspondence from the Vic West Community Association.
 - e. Of the 94 letters received, 63 support issuing a license and 29 oppose issuing a license. However, of the 51 respondents within 100 metres of the proposed cannabis retail store that provided written comments, 22 support issuing a license, 27 oppose issuing a license, and 1 did not provide comments about a license.
 - f. Respondents raised concerns about increased traffic, insufficient parking for clients resulting in use of residential only parking, proximity spaces where there are children such as Vic West Elementary School, Vic West Park and skate park, and residential areas, and early hours of operation (e.g. 7:30 a.m.).
 - g. A Development Permit may be 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.
2. That Council direct staff to advise the LCRB of Council's recommendation subject to the applicant's compliance with City bylaws and permits.

CARRIED UNANIMOUSLY

I.1.b.f Recommendation for High 5 Retail at 732 Tye Road

Moved By Councillor Loveday
Seconded By Councillor Alto

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

Council supports the application of High 5 Retail at 732 Tye Road 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 High 5 Retail at 732 Tyee Road, subject to the condition that this license not be issued until after the applicant obtains a Development Permit for any proposed alterations to the building exterior.
 - b. City staff did not raise any concerns about this application in terms of community impacts.
 - c. The views of residents were solicited through a mail-out to neighbouring property owners and occupiers within 100 meters of this address and to the relevant neighbourhood association.
 - d. The City sent 610 notices and received 15 letters in response. 12 letters were from respondents within 100 metres of the property, while 2 were from other Victoria residents, and 1 did not specify an address. The City did not receive correspondence from the Vic West Community Association.
 - e. Of the 15 letters received, 6 support issuing a license, 7 oppose issuing a license, and 2 do not provide a clear position on the application. However, of the 12 respondents within 100 metres of the proposed cannabis retail store that provided written comments, 5 support issuing a license, and 6 oppose issuing a license.
 - f. Respondents raised concerns about insufficient parking resulting in use of limited street parking, hours of operation near a residential area, increased nuisances such as loitering, consumption, and waste in the area, proximity to a residential area, and increased traffic.
 - g. A Development Permit is required to ensure alterations to the building exterior do not diminish the experience and create safety concerns by obstructing the view from the sidewalk or street into the store.
 - h. The property currently permits cannabis retail use under a Temporary Use Permit that expires on October 12, 2020. The applicant must either obtain Council approval to renew the Temporary Use Permit or complete a successful rezoning process in order to operate a cannabis retail store at 732 Tyee Road after October 12, 2020. The City will notify the LCRB if cannabis retail use at 732 Tyee Road is approved or not.
2. That Council direct staff to advise the LCRB of Council's recommendation subject to the applicant's compliance with City bylaws and permits.

CARRIED UNANIMOUSLY

I.1.b.g Certification as a Living Wage Employer

Moved By Councillor Isitt
Seconded By Councillor Alto

That Council adopt the proposed Living Wage policy and direct staff to develop an implementation plan and apply for certification as a Living Wage Employer no later than January 31, 2020.

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.h Commercial Loading Zone Permits

Moved By Councillor Potts
Seconded By Councillor Alto

That Council direct staff to bring forward amendments to the Streets and Traffic Bylaw to:

1. Authorize the use of loading zones and 20-minute meters when a valid City of Victoria commercial loading permit is displayed.
2. Establish an interim fee structure for City of Victoria commercial loading permits as follows:
 - a. Vehicles 6 metres or less in length - \$100 per year
 - b. Vehicles greater than 6 metres in length - \$300 per year

CARRIED UNANIMOUSLY

K. BYLAWS

K.1 Bylaw for Regional Context Statement, Official Community Plan Amendment

Moved By Councillor Potts
Seconded By Councillor Alto

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

1. Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 34) No. 19-102

CARRIED UNANIMOUSLY

K.2 Bylaw for Food-Bearing, Pollinator, and Native Plant Landscape Design Guidelines, Official Community Plan Amendment

Moved By Councillor Loveday
Seconded By Councillor Isitt

That Council:

1. Direct staff to amend the Design Guidelines For: Multi-Unit Residential, Commercial and Industrial Development and the Design Guidelines for Attached Residential Development as follows:

- a. To insert the following landscape design guideline in place of the guideline approved by Council on June 13, 2019: "A minimum of 30% of the required common landscaped areas should include a diverse combination of plants and vegetation that are native to southern Vancouver Island, food-bearing (capable of being harvested for food and medicine) or that provide pollinator habitats.
 - b. To remove from s.5.5 the requirement that landscape design should use plant species suited to the local climate and site-specific conditions.
2. Give the following bylaw first and second readings:
 - a. Official Community Plan Bylaw, 2012, Amendment Bylaw No. 33 (No. 19-079).

Motion to postpone:

Moved By Councillor Potts

Seconded By Councillor Isitt

That the motion be postponed to the November 14, 2019 Council Meeting.

CARRIED UNANIMOUSLY

L. CORRESPONDENCE

L.1 Letter from the Minister of Infrastructure and Communities

A letter dated August 29, 2019, in which the City was carbon-copied, regarding the Belleville Terminal.

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the correspondence dated August 29, 2019 from the Minister of Infrastructure and Communities be received for information.

CARRIED UNANIMOUSLY

L.2 Letter from the Minister of Transportation and Infrastructure and the Minister of Tourism, Arts, and Culture

A letter dated September 9, 2019, in which the City was carbon-copied, regarding a funding partnership for the Belleville Terminal pre-construction phase.

Moved By Councillor Alto

Seconded By Councillor Potts

That the correspondence dated September 9, 2019 from the Minister of Transportation and Infrastructure and the Minister of Tourism, Arts, and Culture 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: 12:44 a.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR