



MINUTES - VICTORIA CITY COUNCIL

January 9, 2020, 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

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson- Deputy City Manager, P. Bruce - Fire Chief, C. Coates - City Clerk , F. Work - Director of Engineering & Public Works, T. Soulliere - Director of Parks, Recreation & Facilities, T. Zworski - City Solicitor, B. Eisenhauer - Head of Engagement, K. Hoese - Director of Sustainable Planning and Community Development, A. Hudson - Acting Director of Sustainable Planning & Community Development, A. Meyer - Assistant Director of Development Services, C. Havelka - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, P. Martin - Council Secretary

Mayor Helps requested that all those present take a moment of silence in memory of the victims of Flight PS752.

B. APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Moved By Councillor Alto

Seconded By Councillor Loveday

That the agenda be approved as amended.

Amendment:

Moved By Councillor Loveday

Seconded By Councillor Dubow

That Council add Request to Address Council speaker, Vince Geisler to Section D of the agenda.

CARRIED UNANIMOUSLY

On the main motion as amended:

CARRIED UNANIMOUSLY

C. READING OF MINUTES

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the following minutes be adopted:

1. Minutes from the daytime meeting held November 28, 2019
2. Minutes from the daytime meeting held December 5, 2019
3. Minutes from the daytime meeting held December 12, 2019
4. Minutes from the evening meeting held December 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.1 Jimmy Thomson: Short-Term Rentals

Outlined why Council should commit to converting short-term rentals that were grandfathered under the existing bylaw back into long-term housing.

D.2 David Biltek: Dallas Road Walkway, Clover Point and All That

Outlined why Council should consider a series of improvements relating to the Dallas Road Walkway and Clover Point.

D.3 Dave Thompson: Bike Lanes on Richardson

Outlined why Council should redesign the bike lanes on Richardson as a Neighbourhood Bikeway.

D.4 Shannon Graham: Crystal Pool

Outlined why Council should proceed with the original Crystal Pool plan.

D.5 Karmen McNamara: An Equity Lens - Crystal Pool

Outlined why Council should consider the cost of inaction through an equity lens.

D.6 Vince Geisler: Crystal Pool

Outlined the importance of why Council should proceed with building the new Crystal Pool with the original plan.

E. PROCLAMATIONS

E.1 "Crime Stoppers Month" - January 2020

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That the following proclamation be endorsed:

1. "Crime Stoppers Month" - January 2020

CARRIED UNANIMOUSLY

F. PUBLIC AND STATUTORY HEARINGS

F.1 1708 Coronation Avenue: Rezoning and Development Permit with Variances Application No. 00663

Zoning Regulation Bylaw, Amendment Bylaw (No. 1200) No. 19-084:

To rezone the land known as 1708 Coronation Avenue from the R1-B Zone, Single Family Dwelling District, to the R-2 Zone, Two Family Dwelling District, to permit a duplex.

Development Permit with Variances Application:

The Council of the City of Victoria will also consider issuing a development permit for the land known as 1708 Coronation Avenue, in Development Permit Area 15D: Intensive Residential Duplex for the purposes of approving the exterior design and finishes, and landscaping for the construction of a residential duplex.

F.1.a Public Hearing & Consideration of Approval

Alison Meyer (Assistant Director of Development Services): *Advised that the application is to allow the construction of a new duplex.*

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

Erin Flanagan (Applicant): Provided information regarding the application.

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

Mayor Helps closed the public hearing at 7:16 p.m.

Moved By Mayor Helps
Seconded By Councillor Loveday

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1200) No. 19-084

CARRIED UNANIMOUSLY

Adoption of the bylaw and approval of the Development Permit with Variances permit will occur following registration of the required Statutory Right-of-Way.

F.2 323 Skinner Street: Development Variance Permit Application No. 00232

Development Variance Permit Application No. 00232:

The City of Victoria will be considering the issuance of a Development Variance Permit for the land known as 323 Skinner Street for the purpose of varying

certain requirements of the *Fence Bylaw*, namely; increasing the height of a fence from 1.22m to 1.83m in a front yard.

F.2.a Opportunity for Public Comment & Consideration of Approval:

Alison Meyer (Assistant Director of Development Services): *Advised that the application is to permit a variance to the height of the fence in the front yard.*

Mayor Helps opened the opportunity for public comment at 7:22 p.m.

Ivana Tunklova (Applicant): Provided information regarding the application.

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

Mayor Helps closed the opportunity for public comment at 7:27 p.m.

Moved By Councillor Loveday

Seconded By Councillor Thornton-Joe

That Council authorize the issuance of the Development Variance Permit Application No. 00232 for 323 Skinner Street, in accordance with:

1. Plans date stamped October 10, 2019.
2. Development meeting all Fence Bylaw requirements, except for the following variance:
 - i. increase the height of a fence from 1.22m to 1.83m in a front yard
3. The Development Variance Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

F.3 1702 Fernwood Road: Heritage Alteration Permit with Variances Application No. 00017

Heritage Alteration Permit with Variances Application No. 00017:

The Council of the City of Victoria will consider issuing a Heritage Alteration Permit with Variances for the land known as 1702 Fernwood Road, to convert the existing building from a single family dwelling to a triplex and legalize the rear yard accessory building (shed).

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

Alison Meyer (Assistant Director of Development Services): *Advised that the application is to convert a single family dwelling to a triplex, while legalizing the rear yard accessory building.*

Mayor Helps opened the opportunity for public comment at 7:30 p.m.

John Keay (Applicant): Provided information regarding the application.

Mayor Helps withdrew from the meeting at 7:37 p.m. due to a non-pecuniary conflict of interest with this item, as she lives in close proximity to the subject property. Councillor Thornton-Joe assumed the Chair in her absence.

Francois Lee (Fernwood Road): Expressed support for the application as a triplex is appropriate for the site.

Councillor Thornton-Joe closed the opportunity for public comment at 7:39 p.m.

Moved By Councillor Alto

Seconded By Councillor Loveday

That Council authorize the issuance of Heritage Alteration Permit with Variances Application No. 00017 for 1702 Fernwood Road, in accordance with:

1. Plans, date stamped September 30, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Reduce the number of required parking stalls from 4 to 3
 - ii. Increase the maximum height of accessory building (existing garage) from 3.5m to 3.7m
 - iii. Reduce the minimum (north) rear and (west) side yard setbacks of accessory building (existing garage) from 0.6m to 0.4m
 - iv. Permit the addition of unenclosed floor space for a pre-1931 single family dwelling
 - v. Reduce the minimum of landscaped area in rear yard from 33% to 24%
 - vi. Permit exterior changes to a pre-1931 single family dwelling
 - vii. Reduce the required width of rear yard landscape strip from 1.5m to 1.0m
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Director, Sustainable Planning and Community Development.
4. Heritage Alteration Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

Mayor Helps returned to the meeting at 7:39 p.m. and assumed the Chair.

H. UNFINISHED BUSINESS

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

A letter of response dated November 20, 2019, regarding legislation on the recovery of municipal costs arising from climate change.

Moved By Councillor Alto

Seconded By Councillor Dubow

That the correspondence dated November 20, 2019 from the Minister of Environment and Climate Change Strategy be received for information.

CARRIED UNANIMOUSLY

Moved By Councillor Potts

Seconded By Councillor Loveday

That the below items of correspondence, numbered H.2 to H.12, be received for information.

CARRIED UNANIMOUSLY

H.2 Letter from the City of Dawson Creek

A letter of response dated November 25, 2019, regarding a request to support safer drug supply and observed inhalation sites and to share the support with the provincial government.

H.3 Letter from the City of Port Alberni

A letter of response dated November 26, 2019, regarding a request to support safer drug supply and observed inhalation sites and to share the support with the provincial government.

H.4 Letter from the District of North Saanich

A letter of response dated December 4, 2019, regarding a request to support safer drug supply and observed inhalation sites.

H.5 Letter from the Union of BC Municipalities (UBCM)

A letter of response dated December 4, 2019, regarding the City of Victoria's concern that urgent and potentially life-saving advocacy resolutions were not considered at the UBCM Convention, due to a lack of time for the resolution sessions.

H.6 Letter from the District of Port Edward

A letter dated December 5, 2019, addressed to the Union of BC Municipalities (UBCM), in which the City of Victoria was carbon-copied, expressing support for the City's resolutions that did not make it onto the floor of the UBCM convention.

H.7 Letter from the Village of Burns Lake

A letter of response dated December 6, 2019, addressed to Premier Horgan, in which the City of Victoria was carbon-copied, expressing support for the City's resolutions that did not make it onto the floor of the UBCM convention.

H.8 Letter from the Alberni-Clayoquot Regional District

A letter of response dated December 10, 2019, addressed to Premier Horgan, in which the City of Victoria was carbon-copied, expressing support for the City's resolutions that did not make it onto the floor of the UBCM convention.

H.9 Letter from the Village of Tahsis

A letter of response dated December 12, 2019, addressed to the Minister of Mental Health and Addictions, in which the City of Victoria was carbon-copied,

expressing support for the City's resolutions that did not make it onto the floor of the UBCM convention.

H.10 Letter from the District of Kitimat

A letter of response dated December 13, 2019, expressing support for the City's resolutions that did not make it onto the floor of the UBCM convention.

H.11 Letter from the Comox Valley Regional District

A letter of response dated December 18, 2019, addressed to the Minister of Mental Health and Addictions and the Minister of Health, in which the City of Victoria was carbon-copied, expressing support for the City's resolutions that did not make it onto the floor of the UBCM convention.

H.12 Letter from the City of White Rock

A letter of response dated December 24, 2019, addressed to the Minister of Health, in which the City of Victoria was carbon-copied, expressing support for the City's resolutions that did not make it onto the floor of the UBCM convention.

H.13 Rise and Report

H.13.a From the December 12, 2019 Closed Council Meeting:

That Council approves the Selection Committee's recommendation to appoint Neko Smart as the Youth Poet Laureate for a one year term commencing January 1, 2020.

H.13.b From the December 12, 2019 Closed Council Meeting:

That Council:

Approve the appointment of the attached list as members of the Local Area Planning Working Group for phase 1:

Organization or Sector Nominee

North Park Neighbourhood Association (1): Sarah Murray
North Park Neighbourhood Association (2): Ericka Amador
Inter-Cultural Association (also recommended by North Park NA): Steven Baileys or TBC
Hillside Quadra Community Association (1): Jamie Kelley
Hillside Quadra Community Association (2): Marina Aitcheson
Renters Advisory (1): HQ Community Association Riga Godron
Renters Advisory (2): Leslie Robinson
Renters Advisory (3): Alieda Blandford
Hillside Quadra Collective: Vincent Gornall
Advisory Design Panel: Jessi-Anne Reeves or TBC
Fernwood Community Association (1): Kalen Harris
Fernwood Community Association (2): Kristin Atwood
Fernwood Neighbourhood Resource Group: Ruben Anderson
Youth Council: Ella Ga Eun Lee
Youth Council (2): Alma Perreault

I. REPORTS OF COMMITTEES

I.1 Committee of the Whole

I.1.a Report from the January 9, 2020 COTW Meeting

I.1.a.a 1450 Douglas Street: Application to Add an Entertainment Endorsement for Cafe Veneto, Food Primary License (Downtown)

Moved By Councillor Thornton-Joe

Seconded By Councillor Dubow

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

1. Council, after conducting a review with respect to noise and community impacts, does support the application of Cafe Veneto located at 1450 Douglas Street to add an entertainment endorsement to their food primary licence.

Providing the following comments on the prescribed considerations:

- a. The impact of noise on the community in the vicinity of the establishment has been considered in relation to the request, and assumptions are the noise impacts would be negligible based on experience with the operator, and nature of the request. The establishment is motivated by its own business activities to manage noise and impacts are not expected.
- b. If the application is approved, the impact on the community is expected to be positive economically as the approval supports the business plan and long-term viability of the establishment.
- c. If the application is approved, it is not expected to result in the service area being operated in a manner contrary to the primary purpose.
- d. The views of residents were solicited via a mail out which included 260 letters to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. The City received two letters in response to the request, both of which supported the application and included one letter of support from the Downtown Residents Association.
- e. Council recommends the license endorsements be approved.

CARRIED UNANIMOUSLY

I.1.a.b Council Member Motion - Advocacy for Exemption for Victoria Cannabis Buyers Club

Moved By Councillor Isitt

Seconded By Councillor Loveday

That Council request that the Mayor write, on behalf of Council, to the Premier of British Columbia, copying the Solicitor General and Members of the Legislative Assembly representing constituencies in the Capital Region, advising the Province of the valuable service that the Victoria Cannabis Buyers Club has provided to medicinal users of cannabis for the past two decades, and requesting that the Provincial government consider authorizing an exemption to the Victoria Cannabis Buyers Club under s. 130 of the Cannabis Control and Licensing Act, to allow the Club to continue to provide responsible access and a safe, welcoming community space for medical cannabis users in the City of Victoria and Capital Region.

CARRIED UNANIMOUSLY

I.1.a.c Council Member Motion – Site Selection for Pool and Fitness Centre

Moved By Councillor Isitt

Seconded By Councillor Loveday

That Council direct staff to:

1. Report back at the February 6, 2020 Committee of the Whole Meeting with all existing site selection information for the new swimming pool and fitness centre, including information on the technical feasibility of siting the previously developed design for the new swimming pool and fitness centre at 940 Caledonia Avenue.
2. Convene a Community Meeting through the Community Association Land Use Committee (CALUC) process once the preferred location is confirmed, to gauge public input on the siting of the new pool and fitness centre at that location.
3. Report back to Council with the results of the Community Meeting and recommendations on next steps to secure funding for the project.

CARRIED UNANIMOUSLY

I.1.a.d 1302 Finlayson Street: Heritage Register Application No. 00095 (Hillside/Quadra)

Moved By Councillor Alto

Seconded By Councillor Dubow

That, concurrent with Rezoning Application No. 00687, if it is approved, Council approve the request to add the property located at 1302 Finlayson Street to the City of Victoria Register of Heritage Properties pursuant to section 598 of the *Local Government Act*.

CARRIED UNANIMOUSLY

I.1.a.e 11 Chown Place: Victoria Housing Reserve Fund Application (Burnside)

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That Council approve a grant from the Victoria Housing Reserve Fund to the Gorge View Society in the amount of \$295,000 to assist in the construction of a four-storey 58-unit housing project at 11 Chown Place, subject to the following conditions:

1. The applicant obtaining the required development permit approvals for the construction of a four-storey 58-unit housing project at 11 Chown Place on or before January 30, 2022.
2. The execution of a Housing Fund Grant Agreement acceptable to the Director of Sustainable Planning and Community Development and in the form satisfactory to the City Solicitor; outlining terms for the eligible use of the grant, reporting requirements, repayment, indemnification and construction insurance, and communication protocols.
3. The execution of a Housing Agreement, in the form satisfactory to the City Solicitor, to secure
 - a. 58 new housing units as rentals in perpetuity;
 - b. 49 of the new units (one bedroom) to be dedicated for seniors (55+) as follows:
 - i. 11 units for very low income level;
 - ii. 13 units for low income level;
 - iii. 11 units median income level;
 - iv. 14 units at market rent;
 - c. seven of the new units (two bedroom) to be reserved for occupation by families as follows:
 - i. one unit for very low income level;
 - ii. three units for median income level; and
 - iii. three units at market rent; and
 - d. two of the new units (three bedroom) to be reserved for occupation by families with a median income level.
4. The applicant fulfills the applicable requirements of the Victoria Housing Reserve Fund Guidelines; and
5. That the passage of this resolution creates no legal rights for the applicant or any other person, or obligation on the part of the City, until and unless all agreements are fully executed by the City.

CARRIED UNANIMOUSLY

I.1.a.f Community Care Facilities within Residential Zones

Moved By Councillor Loveday

Seconded By Councillor Alto

That Council receive the report for information.

CARRIED UNANIMOUSLY

**I.1.a.g Conference Attendance Request for Councillor Alto -
Canadian Capital Cities Organization Annual Board Meeting**

Moved By Councillor Thornton-Joe
Seconded By Councillor Potts

That Council authorizes the attendance and associated costs for Councillor Alto to attend the Canadian Capital Cities Organization annual Board meeting to be held in Ottawa, Ontario, from January 29 – 31, 2020.

CARRIED UNANIMOUSLY

K. BYLAWS

K.1 Temporary Borrowing Bylaw, 2020

Moved By Councillor Alto
Seconded By Councillor Loveday

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

1. Temporary Borrowing Bylaw, 2020 No. 20-003

CARRIED UNANIMOUSLY

K.2 Vehicles for Hire Bylaw

Moved By Councillor Alto
Seconded By Councillor Potts

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

1. Vehicles for Hire Amendment No. 20 Bylaw No. 20-010

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)

Moved By Councillor Loveday
Seconded By Councillor Alto

That staff bring forward the bylaw for consideration of adoption at the January 16, 2020 Council Meeting.

CARRIED UNANIMOUSLY

L. CORRESPONDENCE

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

A letter dated November 28, 2019 addressed to Premier Horgan in which the City of Victoria was carbon-copied, regarding modernizing the Motor Vehicle Act.

Moved By Councillor Alto
Seconded By Councillor Loveday

That the correspondence dated November 28, 2019 from the Corporation of the District of Saanich 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: 8:11 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR