



REVISED AGENDA - VICTORIA CITY COUNCIL

Thursday, January 23, 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

Council is committed to ensuring that all people who speak in this chamber are treated in a fair and respectful manner. No form of discrimination is acceptable or tolerated. This includes discrimination because of race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, or economic status. This Council chamber is a place where all human rights are respected and where we all take responsibility to create a safe, inclusive environment for everyone to participate.

Pages

A. APPROVAL OF AGENDA

B. Poetry Reading

By Youth Poet Laureate, Neko Smart.

C. READING OF MINUTES

C.1	<u>Minutes from the daytime meeting held January 9, 2020</u>	1
C.2	<u>Minutes from the evening meeting held January 9, 2020</u>	5

D. REQUESTS TO ADDRESS COUNCIL

D.1	<u>Sarah Alpert: Traffic Calming Measures on Fern Street</u>	
D.2	<u>Kayla Siefried: The Compost Education Centre's Programs & Resources</u>	17
D.3	<u>Angela Carmichael: School Zone Safety/ Police Liaison Program</u>	
D.4	<u>Matthew Ford: Suggestion for the Crystal Pool's New Location</u>	
D.5	<u>Kyle Cheyne: Temp Licence/ Exemption</u>	37
D.6	<u>Sean Kahil: Equity Lens</u>	
*D.7	<u>Susan Simmons: Crystal Pool</u>	

Addendum: Added to Section D, as per Section 2.a of the Request to Address Council Policy.

***D.8 Greg Hind: Crystal Pool**

Addendum: Added to Section D, as per Section 2.a of the Request to Address Council Policy.

***D.9 Dixon McGowan & Drew Sabourin: Crystal Pool**

Addendum: Added to Section D, as per Section 2.a of the Request to Address Council Policy.

***D.10 James Fromm & Joe Richards**

Addendum: Added to Section D, as per Section 2.a of the Request to Address Council Policy.

***D.11 Sheenagh Morrison: Crystal Pool**

Addendum: Added to Section D, as per Section 2.a of the Request to Address Council Policy.

E. PROCLAMATIONS

E.1 "International Day of Zero Tolerance for Female Genital Mutilation" - February 6, 2020 38

***E.2 "Eating Disorder Awareness Week" - February 1-7, 2020** 39

Addendum

F. PUBLIC AND STATUTORY HEARINGS

F.1 1216 Richardson Street: Development Variance Permit Application No. 00231 40

Council is considering a development variance permit application to convert the existing building to 4 dwelling units.

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

- Motion to approve development variance permit

G. REQUESTS TO ADDRESS COUNCIL

G.1 Katie Fillion: Crystal Pool/ Central Park

G.2 Sally Chaster: Eating Disorders and the Importance of the City's Proclamation

G.3 Karmen McNamara: Crystal Pool

- *G.4 Peter Denby: Replacement of Finlayson Turf
Addendum
- *G.5 Rick Hoogendoorn: Finalyson Turf Field (Topaz Park Redevelopment)
Addendum
- *G.6 Teale Phelps Bondaroff: Support for Universal Health Coverage for Prescription Contraception in BC
Addendum
- *G.7 Michelle Furlong-Goos
Addendum
- *G.8 Shauna Fenwick: Crystal Pool Replacement
Addendum
- *G.9 Tara Wild: Replacement of Crystal Pool
Addendum
- *G.10 Alison Smith: Crystal Pool - Fitness Facilities that Compliment Social Services Facilities
Addendum
- *G.11 Derry McDonell: Crystal Pool Replacement Project
Addendum
- *G.12 Dawn Wilson: Crystal Pool and Fitness Center
Addendum
- *G.13 Laura Rincon: Topaz Park Plans
Addendum
- *G.14 Steven Allen: Crystal Pool Design and Location
Addendum
- *G.15 Cornelis Tepper: Response to Finlayson Turf Replacement
Addendum
- *G.16 Julie Barnes: Crystal Pool

69

71

Addendum

H. UNFINISHED BUSINESS

H.1 Letter from the Minister of Immigration, Refugees and Citizenship 72

A letter of response dated December 13, 2019 thanking the Mayor for congratulating them on their appointment as Minister.

H.2 Letter from the North Coast Regional District 73

A letter of response dated December 16, 2019 addressed to the Minister of Health and the Minister of Mental Health and Addictions, expressing support for the City's resolutions which did not make it onto the floor of the UBCM Convention.

H.3 Letter from the Minister of Agriculture and Agri-Food 75

A letter of response dated December 30, 2019, thanking the Mayor for congratulating them on their reappointment as Minister.

H.4 Letter from the Assistant Deputy Minister of Transportation and Infrastructure 76

A letter of response dated January 3, 2020 regarding the City of Victoria's Go Victoria strategy.

*H.5 Letter from the City of Campbell River 78

Addendum

A letter of response dated January 8, 2020, acknowledging receipt of the City's letter requesting support of UBCM resolutions regarding safer drug supplies and observed inhalation sites.

*H.6 Letter from the Minister of Finance 79

Addendum

A letter of response dated January 15, 2020, regarding the initiatives currently underway in Victoria to address housing affordability and the wish to work with the Government of Canada to implement these projects.

I. REPORTS OF COMMITTEES

I.1 Committee of the Whole

I.1.a Report from the January 16, 2020 COTW Meeting 81

[Link to the January 16, 2020 COTW Agenda](#)

- I.1.a.a Council Meeting Schedule Amendment
- I.1.a.b Council Member Motion - Attendance at the Crab Fest, Port Angeles, October 12, 2019
- I.1.a.c Council Member Motion - Attendance at Ottawa Ministerial Meetings
- I.1.a.d Victoria Civic Heritage Trust
- I.1.a.e Downtown Heritage Buildings Seismic Upgrade Fund
- I.1.a.f Council Member Motion - Advocacy to Increase Tipping Fees for International Solid Waste to Preserve Capacity of the Hartland Landfill
- I.1.a.g Application for a New Liquor Primary Licence Kwench Culture Club at 2031 Store Street
- I.1.a.h Setback Regulation for Retaining Walls and Other Structures on Waterfront Properties

***I.1.b Report from the January 23, 2020 COTW Meeting**

83

Addendum: Report

- *I.1.b.a 2330 Government Street: Application for a Lounge Endorsement to a Manufacturer's License (brewing) for Vancouver Island Brewing (Burnside)
- *I.1.b.b Local Government Recommendation for Pacificanna at 1560-1564 Fairfield Road
- *I.1.b.c Council Member Motion - Support for Universal Health Coverage for Prescription Contraception in British Columbia
- *I.1.b.d Topaz Park Improvement Plan Construction Funding
- *I.1.b.e 844 Johnson Street: Development Permit with Variance Application No. 00056 (Downtown)
- *I.1.b.f 1700 Blanshard Street: Development Permit with Variances Application No. 00106 (Downtown)
- *I.1.b.g 805 Gordon Street: Application for Entertainment Endorsement for the Union Club of British Columbia's Food Primary Licence (Downtown)
- *I.1.b.h MFABC Fossil Fuel Free Bond Fund

*I.1.b.i Council Member Motion - Endorsement of Declaration of Solidarity with the Wet'suwet'en People

*I.1.b.j Council Member Motion - AVICC and UBCM Advocacy Motions Passed by the Renters' Advisory Committee

J. NOTICE OF MOTIONS

K. BYLAWS

*K.1 Bylaws for 1442 Elford Street: Rezoning Application No. 00703

88

A report recommending:

- **1st and 2nd readings of:**
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1212) No. 20-005
 - Heritage Designation (1442 Elford Street) Bylaw No. 20-004
- **1st, 2nd, and 3rd readings of:**
 - Housing Agreement (1442 Elford Street) Bylaw (2020) No. 20-006

The application is ready to proceed to Public Hearing and proposes to heritage designate and convert the existing single-family dwelling into a multi-unit residential building consisting of approximately five ground-oriented dwelling units.

Addenda: Report and Bylaws

*K.2 Bylaw for 1017-1023 Cook Street: Development Permit with Variances Application No. 00119

104

A report recommending:

- **1st, 2nd, and 3rd readings of:**
 - Housing Agreement (1017-1023 Cook Street) Bylaw (2020) No. 20-008

The application is ready to proceed to an Opportunity for Public Comment and proposes to add residential units in existing space with exterior changes and a parking variance.

Addenda: Report and Bylaw

K.3 Bylaw for 2020 Temporary Borrowing

115

- **Consideration of adoption of:**
 - Temporary Borrowing Bylaw, 2020 No. 20-003

The the purpose of the bylaw is to provide for the borrowing of money that may be necessary to meet the current lawful expenditures of the City.

L. CORRESPONDENCE

M. NEW BUSINESS

N. QUESTION PERIOD

O. ADJOURNMENT



MINUTES - VICTORIA CITY COUNCIL

January 9, 2020, 11:09 A.M.

COUNCIL CHAMBERS - 1 CENTENNIAL SQUARE, VICTORIA, BC

To be held immediately following the Committee of the Whole Meeting

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 / Director of Finance, 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, J. Jensen - Head of Human Resources, P. Bellefontaine – Assistant Director – Transportation, M. Heiser - Committee Secretary

A. CONVENE COUNCIL MEETING

B. APPROVAL OF AGENDA

C. CLOSED MEETING

Moved By Councillor Loveday

Seconded By Councillor Dubow

MOTION TO CLOSE THE JANUARY 9, 2020 COUNCIL MEETING TO THE PUBLIC

That Council convene a closed meeting that excludes the public under Section 90 of the *Community Charter* for the reason that the following agenda items deal with matters specified in Sections 90(1) and/or (2) of the *Community Charter*, namely:

Section 90(1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

Section 90(1)(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;

Section 90(1)(c) labour relations or other employee relations;

Section 90(1)(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;

Section 90(1)(g) litigation or potential litigation affecting the municipality;

CARRIED UNANIMOUSLY

D. APPROVAL OF CLOSED AGENDA

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That the closed agenda be approved.

Amendment:

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the agenda of the January 9, 2020 Closed Council meeting be amended as follows:

Consent Agenda:

E.1 Minutes from the closed Committee of the Whole meeting held November 15, 2019

E.2 Minutes from the closed meeting held November 28, 2019

E.3 Minutes from the closed meeting held December 12, 2019

E.4 Minutes from the closed Meeting held December 5, 2019

CARRIED UNANIMOUSLY

On the main motion as amended:

CARRIED UNANIMOUSLY

E. CONSENT AGENDA

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the following items be approved without further debate.

CARRIED UNANIMOUSLY

E.1 Minutes from the closed Committee of the Whole meeting held November 15, 2019

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the minutes from the closed meeting held November 15, 2019 be adopted.

CARRIED UNANIMOUSLY

E.2 Minutes from the closed meeting held November 28, 2019

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the minutes from the closed meeting held November 28, 2019 be adopted.

CARRIED UNANIMOUSLY

E.3 Minutes from the closed meeting held December 12, 2019

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the minutes from the closed meeting held December 12, 2019 be adopted.

CARRIED UNANIMOUSLY

E.4 Minutes from the closed Meeting held December 5, 2019

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the minutes from the closed meeting held December 5, 2019 be adopted.

CARRIED UNANIMOUSLY

H. NEW BUSINESS

H.1 Land - Community Charter Section 90(1)(e)

Council received a report regarding a land matter.

The motion was recorded and kept confidential.

H.2 Appointment - Community Charter Section 90(1)(a)

Council received a report regarding an appointment.

The motion was recorded and kept confidential.

H.3 Litigation - Community Charter Section 90(1)(g)

Council received a verbal report regarding a litigation
The conversation was recorded and kept confidential.

H.4 Employee Relations - Community Charter Section 90(1)(c)

Council received a report regarding an employee relations matter.
The motion was recorded and kept confidential.

All staff except the City Manager left the meeting at 12:08 p.m.

H.5 Employee Relations - Community Charter Section 90(1)(c)

Council received a verbal report regarding an employee relations matter.
The conversation was recorded and kept confidential.

J. ADJOURNMENT

Moved By Councillor Potts
Seconded By Councillor Alto

That the Closed Council Meeting be adjourned at 12:43 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



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

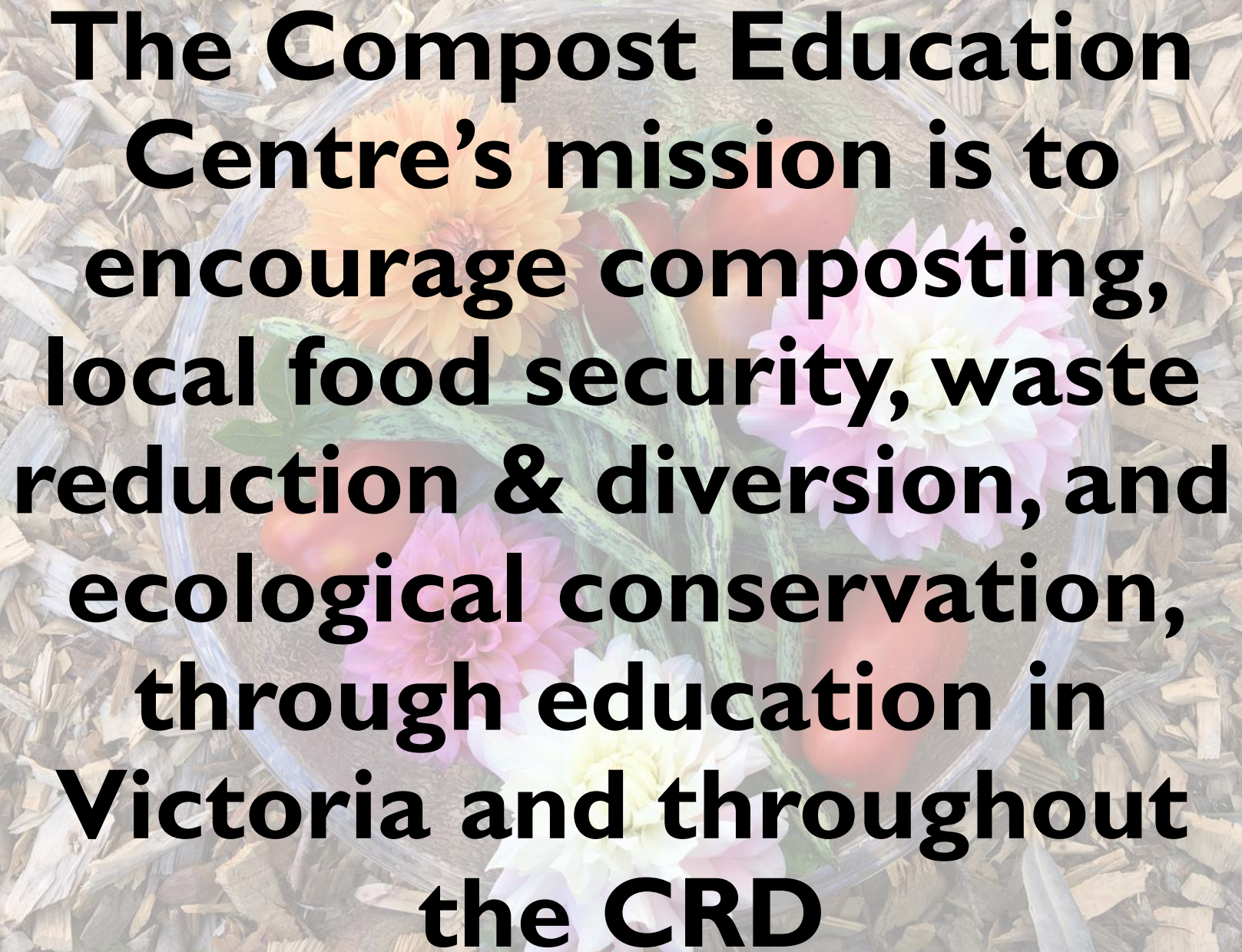
The Compost Education Centre's Programs & Resources

Presentation Offered by Kayla Siefried
Interim Co-Director

January 23, 2020 City of Victoria Council Meeting

The Compost Education Centre is located on unceded and occupied Coast Salish territories, specifically, the ancestral lands of the Lekwungen speaking peoples, the Songhees and Esquimalt Nations.





**The Compost Education
Centre's mission is to
encourage composting,
local food security, waste
reduction & diversion, and
ecological conservation,
through education in
Victoria and throughout
the CRD**



We achieve our mission by offering our extensive, accessible, public education programs that focus on community-based climate change adaptation and resiliency

- School Programs
 - Onsite
 - In Classrooms
- Adult Education Programs
 - Onsite Scheduled
 - Offsite Booked
- Healing City Soils Program
- Attendance at community events, hosting two annual plant sales and a garden party



Model Food Forest

The Compost Education Centre's site is a large food forest made up of smaller gardens called guilds. A guild is a light ratio grouping of plants that provide many functions while being as mutually supportive as possible. The functions of a guild might include providing food, beauty, beneficial insect habitat as well as building and mulch materials.



Many functions in our model food forest are provided including food, beauty, beneficial insect habitat, building and mulch materials, and more.

Compost Education Centre





1216 N Park





Compost Education Centre
2020 Workshop Schedule
FREE Workshops! Saturdays
10am-12pm

Composting Basics
Feb 1, Mar 7, May 2, June 6, Sept 12,
October 3, Nov 7

Worm Composting
Mar 21, Sept 19

Advanced Composting
Apr 18, Oct 17

Advanced Composting: Sheet Mulching
Nov 21

Soil: Really Important Tiny Lives
Apr 25, Sept 26

Composting for Small Spaces
Apr 4

SPECIAL EVENTS

Spring Organic Plant Sale
Saturday May 9, 10am-2pm

Annual General Meeting & Garden
Party Fundraiser
Saturday June 13th, 11-3:30

August Organic Plant Sale
Saturday August 8, 10am-1pm

2020 Paid Workshop Schedule
Register online: www.compost.bc.ca

Jan 25	Winter Pruning
Feb 1	Advanced Fruit Tree Pruning Techniques
Feb 8	Planning Your Year-Round Veggie Garden
Feb 8	Composting Toilet Systems
Feb 22	Rainwater Resilience
Feb 29	Boulevard Blooms and Street Greens
Feb 29	Greenhouse Growing: Cloches, Hoop Houses, and Cold Frames
Mar 7	Spring Planling: From Seed to Seedling
Mar 14	Gardening for Garry Oak Ecosystems
Mar 28	Grow Your Own Food 101
Mar 28	Soil Amendments: What and When?
April 4	Making Herbal Tinctures
April 18	Regenerative Agriculture for the Home Garden
Apr 25	Garden Pests and Disease: Organic Solutions
May 2	Creating an Herbal First Aid Kit

2020 Paid Workshop Schedule
Register online: www.compost.bc.ca

May 23	Indigenous Plant Walk
May 30	Home Scale Solar Systems
June 6	Late Spring Edibles in W̱SÁNEĆ Territory
June 20	Native Bee Care
Aug 29	Summer Pruning
Sept 12	Herbs for Winter Wellness
Sept 19	Hot Water Bath Canning
Sept 26	Pressure Canning
Oct 3	Food Preservation Zine Making & Canning Swap
Oct 17	Fermented Hot Sauce and Salsas
Oct 24	Perennial Vegetables
Oct 31	Grow Your Own Mushrooms
Nov 7	Advanced Mushroom Growing Techniques
Nov 14	Fermenting Vegetables
Nov 21	Plant Propagation

Note: Our Saturday paid workshop times & prices vary. Please check our Eventbrite page, website or social media listings for workshop details.



We achieve our mission by maintaining our demonstration site for the public to observe and experience. The site includes:


- A wide variety of composting systems
- Organic vegetable and fruit growing
- Permaculture practices in action (model food forest, guilds, no till agriculture)
- Rainwater harvesting and storage
- Solar power & aquaponics systems
- Greenhouse and cold frame growing
- And a strawbale learning classroom

Organic Vegetable Gardens

These gardens demonstrate how to grow annual produce in several ways. They are organic gardens in which no chemical fertilizers, pesticides, or genetically modified seeds are used. The small space is maximized through intensive planting of a diverse array of crops which are often interplanted as companions.

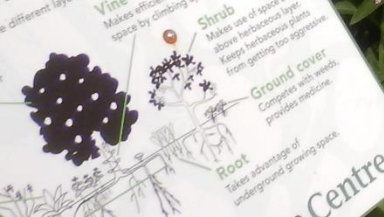
Leaf mulch, straw and cover crops protect the soil in these beds over the winter, limiting compaction from heavy rains and nutrient loss due to run-off. Mulch also helps to keep moisture in the soil and prevent weeds during the growing season.



 **Compost Education Centre**

The Food Forest

different layers in this model food forest?



Centre

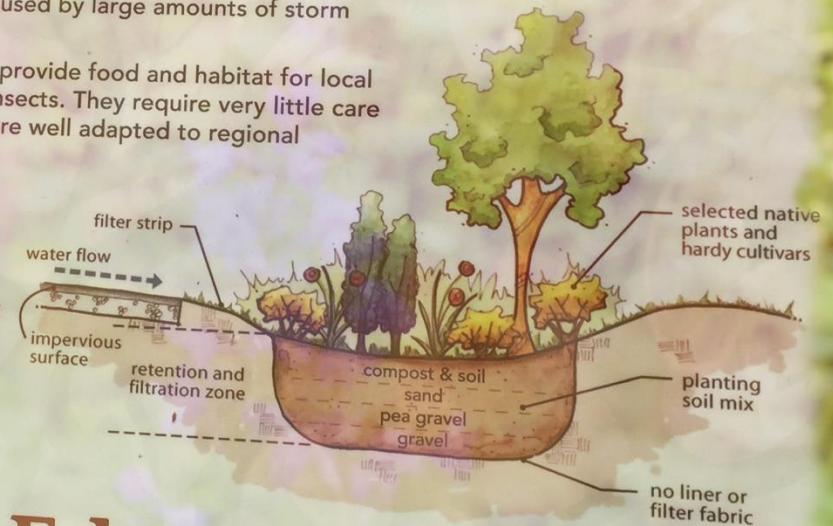
Edible Perennial Polyculture Garden

Native Plant Rain Garden

A rain garden is designed to capture and filter rainwater that flows off hard, impervious surfaces such as roadways and rooftops. The garden is dug down a meter and filled with layers of increasingly fine gravel, pea gravel, sand and finally soil and compost. The plants growing on top absorb storm water run-off and filter out any pollutants it may carry. In this way, the rain garden mimics natural processes to recharge aquifers and reduce flooding caused by large amounts of storm water runoff.

The native plants in this garden provide food and habitat for local species of birds and beneficial insects. They require very little care once established because they are well adapted to regional climate conditions. This garden also provides an opportunity to learn about First Nations uses of these plants.

As you can see, this garden combines the power of two great design strategies. It works to "slow, spread and sink" rainwater while providing much-needed habitat for native species.



Compost Education Centre



We achieve our mission by having

- Knowledgeable and trained staff available to the public
- A demonstration site that features an office and retail/resource library open 4 days a week all year long
- 20+ free educational factsheets available online and onsite
- Staff who respond to email, phone, social media and walk in queries
- Retail sales of compost bins, compost accessories, and local organic garden seeds
- Staff that attend approximately 30 community events per year





Compost Ecology

Composting is a biochemical process, meaning that decomposition takes place as a result of biological life breaking chemical bonds. Microscopic organisms such as bacteria, actinomycetes and fungi chemically break down organic material via enzymes that they secrete. The decomposition process is finished by physical digestion through the digestion of the compost.

Mulching

Mulching is the process of adding a layer of material to the surface of your garden soil. Whether you grow fruits and vegetables, flowers or perennial ornamentals, mulching is an important way of protecting and improving your soil. Without mulch, the soil surface is vulnerable to erosion, dehydration, loss of structure and compaction.

Urban Leaves

Leaves are truly one of the urban gardener's greatest resources. According to *The Rodale Book of Composting*: "...the leaves of most trees contain twice the mineral content of manure." This is because the extensive root system of trees allows them to draw minerals from deep in the soil. They are also high in fibre which "aids in improving the aeration and crumb structure of most soils." In the Greater Victoria Area, leaves, along with other yard and garden waste, cannot be put out with the garbage, and in many municipalities leaf burning is prohibited. However, leaves have many uses for home gardener and when used properly can greatly improve a garden's soil. Leaves can be used for composting, mulch, lasagna gardening/sheet mulching, potting soil, soil building, worm bedding, and chicken coop bedding. In most cities leaves are plentiful in the autumn and can easily be collected from yards, parks, and streets.

Trench Composting

Trench composting, or trenching, is a way of composting by burying food scraps directly in the garden. This method of composting is effective for materials that attract rodents such as meat, dairy, breads and cooked foods. It is also a safe way to compost pet waste. Trenching is a great way of depositing nutrients into your soil at the exact place where plants need it - at their root zones.

Effort Scale: 1 2 3 4 5
Easy Hard Involves some deep digging and a system for remembering where you buried your scraps.

Trenching is the act of burying your organic waste directly into your garden soil. The advantage of this method over conventional composting is that it eliminates the need to compost meat, grains, dairy and cooked foods in addition to other kitchen scraps. Because these items attract rodents and flies, we recommend that you don't put them into your regular compost. By burying them in a trench you can avoid these problems, since rodents should not be able to access the material if it is covered by at least 30-45 cm (12-18") of soil. All you need is a shovel!

Trenching is also a safe method for composting pet waste. Because the waste is buried in the ground, it is unlikely to be eaten by other animals.

3. Protect the soil with a layer of organic mulch material (i.e. leaves or straw). Alternatively, you can also sow a cover crop to protect the soil from the elements and suppress weeds in the time it takes for the trenched materials to decompose.



Hot Composting

Hot composting is a process of rapid decomposition that takes place at high temperatures. This decomposition is performed mostly by bacteria adapted to working at high temperatures in order to break down organic materials quickly and efficiently. Hot composting allows for faster production of larger amounts of compost.

Backyard Food Waste Digester

Food waste digesters are the easiest way to compost any type of kitchen scraps, including hard to manage kitchen waste like meat, breads, dairy and processed foods. Since these food scraps often attract rodents, the enclosed, half-buried digester acts as a deterrent, keeping rodents out of your compost and away from your home.

Vermicomposting

Vermicomposting, or worm composting, is an easy process that requires only a few simple components: some red wiggler worms, a ventilated bin, bedding for the worms to live in, food for the worms, and some time to harvest their nutrient rich castings. Once you have all the components in place, worm composting is easy! Vermicomposting is a natural, biochemical process which results in the decomposition of organic matter into a nutrient-rich, soil-like product. This process is facilitated by bacteria, fungi, worms, and many other microorganisms. Decomposition is nature's way of recycling plants, animals and other organisms back into the soil that supported them when they were alive. When we compost our food scraps and garden trimmings, we are mimicking this natural decomposition process. The finished compost can then be used to improve the quality of our garden soil. Another major benefit of backyard composting is the diversion of compostable materials from the landfill, where they decompose in an environment without air and release greenhouse gases.

Backyard Composting

Composting is a natural, biochemical process which results in the decomposition of organic matter into a nutrient-rich, soil-like product. This process is facilitated by bacteria, fungi, worms, and many other microorganisms. Decomposition is nature's way of recycling plants, animals and other organisms back into the soil that supported them when they were alive. When we compost our food scraps and garden trimmings, we are mimicking this natural decomposition process. The finished compost can then be used to improve the quality of our garden soil. Another major benefit of backyard composting is the diversion of compostable materials from the landfill, where they decompose in an environment without air and release greenhouse gases.

Effort Scale: 1 2 3 4 5
Easy Hard Involves weekly maintenance (aeration) and monitoring (for moisture content). Your compost needs to be harvested one to two times each year.

Can I Compost? ... can be composted but some ... backyard bins

- To keep your compost bin secure from rodents and other small animals, make sure it has the following:
- A secure lid
 - A bottom or baseplate (ideally with small holes to prevent contact with the soil ecosystem while keeping air flowing)

Some Numbers:

- In 2019 we taught 217 school workshops to 5637 students and their teachers; **90** of these were in Victoria, more than any other municipality
- In 2019 we taught **89** workshops to adults reaching 1737 participants; **47** of these were hosted at the demonstration site in Fernwood
- In 2019, social media platforms & website received approx 450 000 unique interactions, and we responded to approx 6500 email queries
- 10 active volunteers, and 270 members in good standing
- In 2019 approximately 1250 people visited our demonstration site, not including those attending educational programs

Why am I telling you all this?

- We are soon to be operational on city lands, and wish for council and residents to better understand the range of services, programs and resources the Compost Education Centre has to offer
- Demand for our services and resources continues to grow and we require support in meeting the thirst for education and practical skill building on topics of climate resiliency, soil health, ecological conservation, waste diversion, waste reduction and local food security



VISITORS TO VICTORIA FEELING EVEN MORE WELCOMED

“WHILE IN THE AREA, WE WERE EXTREMELY PLEASED TO FIND A LOCATION WHERE WE CAN USE OUR CANNABIS WITHOUT FEELING LIKE WE ARE IMPOSING ON THE RIGHTS OF OTHERS. NOT ONLY WERE WE GIVEN A FRIENDLY GREETING, THE ATMOSPHERE WAS CALM, POSITIVE, AND ACCEPTING.”

Claire
Milligan

Terp City
Lounge
Downtown
Victoria 950
Yates Street

**“INTERNATIONAL DAY OF ZERO TOLERANCE
FOR FEMALE GENITAL MUTILATION”**

- WHEREAS** *International Day of Zero Tolerance for Female Genital Mutilation (FGM) is observed around the world and provides an opportunity to honour those women, girls, boys and men who are actively and courageously working towards an end to this harmful practice.; and*
- WHEREAS** *this day invites us to reflect on the fact that 3.9 million girls are still at risk of mutilation each year, including girls in Canada.; and*
- WHEREAS** *on this day, we acknowledge that female genital mutilation is an issue on every continent except Antarctica, and that there are 200 million FGM/C survivors in the world, including thousands in Canada; and*
- WHEREAS** *we acknowledge that FGM has no basis in any religious text and is recognized by the United Nations and other world bodies as child abuse and an abuse of a girl’s fundamental human rights; and*
- WHEREAS** *we acknowledge that FGM/C has no benefits and causes only harm, including death, difficulties with urination, menstruation, sexual intimacy, post-traumatic stress disorder and increased maternal and child mortality; and*
- WHEREAS** *on this International Day of Zero Tolerance For FGM, we acknowledge and celebrate all national and international efforts being made, especially at the grass roots level, to achieve United Nations Sustainable Millennium Development Goal #5, which calls for the elimination of FGM and other harmful traditional practices by 2030; and*
- WHEREAS** *on this Day of Zero Tolerance, we call for increased, concerted global and Canadian action to end female genital mutilation, and ask all governments-international, national, and local- to fully uphold the human rights of women and girls so they can live a life free from the violence that is female genital mutilation; and*

NOW, THEREFORE I do hereby proclaim Thursday, February 6th, 2020 as **“INTERNATIONAL DAY OF ZERO TOLERANCE FOR FEMALE GENITAL MUTILATION”** on the HOMELANDS of the Lekwungen speaking **SONGHEES AND ESQUIMALT PEOPLE** in the **CITY OF VICTORIA, CAPITAL CITY** of the **PROVINCE** of **BRITISH COLUMBIA**.

IN WITNESS WHEREOF, I hereunto set my hand this January 23rd, Two Thousand and Twenty.

**LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA**

Sponsored by:
Stephanie Sinitsin
End FGM/C Canada Network

“EATING DISORDER AWARENESS WEEK”

- WHEREAS** *Eating Disorder Awareness Week seeks to raise awareness of eating disorders, shed light on dangerous and pervasive myths, and promote prevention; and*
- WHEREAS** *the Provincial Eating Disorders Awareness (PEDAW) campaign launches annually in February with events and activities taking place throughout the year and is a BC Province wide effort to raise awareness around prevention and early intervention of eating disorders as well as media literacy, resiliency, building healthy body image and self-esteem; and*
- WHEREAS** *WHEREAS Vancouver Island Voices for Eating Disorders (VIVED) is a grassroots organization that has pulled together people with eating disorders, their loved ones, friends, allies, and professionals to talk about lived experiences and present ideas about how services and programs can be improved, and*
- WHEREAS** *the Victoria Peer Support Group for Adults has been filling a gap for over three years by providing open weekly peer support groups facilitated by volunteers, and has offered individual phone support to members who are struggle between meetings; and*
- WHEREAS** *eating disorders are psychiatric illnesses with higher mortality rates than any other mental illness; and*
- WHEREAS** *it is critical that greater awareness be raised in this area to support additional and innovated services in the City of Victoria so more adults with eating disorders can access appropriate services in their own home community; and*

NOW, THEREFORE I do hereby proclaim the week of February 1st-7th, 2020 as **EATING DISORDER AWARENESS WEEK”** on the **HOMELANDS** of the Lekwungen speaking **SONGHEES AND ESQUIMALT PEOPLE** in the **CITY OF VICTORIA, CAPITAL CITY** of the **PROVINCE of BRITISH COLUMBIA**.

IN WITNESS WHEREOF, I hereunto set my hand this January 23rd, Two Thousand and Twenty.

**LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA**

Sponsored by:
Vancouver Island Voice
for Eating Disorders Society
The Victoria Peer Support Groups
for Adults
Councillor Marianne Alto

I. REPORTS OF COMMITTEES

I.1 Committee of the Whole

I.1.a Report from the December 5, 2019 COTW Meeting

**I.1.a.a 1216 Richardson Street - Development Variance Permit
Application No. 00231 (Rockland)**

Moved By Councillor Alto

Seconded By Councillor Potts

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

“That Council authorize the issuance of Development Permit with Variance Application No. 00231 for 1216 Richardson Street, in accordance with:

1. Plans date stamped September 17, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Reduce the parking requirement from four stalls to three stalls.
3. The Development on Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY

F.1 1216 Richardson Street - Development Variance Permit Application No. 00231 (Rockland)

Council received a report dated November 22, 2019 from the Acting Director of Sustainable Planning and Community Development presenting Council with an application to reduce required parking from four to three stalls in order to allow for four residential units within an existing house which is currently approved for two units. The report recommends moving forward to an opportunity for public comment.

Moved By Councillor Alto

Seconded By Councillor Potts

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

That Council authorize the issuance of Development Permit with Variance Application No. 00231 for 1216 Richardson Street, in accordance with:

1. Plans date stamped September 17, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Reduce the parking requirement from four stalls to three stalls.
3. The Development Permit lapsing two years from the date of this resolution

CARRIED UNANIMOUSLY



Committee of the Whole Report For the Meeting of December 5, 2019

To: Committee of the Whole **Date:** November 22, 2019
From: Andrea Hudson, Acting Director, Sustainable Planning and Community Development
Subject: Development Variance Permit Application No. 00231 for 1216 Richardson Street

RECOMMENDATION

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

"That Council authorize the issuance of Development Permit with Variance Application No. 00231 for 1216 Richardson Street, in accordance with:

1. Plans date stamped September 17, 2019.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Reduce the parking requirement from four stalls to three stalls.
3. The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Section 498 of the *Local Government Act*, Council may issue a Development Variance Permit that varies a *Zoning Regulation Bylaw* provided the permit does not vary the use or density of land from that specified in the *Zoning Regulation Bylaw*.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Variance Permit Application for the property located at 1216 Richardson Street. The proposal is to reduce the required parking from four stalls to three stalls in order to allow for four residential units within the existing house, which is currently approved for two units.

The following points were considered in assessing this application:

- the proposal is consistent with the density and use ranges established for this area, which is designated Traditional Residential in the *Official Community Plan* (OCP, 2012)
- the proposal is consistent with the *Rockland Neighbourhood Plan* (1987), which identifies house conversions as an important component of the housing stock in Rockland

- the conversion to four units meets the House Conversion Regulations of the Zoning Regulation Bylaw, with the exception of the parking requirement
- the one stall parking shortfall is relatively small and given that units are existing, this would not impact the current street parking demand.

BACKGROUND

Description of Proposal

The proposal is to reduce the required parking from four stalls to three stalls in order to legalize a total of four units within an existing two-family dwelling building. Specific details include:

- a new third storey window on the west elevation is being added
- a chimney at the rear of the building is being removed
- secured off-street bike parking is provided in the common ground floor area.

Affordable Housing Impacts

The applicant proposes the creation of two new residential units which would increase the overall supply of housing in the area. The applicant has indicated that the renovations associated with this project will not require displacement of the tenants in these units.

Sustainability Features

The applicant has not identified any sustainability features associated with this proposal.

Active Transportation Impacts

While it is not required for existing buildings, the application proposes long-term secured bike parking, which supports active transportation objectives.

Public Realm Improvements

No public realm improvements are proposed in association with this Development Permit Application.

Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings.

Existing Site Development and Development Potential

The site is presently approved as a two-family dwelling. The building was converted from a single-family dwelling to a two-family dwelling in 1953. The additional two units have also existed for many years; however, they were never approved.

Under the current R1-B Single Family Dwelling District Zone, the property could be developed as a single-family dwelling with secondary suite. The conversion to multiple units within the existing house is also a permitted use, subject to Schedule G- House Conversion Regulations. If the property was able to meet the minimum parking requirements, the conversion to four units would not need a development permit and would only require a building permit and any associated electrical and plumbing permits.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, on October 3, 2019 the application was referred for a 30-day comment period to the Rockland CALUC. At the time of writing this report, a letter from the CALUC had not been received.

This application proposes variances; therefore, in accordance with the City's *Land Use Procedures Bylaw*, it requires notice, sign posting and a meeting of Council to consider the variances.

ANALYSIS

Local Area Plans and Development Permit Area

The *Official Community Plan (OCP)* identifies this property within DPA16, General Form and Character. This development permit area supports multi-residential buildings that are complimentary in character to the surrounding context. The minor exterior changes would retain the building character and would have minimal impacts on neighbouring properties. Further, the proposal supports the *Rockland Neighbourhood Plan* objective to promote and preserve units within house conversions.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no Tree Preservation Bylaw impacts with this application and there are no impacts to public trees with this application.

Regulatory Considerations

Vehicle Parking

The application includes a one-stall parking shortfall. There is no change to the existing approved three stall parking configuration, and there is no practical way to add another parking stall on the lot. While the proposal technically involves an additional shortfall of one stall, in practice, all four units already exist on the property. No long- or short-term bike parking stalls are required; however long-term bike parking would be provided within the ground level of the house. Given these considerations, staff recommend for Council's consideration that the parking variance is supportable.

CONCLUSIONS

The proposal to reduce the required parking from four to three stalls in order to allow four residential units within an existing house conversion is generally consistent with the OCP Traditional Residential Land Use Designation and Rockland Neighbourhood Plan in terms of sensitive infill. The one-stall parking shortfall is considered to be supportable given the relatively minor potential impacts on street parking demand and the provision of long-term bike parking within the building. For these reasons, staff recommend for Council's consideration that the application be supported.

ALTERNATE MOTION

That Council decline DVP Application No. 00231 for the property located at 1216 Richardson Street.

Respectfully submitted,




Chloe Tunis
Planner
Development Services



Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

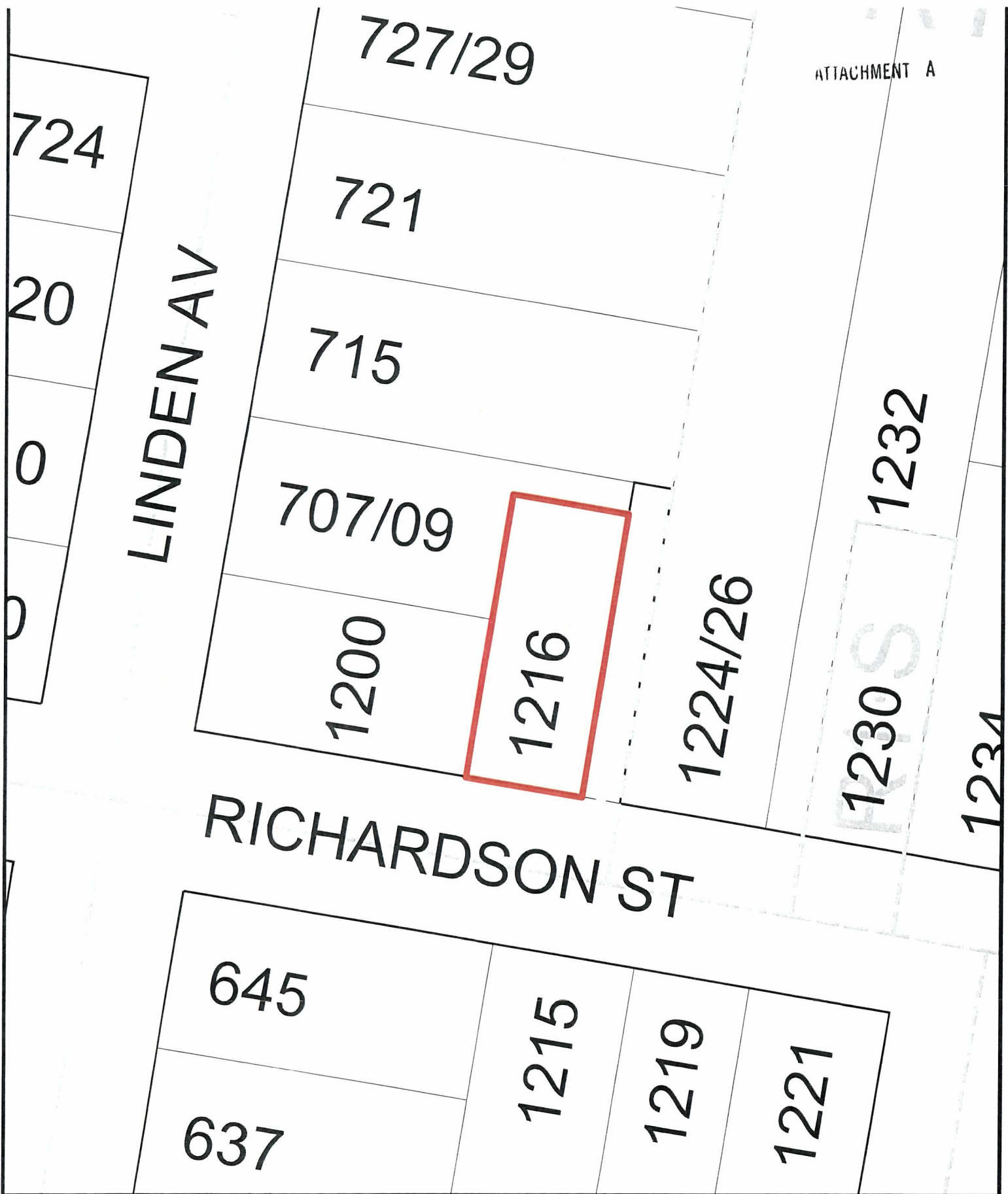


Date:

Nov 27, 2019

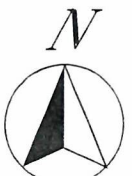
List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans dated/date stamped September 17, 2019
- Attachment D: Letter from applicant to Mayor and Council dated September 17, 2019.



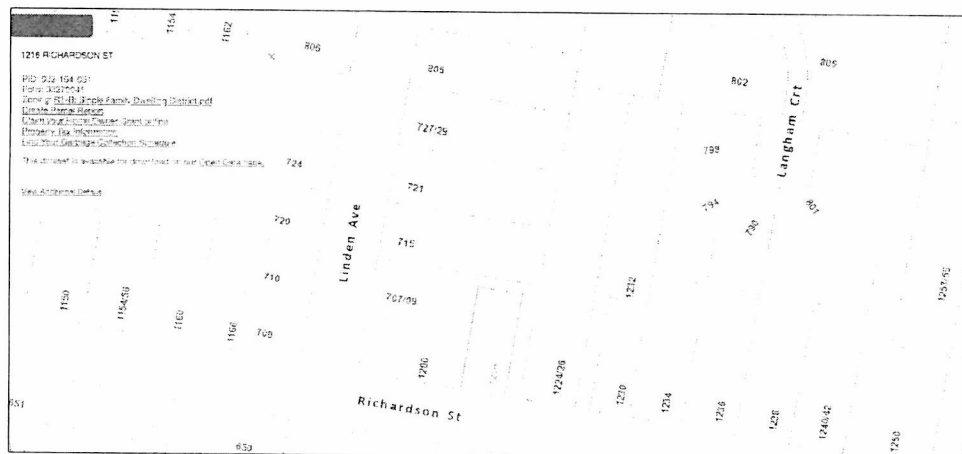
1216 Richardson Street
Development Variance Permit #00231





1216 Richardson Street
Development Variance Permit #00231



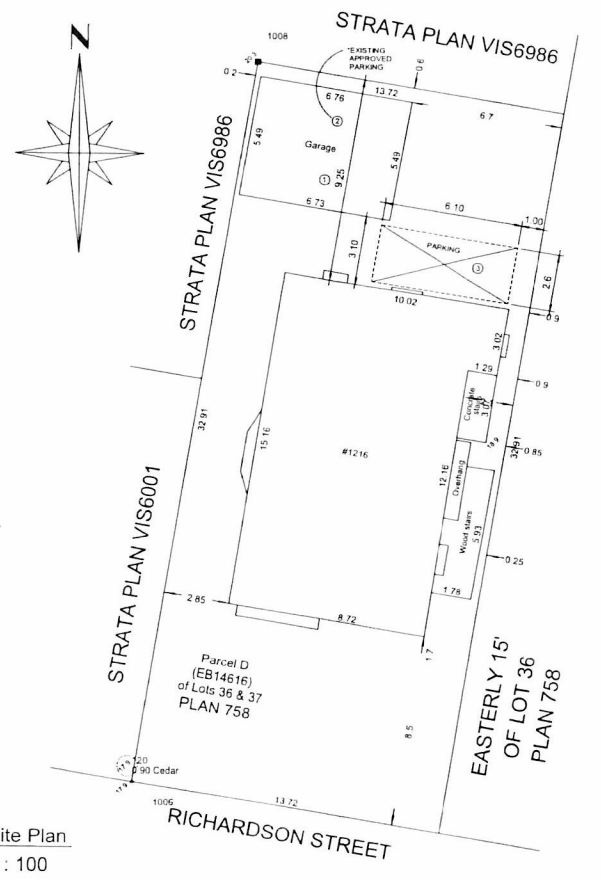


DATA TABLE

HOUSE CONVERSION
MULTIPLE DWELLING BUILT IN 1911 ZONED AS
DUPLEX. CHANGES MADE TO MULTIPLE IN 1913
NO EXTERIOR CHANGES IN THE PAST 5 YEARS
4 UNITS, TOTAL FLOOR AREA 238.8 M² (INTERIOR FACE OF EXTERIORS WALLS)
SMALLEST UNIT SIZE SUITE 1: 53.2 M²

PROJECT INFORMATION TABLE	
Zone (existing)	R1-B
Site area (m ²)	451.5 m ²
Total floor area (m ²)	237.6 m ²
Commercial floor area (m ²)	
Floor space ratio	0.79
Site coverage %	House and garage: 177.6m ² (39%)
Open site space %	210.7m ² (46.7%)
Height of building (m)	8.35
Number of stories	2
Parking stalls (number on site)	3
Bicycle parking (number storage and rack)	5
Building Setbacks (m)	
Front yard	8.5
Rear yard	9.25
Side yard (indicate which side)	0.9 WEST
Side yard (indicate which side)	2.85 EAST
Common side yards	3.75
Residential Use Details	
Total number of units	4
Unit type, e.g., 1 bedroom	1+2 bedrooms
Ground-orientated units	Yes
Minimum unit floor area (m ²)	53.2 m ²
Total residential floor area (m ²)	238.8 m ²

PARCEL D (EB14616) OF THE WESTERLY 40 FEET OF THE SOUTHERLY 108 FEET OF LOT 36 AND THE EASTERLY 5 FEET OF THE SOUTHERLY 108 FEET OF LOT 37, FAIRFIELD FARM ESTATE, VICTORIA CITY, PLAN 758
PID: 002-164-051



Site Plan
1:100

Received
City of Victoria

JUL 22 2019

Planning and Development Department
Development Services Division



Copyright reserved.
This plan and design is and remains the sole and exclusive property of Ashke Custom Design Ltd. and shall not be used or copied in any way for advertising or other purposes. These plans are not to be used for any other purpose without the written consent of Ashke Custom Design Ltd. Any reproduction or use of these plans without the written consent of Ashke Custom Design Ltd. is strictly prohibited. Ashke Custom Design Ltd. is not responsible for any errors or omissions in this plan and design.

NO.	DATE	BY	REVISION
1	2019-07-22	ASHKE	ISSUED FOR PERMIT
2	2019-07-22	ASHKE	ISSUED FOR PERMIT
3	2019-07-22	ASHKE	ISSUED FOR PERMIT
4	2019-07-22	ASHKE	ISSUED FOR PERMIT
5	2019-07-22	ASHKE	ISSUED FOR PERMIT
6	2019-07-22	ASHKE	ISSUED FOR PERMIT
7	2019-07-22	ASHKE	ISSUED FOR PERMIT
8	2019-07-22	ASHKE	ISSUED FOR PERMIT
9	2019-07-22	ASHKE	ISSUED FOR PERMIT
10	2019-07-22	ASHKE	ISSUED FOR PERMIT

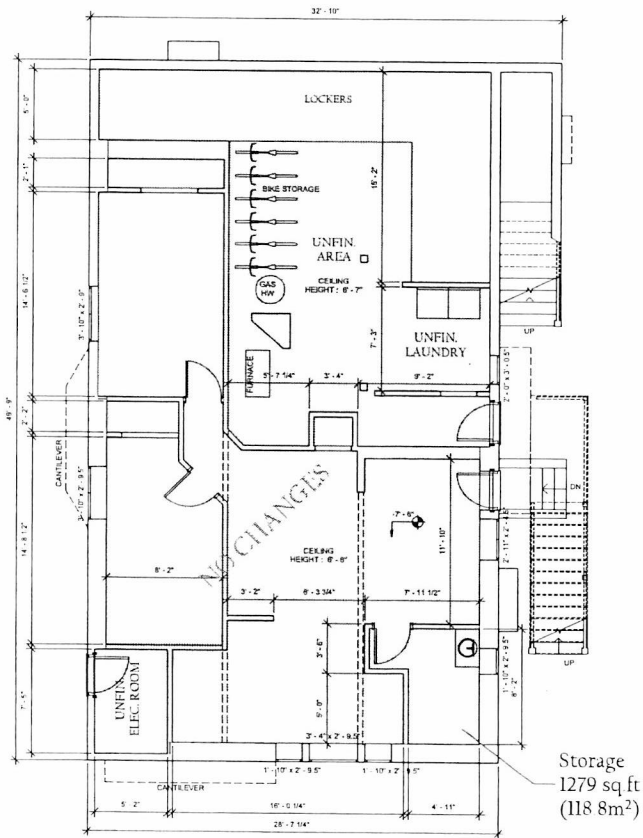
1716 Richardson Street
Residential - Addition

Site Plan / Data Sheet

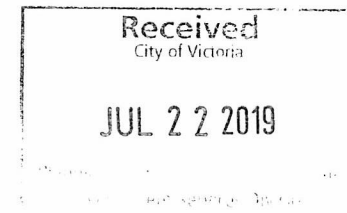
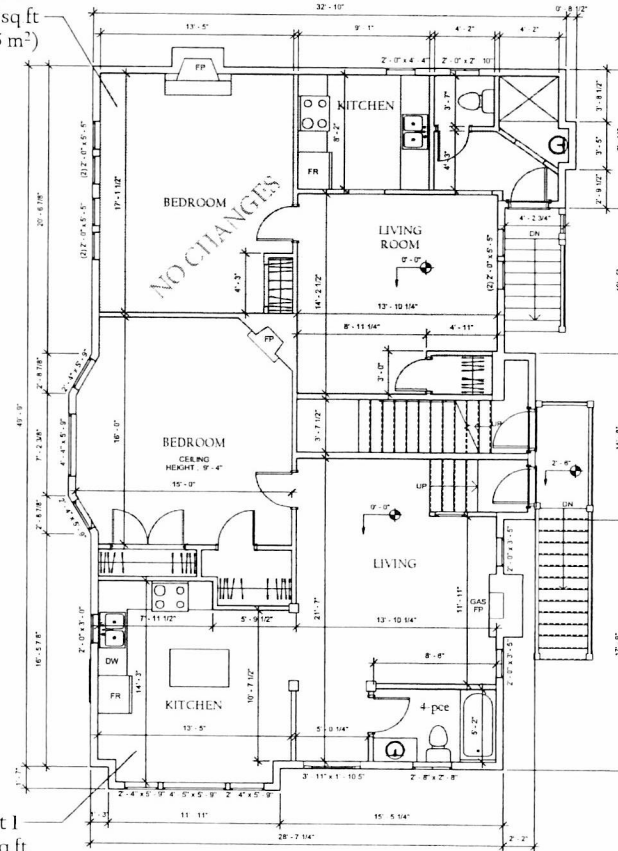
Scale: 1:100

Sheet: A1.0

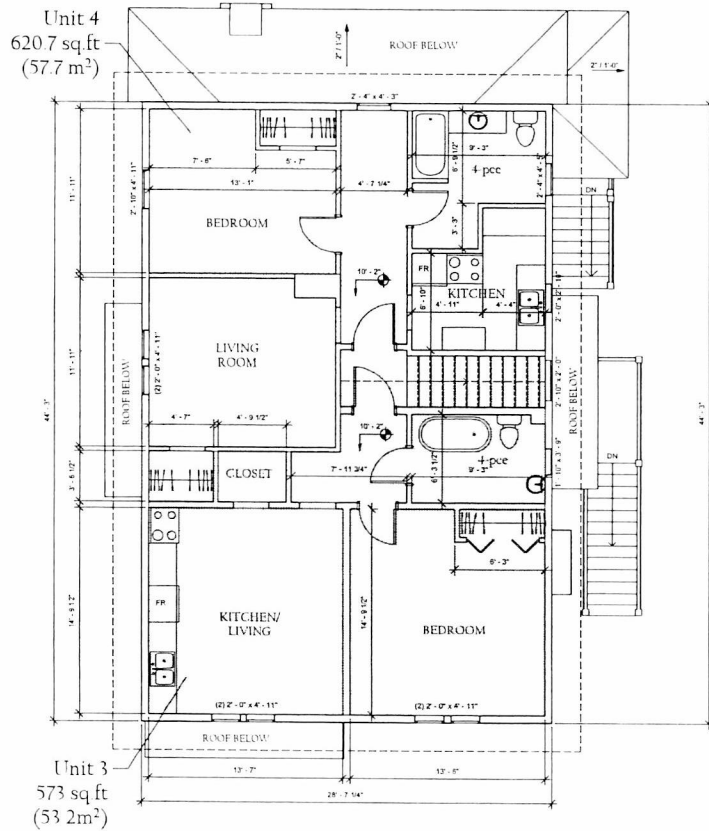
Date: July 22, 2019



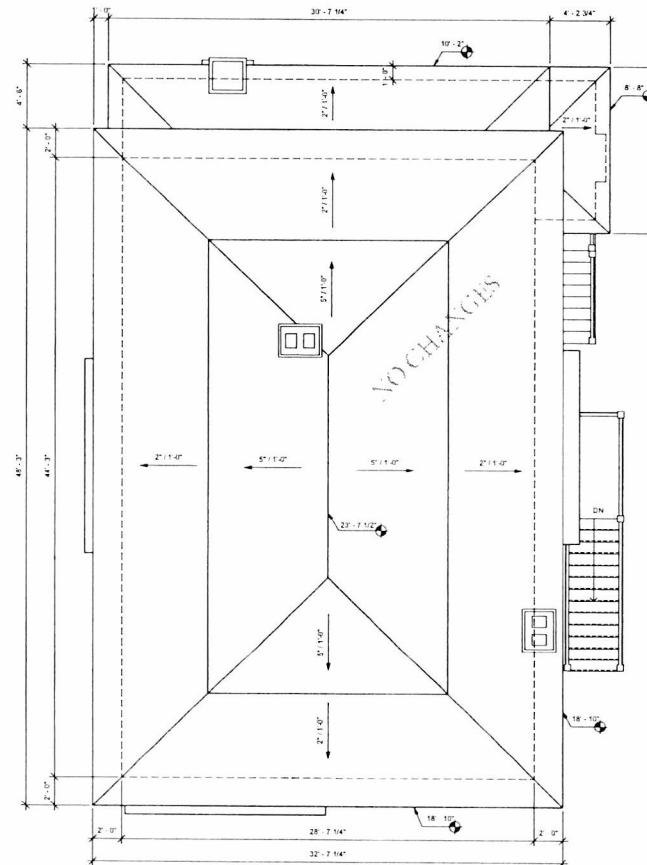
Unit 2
597 sq ft
(55.5 m²)



Rev	Date	By	Description
1	07/22/2019	ASD	Initial Design
2	07/22/2019	ASD	Revised Design
3	07/22/2019	ASD	Final Design
4	07/22/2019	ASD	Final Design
5	07/22/2019	ASD	Final Design
6	07/22/2019	ASD	Final Design
7	07/22/2019	ASD	Final Design
8	07/22/2019	ASD	Final Design
9	07/22/2019	ASD	Final Design
10	07/22/2019	ASD	Final Design



○ Existing Upper Floor Plan
1/4" = 1'-0"

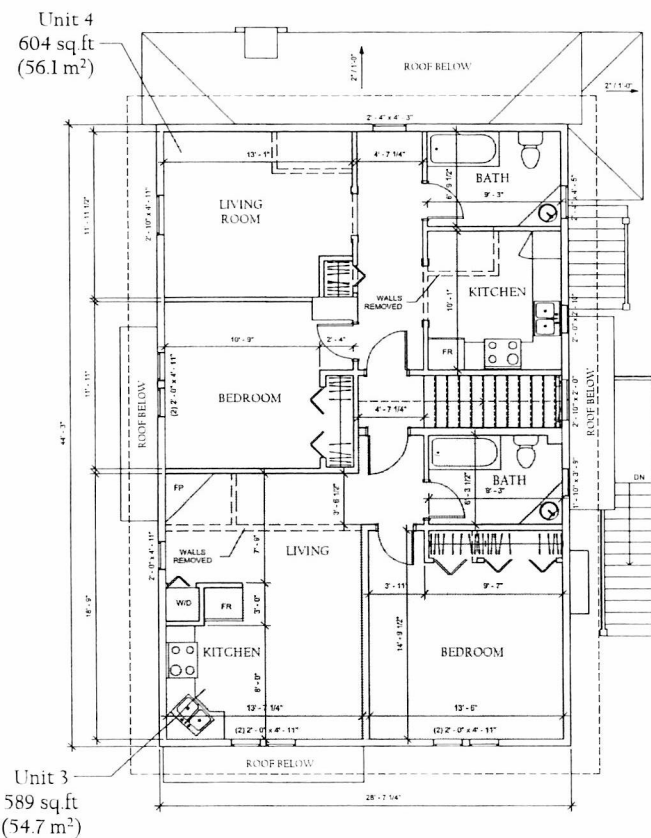


○ Existing Roof Plan
1/4" = 1'-0"

Received City of Victoria	
JUL 22 2019	
1216 Richardson Street Renovation / Addition	
Existing Upper Floor Plan Existing Roof Plan	
Drawn by: [Signature]	Scale: 1/4" = 1'-0"
Check by: [Signature]	Sheet: A2.1



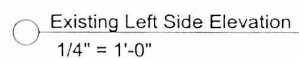
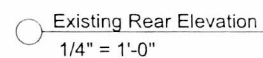
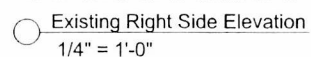
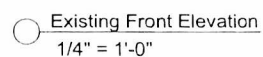
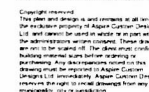
ASPIRE CUSTOM DESIGN
 Copyright reserved
 This plan was designed and created in all forms
 the exclusive property of Aspire Custom Design
 Ltd. and subject to the terms and conditions of the contract
 for professional services. These drawings
 are not to be copied, reproduced, or otherwise
 used in any form without the written consent of
 Aspire Custom Design Ltd. Any unauthorized use or
 alteration of these drawings without the written
 consent of Aspire Custom Design Ltd. is strictly
 prohibited. Aspire Custom Design Ltd. reserves
 the right to make changes to these drawings
 without notice.



○ Proposed Upper Floor Plan
 1/4" = 1'-0"

Received
 City of Victoria
 JUL 22 2019
 1218 Richardson Street
 Richmond, BC V6V 1G1

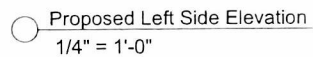
NO.	DATE	DESCRIPTION
1	2019.07.22	PROPOSED UPPER FLOOR PLAN
2	2019.07.22	PROPOSED UPPER FLOOR PLAN
3	2019.07.22	PROPOSED UPPER FLOOR PLAN
4	2019.07.22	PROPOSED UPPER FLOOR PLAN
5	2019.07.22	PROPOSED UPPER FLOOR PLAN
6	2019.07.22	PROPOSED UPPER FLOOR PLAN
7	2019.07.22	PROPOSED UPPER FLOOR PLAN
8	2019.07.22	PROPOSED UPPER FLOOR PLAN
9	2019.07.22	PROPOSED UPPER FLOOR PLAN
10	2019.07.22	PROPOSED UPPER FLOOR PLAN



Received
City of Victoria

JUL 22 2019

[illegible]



JUL 22 2019

Civic address: 1216 Richardson St
Zoning – R1-B

September 06, 2019

Dear Mayor Helps and Council,

This character home was built in 1911, and was changed to the existing 4 suites in 1953 with few changes since then. We now need to complete the required application for a 4 suite conversion on this character home so we can proceed with some needed upgrades to the interior of the premises such as fire separation, smoke detection system and sound control, in order to improve the quality of suites along with the requirements for conversion.

This proposed variance is for parking relaxation to the existing 3 stalls rather than 4 in order to meet our requirements for conversion, with a reasonable walking distance to centre of the city and transit stop located in front existing parking has always been more than adequate.

Existing bicycle parking on the ground floor with an easy open access area has always been well used by the tenants, and expect future use of bicycle parking to increase with the proposed bike lane on Richardson St.

We have talked with all the surrounding neighbours and have their full support, we have also spoken with the Rockland Neighbourhood Association and have their full support as well.

Thank you for your consideration,

Regards,
Mark Husdon

Development Variance Permit Application for 1216 Richardson Street

Subject Property



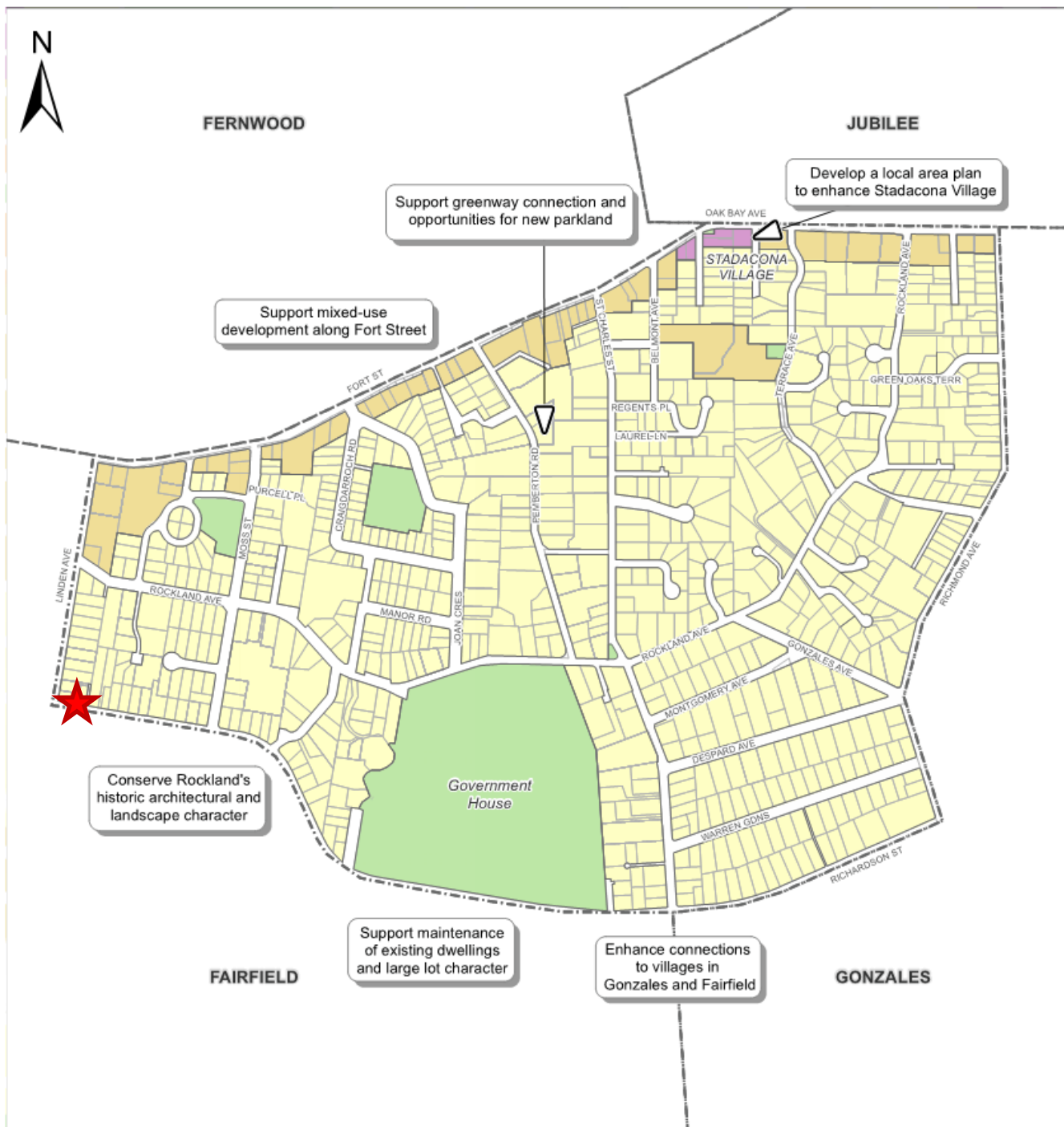
Subject Property





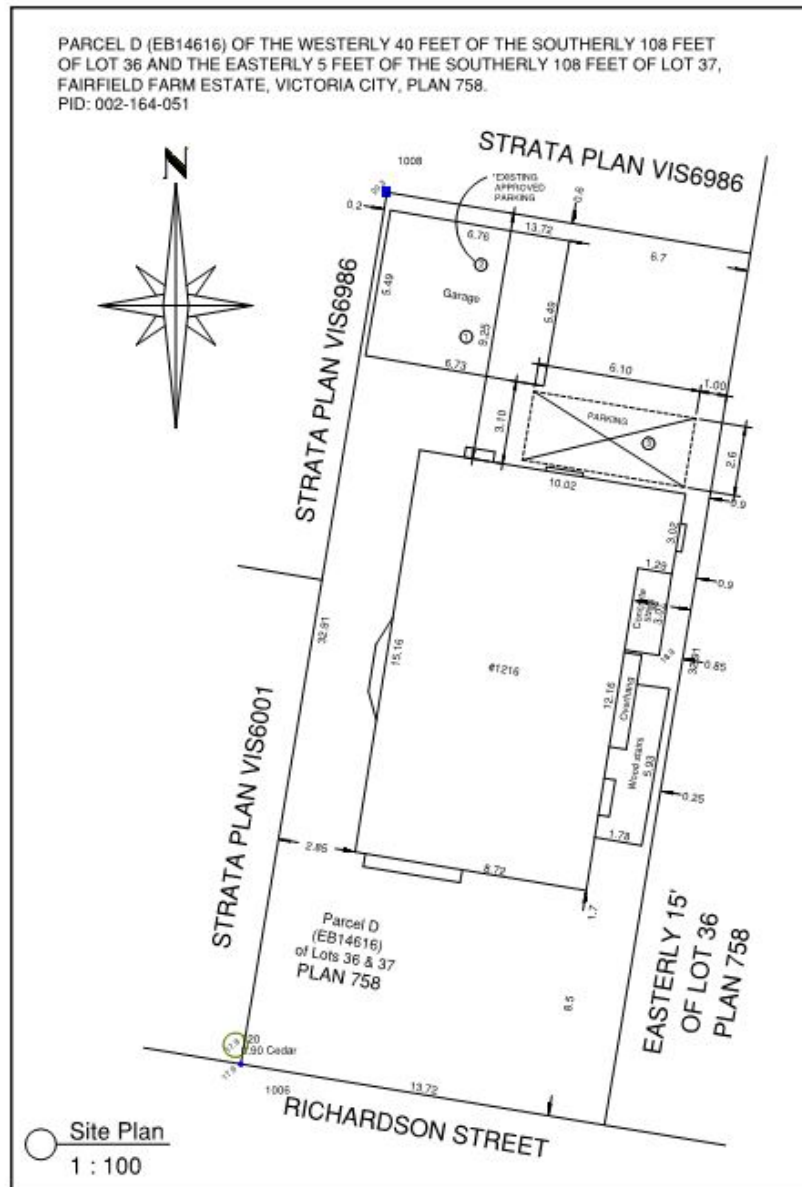
Street Context



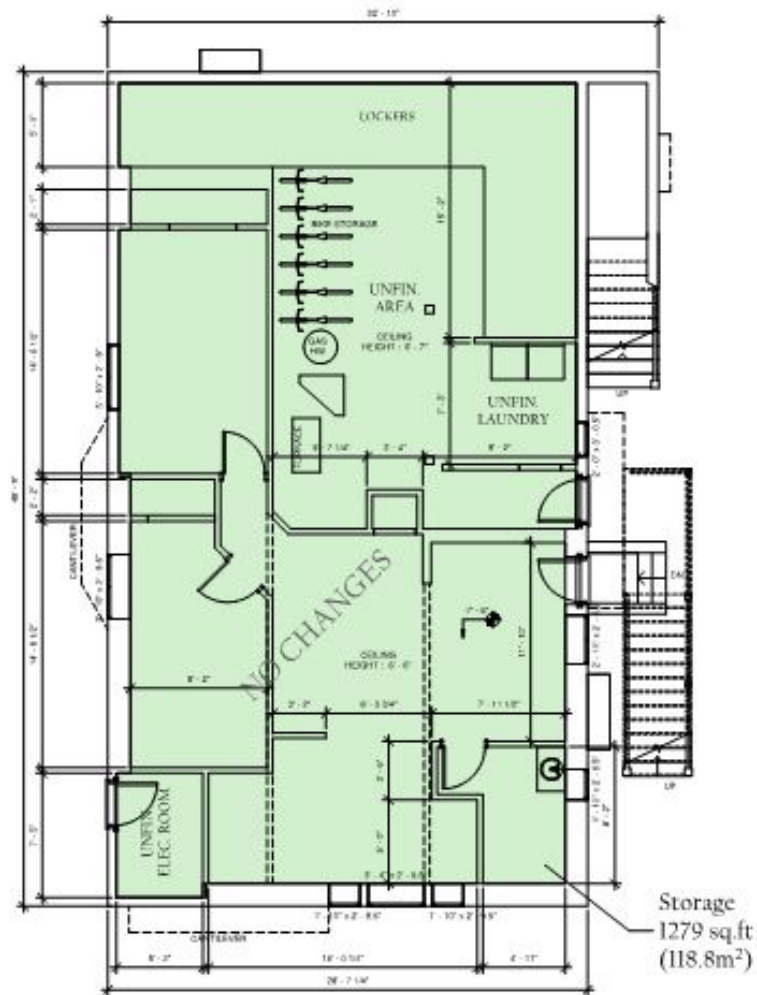


*Urban Place Designations are provided for information purposes only. Please refer to Map 2 and Figure 8 for designation information.

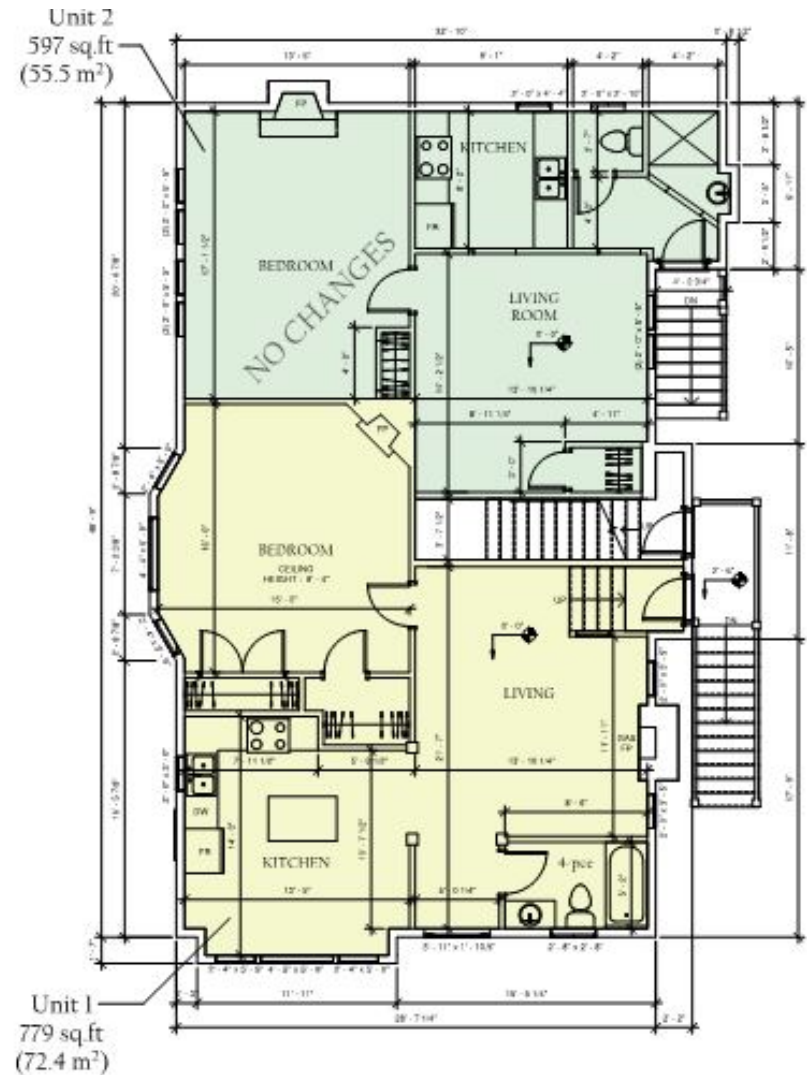
Site Plan



Floor Plans- 1st and 2nd Storey

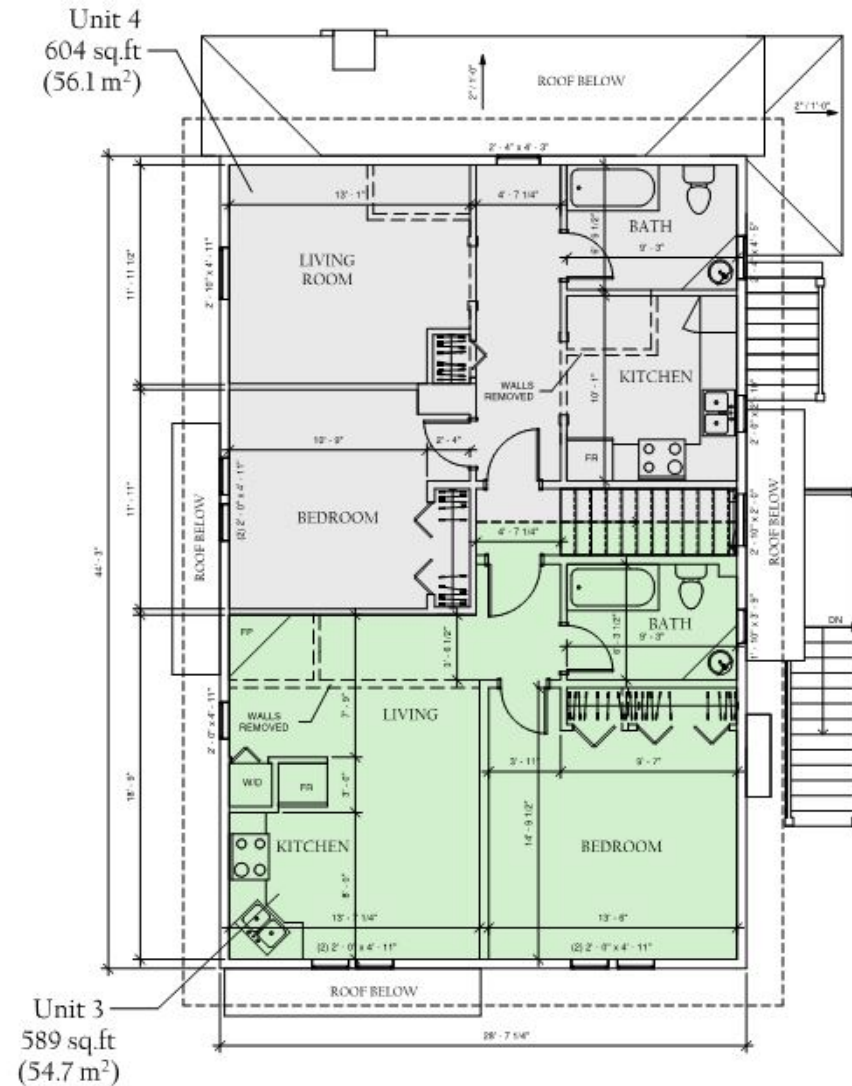
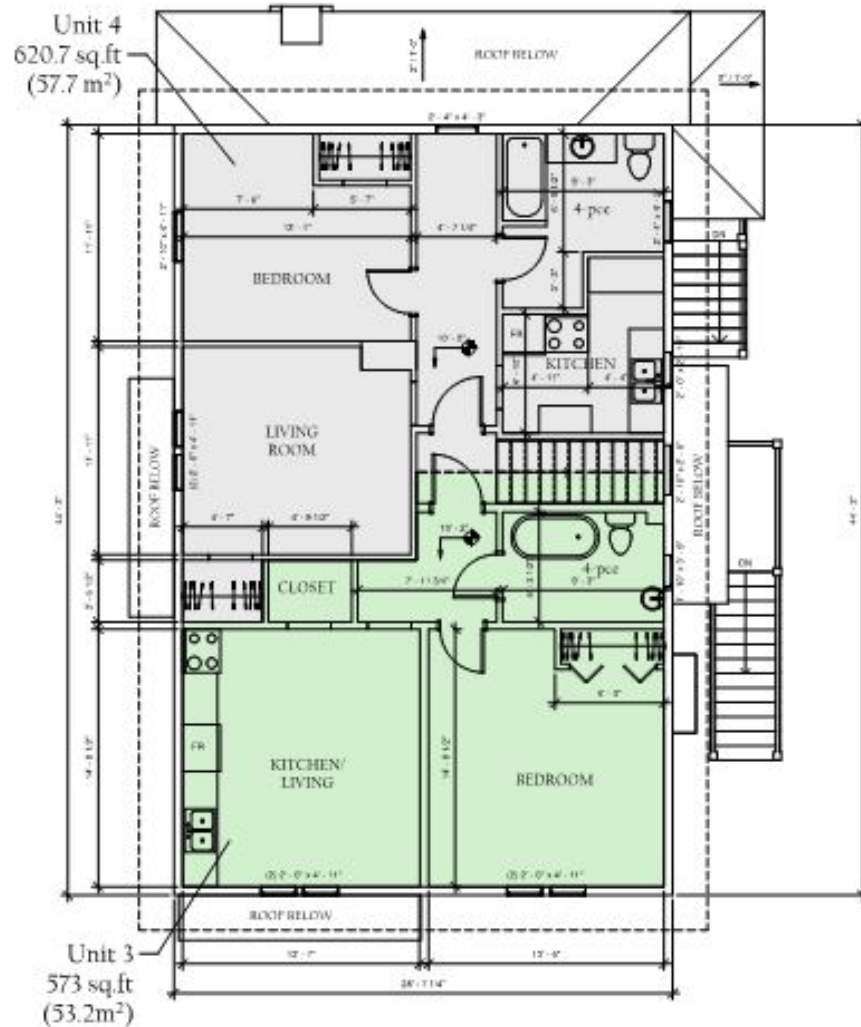


Existing Lower Floor Plan
1/4" = 1'-0"



Existing Main Floor Plan
1/4" = 1'-0"

Third Storey- Existing and Proposed



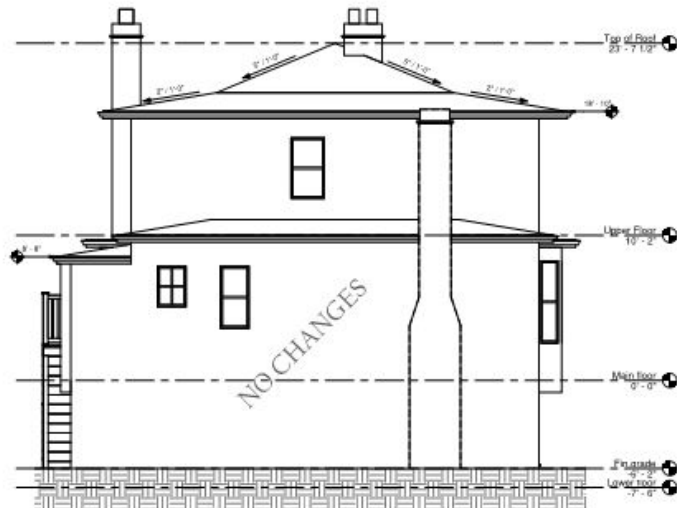
Elevation Plans



Existing Front Elevation
1/4" = 1'-0"



Existing Right Side Elevation
1/4" = 1'-0"



Existing Rear Elevation
1/4" = 1'-0"



Existing Left Side Elevation
1/4" = 1'-0"

West Elevation Existing and Proposed



Existing Left Side Elevation



Proposed Left Side Elevation
1/4" = 1'-0"





Pamela Martin

From: Kim Belcher <[REDACTED]>
Sent: January 15, 2020 1:07 PM
To: Public Hearings
Subject: Public Correspondence for DVP application at 1216 Richardson

I am sending this email as public correspondence for the DVP application at 1216 Richardson

I have a few questions and comments that need some clarification on both the Staff report as well as Plans submitted by the owner of the property, both of which were part of the package provided to council and available to the public for the Dec 5 Committee of the Whole meeting.

- Staff report indicates 4 units in this building and, as our previous correspondence clearly states, staff is aware, and agrees there are 5 units.
- Building plans show "No Changes" for the basement and absent from the report is again the 5th suite. Correspondence from both Chloe Tunis and Karli Ball (permits) to me, states that the 5th suite must be removed.
- The plans submitted by the owner states the building is only 2 storeys, yet the building is 3 storeys as noted elsewhere in the plans.
- My emails to Karli Ball in permits and Chloe Tunis are not included under any link for "Correspondence received" in the meeting agenda which suggests they have not been provided to Mayor & Council as part of the package for their review and consideration.

I would appreciate clarification on these points in order that Mayor & Council as well as the community have the complete information for this application available and not feel they have been misinformed.

Kind regards,
Kim Belcher

Pamela Martin

From: Michelle Goos <[REDACTED]>
Sent: January 17, 2020 10:42 AM
To: Council Secretary
Subject: :this what I like to read for council meeting Jan 23 Crystal pool

Subject: Crystal pool

I would like to say a few words about crystal pool
On the behalf of my daughter.
We have being coming to the this pool for a very long time
She did all her swimming lessons here.
And now she being apart of special Olympics swimming team for awhile she has really
in joy be part of this team
And in the last she is apart of sprit orcas

If you take you time try to fig out what do with pool
The longer you hold this over the people head and make us feel stress out
And for the people disabilities are stress out and there worries about there safe place
where they can be with they friends
And you what to take that away because you have not come to see them or to talk to
them
And if the pool closed down there no pool for them to swimming at
Which mean the great ocean would be the pool

Have you chat to someone from special Olympics swimming ?

If you what to be Inclusive then make it for everyone
With a 50 pool that it has family change room and make any person can used even if
they have a disabilities or they need help or not

We just what a pool that everyone can use
This in your hands you have the way do what you do
But Victoria is in your hands your listening to all of here

Hop you dig dip down in your heart as you listen

Just remember the longer we wait
It could help the something go and it can not be fix because it so old
Then these great people will have no where to swimming other then the ocean

Would you swimming in the ocean?
U what to make everyone help but sometimes we can we just have to do what is right
for all

Sent from my iPad

Relationship to Existing Trees



Highlights

- The building is shaped by the space between existing trees and retains most of them
- The experience of swimming in the park is enhanced
- Opportunity for increased planting in future park plan

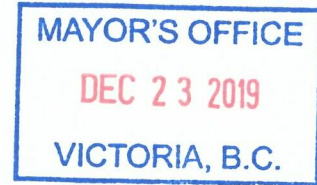
Minister
of Immigration,
Refugees and Citizenship



Ministre
de l'Immigration,
des Réfugiés et de la Citoyenneté

Ottawa, Canada K1A 1L1

DEC 13 2019



Her Worship Lisa Helps
Mayor of the City of Victoria
1 Centennial Square
Victoria BC V8W 1P6
mayor@victoria.ca

2019-01087000

Lisa
Dear Mayor ~~Helps~~:

Thank you for your congratulations and good wishes on my appointment as Minister of Immigration, Refugees and Citizenship.

I am honoured by the confidence the Prime Minister has shown in me, and I will do my very best to live up to his expectations and those of Canadians.

Immigration is, of course, central to Canada's future. I look forward to continuing our government's efforts to address many of the challenges facing our system. I will also work diligently with our officials and partners to ensure positive integration of newcomers to Canada.

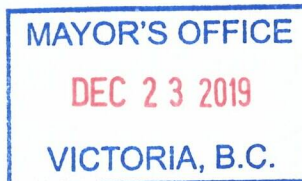
Canada's diverse social fabric has been enhanced by generations of immigrants and their descendants. Our generous immigration system is the envy of the world, and a key to unlocking our economic potential. I am excited by the challenges that lie ahead and look forward to this task with enthusiasm.

Yours sincerely,

The Honourable Marco E.L. Mendicino, P.C., M.P.
Minister of Immigration, Refugees and Citizenship

December 16th, 2019

Minister of Health
Honourable Adrian Dix
Room 337 Parliament Buildings
Victoria, BC V8V 1X4
HLTH.Minister@gov.bc.ca



Minister of Mental Health and Addictions
Honourable Judy Darcy
Room 346 Parliament Buildings
Victoria, BC V8V 1X4
MH.Minister@gov.bc.ca

Dear Honourable Adrian Dix and Honourable Judy Darcy,

RE: Request to Support Resolutions B171 Safer Drug Supply to Save Lives and B172 Observed Inhalation Sites for Overdose Prevention

On Friday, December 13th, 2019 the Board of the North Coast Regional District received correspondence from the City of Victoria regarding their request to Support Resolutions B171 Safer Drug Supply to Save Lives and B172 Observed Inhalation Sites for Overdose Prevention.

The Board would like to express its support of Resolutions B171 Safer Drug Supply to Save Lives and B172 Observed Inhalation Sites for Overdose Prevention. The Board requests that the Province of British Columbia favourably considers these resolutions as this is a pressing matter that affects our communities as well as many other communities in British Columbia.

Best regards,



Barry Pages

Chair

Attach: Correspondence from the City of Victoria
Cc: City of Victoria, UBCM Executive



14, 342 3rd Avenue West
Prince Rupert BC, V8J 1L5



P: 250.624.2002
TF: 888.301.2002



W: www.ncrdbc.com
F: 250.627.8493



November 12, 2019

Dear UBCM Member Local Governments,

I am writing on behalf of Victoria City Council, requesting favourable consideration of these resolutions and that you share this support with the Provincial Government for the following resolutions. Unfortunately, despite the fact that we have an opioid crisis across the Province, these resolutions did not make it onto the floor of the UBCM at this year's convention as the resolutions session ran out of time.

(B171) Safer Drug Supply to Save Lives

Whereas It has been two years since BC declared a public-health emergency due to increased overdoses, yet the death toll for those consuming substances continues to rise due to an unpredictable and highly-toxic drug supply;

And whereas people with opioid use disorder, a chronic relapsing medical condition, are at high risk of overdose- related harms including death and an estimated 42,200 people inject toxic substances in British Columbia, it is not possible for the treatment system to rapidly increase services fast enough to manage this number of people as "patients" within a medical treatment model given the many challenges in achieving and retaining the people on opioid use disorder treatment, people at risk of overdose in British Columbia do not have access to a safer alternative to the unpredictable, highly-toxic drug supply:

Therefore be it resolved that in an effort to save lives and reduce harm due to an unpredictable and highly-toxic drug supply, and as part of a holistic response to the public-health emergency, including prevention, treatment, and recovery, that the Province of British Columbia work with local communities, Health Authorities across the Province, the Ministry of Mental Health and Addictions, and the Ministry of Health ensure that people at risk of overdose harm have access to safer alternatives.

(B172) Observed Inhalation Sites for Overdose Prevention

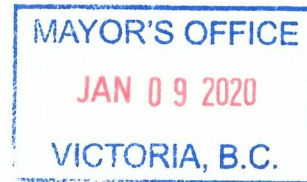
Whereas British Columbia is currently experiencing an unprecedented public health emergency due to an unpredictable and highly-toxic drug supply, and smoking or inhalation is the second most common mode of consumption among all people who have died from a suspected illicit drug overdose and the most common mode of consumption among men and those between the ages of 15 and 29;

Minister
of Agriculture and
Agri-Food



Ministre
de l'Agriculture et de
l'Agroalimentaire

Ottawa, Canada K1A 0C5



Quote: 255324

DEC 30 2019

Her Worship Lisa Helps
Mayor of the City of Victoria
1 Centennial Square
Victoria BC V8W 1P6

Dear Madam Mayor:

Thank you for your letter, in which you congratulate me on my reappointment as Minister of Agriculture and Agri-Food. I am incredibly honoured to have been asked by the Prime Minister to serve such a dynamic sector. And as the Member of Parliament for a rural riding, I take great pride in being able to represent Canadian producers and processors across the country.

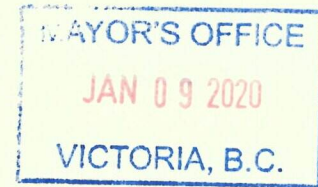
Over the next months, the Government of Canada will be focusing on key issues and challenges facing the sector, including international trade and helping Canadian producers manage risks that threaten the viability of their farms. Canada's agriculture sector is one with a proud past and a future full of promise and potential, and I look forward to meeting with the farmers who work our land, our breeders and food processors, as well as the rest of the industry.

I also wish to thank you for the enclosed copy of Victoria's *Strategic Plan 2019-2020*. I look forward to seeing Victoria's continued growth and success and wish you and your team all the best in your endeavours.

Again, thank you for your support.

Sincerely,

The Honourable Marie-Claude Bibeau, PC, MP



January 3, 2020

Her Worship
Mayor Lisa Helps
City of Victoria
No. 1 Centennial Square
Victoria BC V8W 1P6

Reference: 290283

Dear Mayor Helps,

Re: Go Victoria

The Honourable Claire Trevena, Minister of Transportation and Infrastructure, asked me to respond on her behalf to your briefing note of November 18, 2019, regarding the City of Victoria's Go Victoria strategy.

The ministry supports your goals to expand active transportation and transit in Greater Victoria. As you know, the ministry is currently leading a transportation study of the South Island. The study is exploring options for transit, active transportation, pedestrian movements, ferry services, rail and existing roads, as well as the connections between them. The resulting plan is expected in spring 2020.

I understand the ministry's regional transportation planning staff recently met with your team to discuss in more detail Go Victoria and your interest in pursuing a Bus Rapid Transit system. Staff have also shared your views and Go Victoria with the consultant working on the transportation study. You can be sure we will keep your initiatives and suggestions in mind as we proceed.

Once the study is complete, the ministry may consider forming a project group to explore the idea of Bus Rapid Transit. In the meantime, we would be pleased to continue to work with you and your staff to help guide the direction of Go Victoria.

.../2

**Ministry of Transportation
and Infrastructure**

Office of the
Assistant Deputy Minister
Transportation Policy and Programs
Department

Mailing Address:
PO Box 9850 Stn Prov Govt
Victoria BC V8W 9T5
Telephone: 250 387-5062
Fax: 250 387-6431

Location:
5B 940 Blanshard Street
Victoria BC V8W 3E6
www.gov.bc.ca/tran

If you have any questions or would like an update on the South Island transportation study, please do not hesitate to contact the ministry's local District Manager, Michael Pearson. He can be reached at 250 751-3287 or at Michael.Pearson@gov.bc.ca and would be pleased to hear from you.

Thank you for taking the time to write.

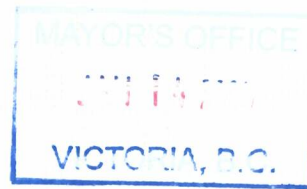
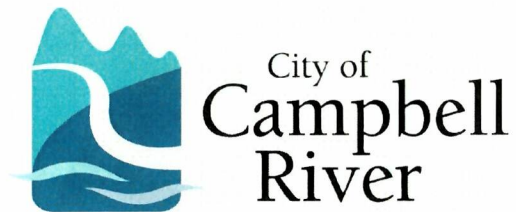
Sincerely,

A handwritten signature in black ink, appearing to read 'Deborah Bowman', with a stylized, cursive script.

Deborah Bowman
Assistant Deputy Minister
Transportation Policy and Programs

Copy to: Honourable Claire Trevena
 Minister of Transportation and Infrastructure
 MLA, North Island

Michael Pearson, District Manager
Vancouver Island District



January 8, 2020

Her Worship Mayor Lisa Helps
City of Victoria
1 Centennial Square
Victoria, BC V8W 1P6

Dear Mayor Helps:

Re: UBCM resolutions

I would like to confirm that at its December 16th meeting, City Council received your request for support of UBCM resolutions regarding safer drug supplies and observed inhalation sites and to advise that Council took no further action.

Yours truly,

A handwritten signature in blue ink that reads "Tracy Bate".

Tracy L. Bate
Deputy City Clerk

TLB/je

Legislative Services

301 St. Ann's Road, Campbell River, BC V9W 4C7
Telephone: 250.286.5700; Fax: 250.286.5760

G:\Legislative Services\Council Correspondence (0530-01 COUN 7D)\Acknowledgement\2019\Correspondence\Mayor Lisa Helps, City of Victoria
re UBCM resolutions.docx



2019FIN492171

JAN 15 2020

Her Worship Lisa Helps
Mayor
City of Victoria
mayor@victoria.ca

Dear Mayor Helps:

Thank you for your correspondence of December 9, 2019 and for your warm wishes. I also appreciate you sharing the City of Victoria's 2019-2022 Strategic Plan.

In your correspondence, you outlined the initiatives currently underway in Victoria to address housing affordability and expressed your eagerness in working with the Government of Canada to implement these projects. I applaud the efforts you are taking to address the various housing issues in Victoria. Every Canadian deserves a safe and affordable place to call home. Yet for many Canadians, finding an affordable place to call home is a challenge, especially in some of Canada's largest cities where the rising cost of living, limited housing supply, and strong population growth have pushed home purchase and rental costs beyond what many people can afford. By taking action on housing supply and affordability, you are ensuring that Canadians are closer to having a home they can afford and that meets their needs.

Our Government is committed to a comprehensive plan supporting housing affordability, in particular for those who are finding it increasingly difficult to purchase their first home. To that end, Budget 2019 announced a number of measures to make housing more affordable, boost supply in Canada's housing and rental markets, and increase fairness in the real estate sector. These include:

- Introducing the First-Time Home Buyer Incentive, a shared equity mortgage that would give eligible first-time home buyers the ability to lower their borrowing costs by sharing the cost of buying a home with the Canada Mortgage and Housing Corporation (CMHC).
- Increasing the Home Buyers' Plan withdrawal limit from \$25,000 to \$35,000, providing first-time home buyers with greater access to their Registered Retirement Savings Plan savings to buy a home.

- Extending the Rental Construction Financing Initiative to 2027-28 and expanding the program by an additional \$10 billion, for a total of \$13.75 billion in low-cost loans available under the program. This will help to build 42,500 new rental units across Canada.
- Launching a \$300 million Housing Supply Challenge to break down barriers that limit the construction of housing.

These measures build on our Government's previous investments to enhance housing affordability for those who need it most through the National Housing Strategy, a comprehensive 10-year, \$55-billion plan that prioritizes the most vulnerable Canadians and will see up to 125,000 new affordable housing units built, 300,000 units repaired and renewed, and chronic homelessness reduced by half.

On September 4, 2019, the Governments of Canada and British Columbia announced the launch of the Expert Panel on the Future of Housing Supply and Affordability. The six-person panel is chaired by Ms. Joy MacPhail, who is currently the Chair of the Insurance Corporation of British Columbia. The Expert Panel will identify and evaluate potential federal and provincial measures to address affordability and supply issues in British Columbia's high-priced markets and deter unwarranted demand. The Expert Panel will complete their work and provide a report to the Ministers of Finance of British Columbia and Canada by the end of 2020.

The panel is being supported by the Government through a secretariat established by CMHC, led by Mr. Evan Siddall as Executive Secretary. Therefore, I have forwarded a copy of your correspondence and Victoria's 2019-2022 Strategic Plan to CMHC, given its role regarding the Expert Panel.

Thank you for writing.

Yours sincerely,



The Honourable Bill Morneau, P.C., M.P.

c. Mr. Evan Siddall, President and CEO, Canada Mortgage and Housing Corporation

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD JANUARY 16, 2020

For the Council meeting of January 23, 2020, the Committee recommends the following:

G.5 Council Meeting Schedule Amendment

That the meeting schedule be amended to reschedule the February 20, 2020 Town Hall meeting to February 4, 2020 to be held in the afternoon.

I.1 Council Member Motion - Attendance at the Crab Fest, Port Angeles, October 12, 2019

That Council retroactively authorize the attendance and associated costs for Councillor Loveday who attended Crab Fest, lunch and a tour of the City with Mayor Dexter held in Port Angeles, October 12th, 2019.

I.2 Council Member Motion - Attendance at Ottawa Ministerial Meetings

That Council authorize the attendance and associated costs for Mayor Lisa Helps to travel to Ottawa for meetings with Federal Ministers.

D.1.1 Victoria Civic Heritage Trust

That Council receive this presentation for information.

D.1.2 Downtown Heritage Buildings Seismic Upgrade Fund

That Council authorize a grant from the Downtown Heritage Seismic Upgrade Fund to the Victoria Civic Heritage Trust (VCHT) equal to the current and pending amounts in the fund to support its Seismic Parapet Incentive Program subject to the VCHT entering into a grant agreement on the terms acceptable to the Director of Finance and in the form acceptable to the City Solicitor.

E.1 Council Member Motion - Advocacy to Increase Tipping Fees for International Solid Waste to Preserve Capacity of the Hartland Landfill

That Council:

1. Requests that the Capital Regional District amend the Hartland Landfill Tipping Fee and Regulation Bylaw to increase the tipping fee for disposal of international solid waste from cruise ships and other sources.
2. Directs staff to engage the CRD on this potential bylaw amendment.
3. Requests that the Mayor write to the CRD Board, copying Mayors and Councils of municipalities in the region, requesting favourable consideration of this request.

F.1 Application for a New Liquor Primary Licence Kwench Culture Club at 2031 Store Street

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 Kwench Culture Club located at 2031 Store Street having hours of operation from 9:00 am to 11 :00 pm daily with a total occupant load of 265 people. Providing the following comments on the prescribed considerations:
 - a. The impact of noise on the community near the establishment was considered in relation to the request and noise impacts are expected to be proportional to existing licence capacity and associated noise levels in the vicinity. Kwench Culture Club's primary business focus is not the service of alcohol. The primary business focus is to provide a one-stop, multi-service work club that provides office

space, fitness facilities, creative studio space and food services. Approval of the licence is not expected to result in unacceptable levels of noise in due to the primary focus of business and hours of operation.

- b. If the application is approved, the impact on the community is expected to be positive economically as the approval supports the business plan to provide a unique interpretation of large-scale office facilities available to small businesses oriented to towards this model of office environment.
- c. The views of residents were solicited via a mail out 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 notification that went to 56 owners and occupants. One letter stated opposition and the other was from the Burnside Gorge Residents Association, and they have no objection to the application.
- d. Council recommends the license be approved.

G.1 Setback Regulation for Retaining Walls and Other Structures on Waterfront Properties

- 1. That staff bring forward, for first and second readings, the attached Zoning Regulation Bylaw Amendment Bylaw No. 20-002 to add a regulation that applies building setbacks to garden suites, accessory buildings, outdoor features and retaining walls on waterfront properties with residential development.
- 2. That, subject to Council approving the related 2020 Supplemental Budget request, Council direct staff to undertake a second phase of this work, including initiating work on the creation of an environmental protection Development Permit Area for residential shoreline properties, delegating authority for staff to review and approve Development Permit Applications that are consistent with design guidelines, as well as small variances within this area, and begin work on incorporating provisions of the Fence Bylaw into the Zoning Regulation Bylaw.

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD January 23, 2020

For the Council meeting of January 23, 2020, the Committee recommends the following:

E.4 2330 Government Street: Application for a Lounge Endorsement to a Manufacturer's License (brewing) for Vancouver Island Brewing (Burnside)

That Council direct staff to provide the following response to the Liquor Licensing Agency: Council, after conducting a review with respect to noise and community impacts, does support the application of Vancouver Island Brewing, located at 2330 Government Street, to have a lounge endorsement added to their manufacturing license, having hours of operation from 9:00 am to 11:00 pm daily, and an occupant load of 86 persons.

Providing the following comments on the prescribed considerations:

- a. The impact of noise on the community in the vicinity of the establishment has been considered in relation to the request. Anticipated impacts related to noise are based on experience with licenced establishments of comparable size, absence of existing licenced seating in the area, and the moderate closing time of 11:00 pm. The proposed hours of operation and occupant load are not expected to result in negative impacts to the community.
- b. If the application is approved, the impact on the community is expected to be positive economically as the approval supports the business's vision and long term viability. The business has recently rezoned the property to accommodate the proposal for the lounge.
- c. The views of residents were solicited via a mail out which included 250 letters to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. The City received five letters in response to the request, four indicated support for the application and one was opposed. The Burnside Gorge Community Association has not provided correspondence.
- d. Council recommends the license endorsement be approved.

F.1 Local Government Recommendation for Pacificanna at 1560-1564 Fairfield Road

1. That Council direct staff to advise the Liquor and Cannabis Regulation Branch:
Council supports the application of Pacificanna at 1560-1564 Fairfield Road to receive a provincial cannabis retail store license with following comments on the prescribed considerations:
 - a. City staff did not raise any concerns about community impacts in relation to this application.
 - b. The City obtained residents' views through a mail-out to property owners and occupiers within 100 meters of this address and to the Fairfield-Gonzales Community Association.
The City sent 174 notices and received 5 responses. All respondents support issuing a provincial cannabis retail store license. The City did not receive correspondence from the Fairfield-Gonzales Community Association.
2. That Council direct staff to advise the LCRB of Council's recommendation only after the applicant obtains a Delegated Development Permit for any proposed alterations to the building exterior.
3. That Council direct staff to advise the LCRB of Council's recommendation subject to the applicant's compliance with City bylaws and permits.

H.1 Council Member Motion - Support for Universal Health Coverage for Prescription Contraception in British Columbia

That Council endorse the following resolution for consideration at the Association of Vancouver Island and Coastal Communities convention and forward the resolution to the Minister of Health and local Members of the Legislative Assembly:

Provide Universal No-Cost Coverage of Prescription Contraception

WHEREAS cost is a significant barrier to people accessing contraception, particularly to people with low incomes, youth, and people from marginalized communities;
AND WHEREAS providing free prescription contraception has been shown to improve health outcomes for parents and infants by reducing the risks associated with unintended pregnancy, and is likely to reduce direct medical costs on the provincial health system;
THEREFORE BE IT RESOLVED THAT the Association of Vancouver Island and Coastal Communities call on the Provincial Government to make all prescription contraception in BC available at no cost under the Medical Services Plan.

D.1 Topaz Park Improvement Plan Construction Funding

That Council approve the following investments for Topaz Park, in the 2020 Financial Plan: Allocate \$3.02 million from the Building Infrastructure Reserve Fund, and \$1.2 million from the Artificial Turf Field Reserve Fund, to complete the construction of the artificial turf field replacement project.

E.1 844 Johnson Street: Development Permit with Variance Application No. 00056 (Downtown)

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

That Council authorize the issuance of Development Permit with Variance Application No. 00056 for 844 Johnson Street, in accordance with:

1. Plans date stamped December 17, 2019.
2. Development meeting all Fence Bylaw requirements, except for the following variances:
 - i. Increase the permitted height of a fence located within a side yard from 1.83m to 2.85m.
3. The Development Permit lapsing two years from the date of this resolution."

E.2 1700 Blanshard Street: Development Permit with Variances Application No. 00106 (Downtown)

That Council, subject to the preparation and execution of legal agreements to the satisfaction of the City Staff, and subject to the applicant meeting with the Downtown Residents Association Land Use Committee and after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No.000106 for 1700 Blanshard Street, in accordance with:

1. Plans date stamped November 7, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the building setback above 1 Om from 12.35 to 4.8 metres, measured at the highest building elevation on Blanshard Street
 - ii. reduce the building setback above 1 Om from 2.26 to 0.5 metres, measured at the highest building elevation on Fisgard Street
 - iii. reduce the number of on-site short term bicycle stalls from thirty-one to sixteen.

3. Registration of a Statutory Right-of-Way on Blanshard Street to secure passage over the fronting sidewalk.
4. Registration of an Encroachment agreement for building canopies.
5. The Development Permit lapsing two years from the date of this resolution."

That Council request that the applicant considers locking in the rental units under a rental agreement.

E.3 805 Gordon Street: Application for Entertainment Endorsement for the Union Club of British Columbia's Food Primary Licence (Downtown)

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 the Union Club of British Columbia located at 805 Gordon Street to obtain an Entertainment Endorsement for their Food Primary licence having existing hours of 9:00 am to 1:00 am Monday through Saturday and 9:00 am to 12:00 am Sunday, and an existing occupant load of 759 persons.

Providing the following comments on the prescribed considerations:

- a. The impact of noise on the community in the vicinity of the establishment has been considered in relation to the request, and assumptions are the noise impacts would be proportional in comparison to existing licence capacity and associated noise levels in the vicinity are expected to be negligible.
- b. If the application is approved, the impact on the community is expected to be positive economically as the approval supports operational flexibility for the establishment to host a variety of special events.
- c. The views of residents were solicited via a mail out which included 260 letters to neighbouring property owners and occupants within 100 metres of the licensed location and a notice posted at the property. The City received one letter in support of the application and no response was received from the Downtown Residents Association.
- d. Council recommends the requested change to the license be approved.

F.2 MFABC Fossil Fuel Free Bond Fund

That Council direct staff to write a letter to the City of New Westminster informing them of the previous Council direction to staff to invest in MFA SRI funds.

H.2 Council Member Motion - Endorsement of Declaration of Solidarity with the Wet'suwet'en People

That Council endorse the following resolution and request that the Mayor send a copy, 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:

Resolution: Declaration of Solidarity with Wet'suwet'en People

WHEREAS the Wet'suwet'en hereditary chiefs, whose representative role is recognized by the Supreme Court of Canada, have indicated a lack of consent for the Coastal GasLink pipeline through their unceded territory;

AND WHEREAS the United Nations Committee on the Elimination of Racial Discrimination and the BC Human Rights Commissioner have called on the Governments of British Columbia and Canada to respect Wet'suwet'en law, rights and title by suspending permits authorizing construction of the Coastal GasLink pipeline until they grant their free, prior and informed consent, following the full and adequate discharge of the duty to consult;

AND WHEREAS these entities have warned of the risk of state violence against Wet'suwet'en People opposing the pipeline through non-violent methods, including the risk of an RCMP response and use of lethal force;

AND WHEREAS Canada has endorsed the United Nations Declaration on the Rights of Indigenous People, which includes a commitment to "consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them";

AND WHEREAS Canada is a party to the United Nations Framework Convention on Climate Change and the Paris Agreement, which include commitments to substantially reduce greenhouse gas emissions and pursue efforts to keep global warming below 1.5 degrees Celsius and avoid the worst impacts of climate change;

THEREFORE BE IT RESOLVED THAT the City of Victoria calls on the Governments of British Columbia and Canada to suspend permits authorizing construction of the Coastal GasLink pipeline and commence good-faith consultation with the Wet'suwet'en People;

AND BE IT FURTHER RESOLVED THAT the City of Victoria calls on the Governments of British Columbia and Canada to end any attempt at forced removal of Wet'suwet'en People from their traditional territories and refrain from any use of coercive force against Wet'suwet'en People seeking to prevent the construction of the Coastal GasLink pipeline through non-violent methods.

H.3 Council Member Motion - AVICC and UBCM Advocacy Motions Passed by the Renters' Advisory Committee

That Council receive and consider each of the following three motions separately:

1. That Council endorse the following resolution and forward it for consideration at the Association of Vancouver Island and Coastal Communities convention:

Title: Tax Land and Improvements Separately

WHEREAS unaffordable housing generally reflects high land values that are driven up by speculation, which makes ownership very expensive to buy but profitable for sellers and developers, and puts rental housing at a disadvantage when competing for buildable sites;

AND WHEREAS a lower property tax rate on improvements and a higher rate on land value could be made to keep taxes the same or lower for most properties, but would reduce the speculative gain from ownership and make rental housing developments more competitive;

THEREFORE BE IT RESOLVED that the Union of British Columbia Municipalities request that the Province amend the Community Charter to grant municipalities the option of setting different property tax rates for land and improvements.

2. That Council endorse the following resolution and forward it for consideration at the Association of Vancouver Island and Coastal Communities convention:

Title: Establish a provincial Standards of Maintenance Policy

WHEREAS property maintenance standards are vital for protecting existing housing stock and tenants as they help to ensure that living environments are safe, secure, and appropriate;

AND WHEREAS many jurisdictions currently lack regional and municipal standards or regulations, including municipal bylaws or health standards;
THEREFORE BE IT RESOLVED that the Province amend the Residential Tenancy Act to strengthen standards of property maintenance that set out a breadth of health, safety, and security standards, and establishes enforcement mechanisms that ensure adherence to these standards.

3. That Council endorse the following resolution and forward it for consideration at the Association of Vancouver Island and Coastal Communities convention:

Title: Amend the Residential Tenancy Act to limit “no pet” clauses in lease agreements
WHEREAS companion animals have significant quality of life and health benefits for pet owners, and there are also significant benefits to landlords of pet-friendly housing, such as higher rents and longer-term and more reliable tenants;
AND WHEREAS no pet clauses in lease agreements greatly reduce the availability and adequacy of rental suites for renters who own pets, further exacerbating extremely challenging rental market conditions for renters;
THEREFORE BE IT RESOLVED that the Province amend the Residential Tenancy Act to limit “no pet” clauses in lease agreements in British Columbia.



Council Report

For the Meeting of January 23, 2020

To: Council **Date:** January 9, 2020
From: Karen Hoesel, Director, Sustainable Planning and Community Development
Subject: Rezoning Application No. 00703 for 1442 Elford Street

RECOMMENDATION

That Council give first and second reading of the Zoning Regulation Bylaw Amendment No. 20-005 (Amendment No. 1212) and Heritage Designation Bylaw No. 20-004, and give first, second, and third readings to Housing Agreement (1442 Elford Street) Bylaw No. 20-006.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with an update regarding the Rezoning Application for the property located at 1442 Elford Street. The proposal is to heritage-designate and convert the existing single-family dwelling into a multi-unit residential building consisting of approximately five ground-oriented dwelling units.

In accordance with Council's motion of November 14, 2019, included below, the necessary condition that would authorize the approval of the Rezoning Application for the subject property has been fulfilled. The motion from the November 14, 2019 Council meeting is as follows:

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00703 for 1442 Elford 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 applicant prepares and executes a legal agreement ensuring that future Strata Bylaws cannot prohibit the rental of dwelling units.

COMMENTS

With regard to the motion noted above in relation to this application, staff can report that the applicant executed a Housing Agreement to ensure that future Strata Bylaws cannot prohibit the rental of dwelling units in the building.

The recommendation provided for Council's consideration contains the appropriate language to advance this application to a Public Hearing.

Respectfully submitted,

 A. Meyer

Leanne Taylor
Senior Planner
Development Services Division



Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date:

Jan 20, 2020

NO. 20-004

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to designate the exterior of the building located at 1442 Elford Street to be protected heritage property.

Under its statutory powers, including Section 611 of the *Local Government Act*, the Municipal Council of The Corporation of the City of Victoria enacts the following provisions:

1. This Bylaw may be cited as the “HERITAGE DESIGNATION (1442 ELFORD STREET) BYLAW”.
2. The exterior of the building located at 1442 Elford Street, legally described as PID 009-001-956, Lot 19, Section 74, Victoria District, Plan 490, is designated to be protected heritage property.

READ A FIRST TIME the _____ day of _____ 2020.

READ A SECOND TIME the _____ day of _____ 2020.

Public Hearing Held On the _____ day of _____ 2020.

READ A THIRD TIME the _____ day of _____ 2020.

ADOPTED on the _____ day of _____ 2020.

CITY CLERK

MAYOR

A BYLAW OF THE CITY OF VICTORIA

The Council of The Corporation of the City of Victoria enacts the following provisions:

- “3.130 R-96, Elford Residential District”

- | | | |
|----------------------------|--------|------|
| READ A FIRST TIME the | day of | 2020 |
| READ A SECOND TIME the | day of | 2020 |
| Public hearing held on the | day of | 2020 |
| READ A THIRD TIME the | day of | 2020 |
| ADOPTED on the | day of | 2020 |

MAYOR

PART 3.130 – R-96 ZONE, ELFORD DWELLING DISTRICT**3.130.1 Permitted Uses in this Zone**

The following uses are the only uses permitted in this Zone:

- a. Uses permitted in the R1-B Zone, Single Family Dwelling District, subject to the regulations set out in Part 1.2 of the Zoning Regulation Bylaw
- b. Multiple dwelling
- c. Home occupation subject to the regulations in Schedule “D”
- d. Accessory Buildings subject to the regulations in Schedule “F”

3.130.2 Lot Area

<u>Lot area</u> (minimum)	500m ²
---------------------------	-------------------

3.130.3 Floor Space Ratio

<u>Floor space ratio</u> (maximum)	0.6:1
------------------------------------	-------

3.130.4 Height

Principal <u>building height</u> (maximum)	9.5m
--	------

3.130.5 Setbacks

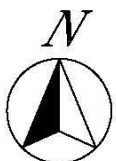
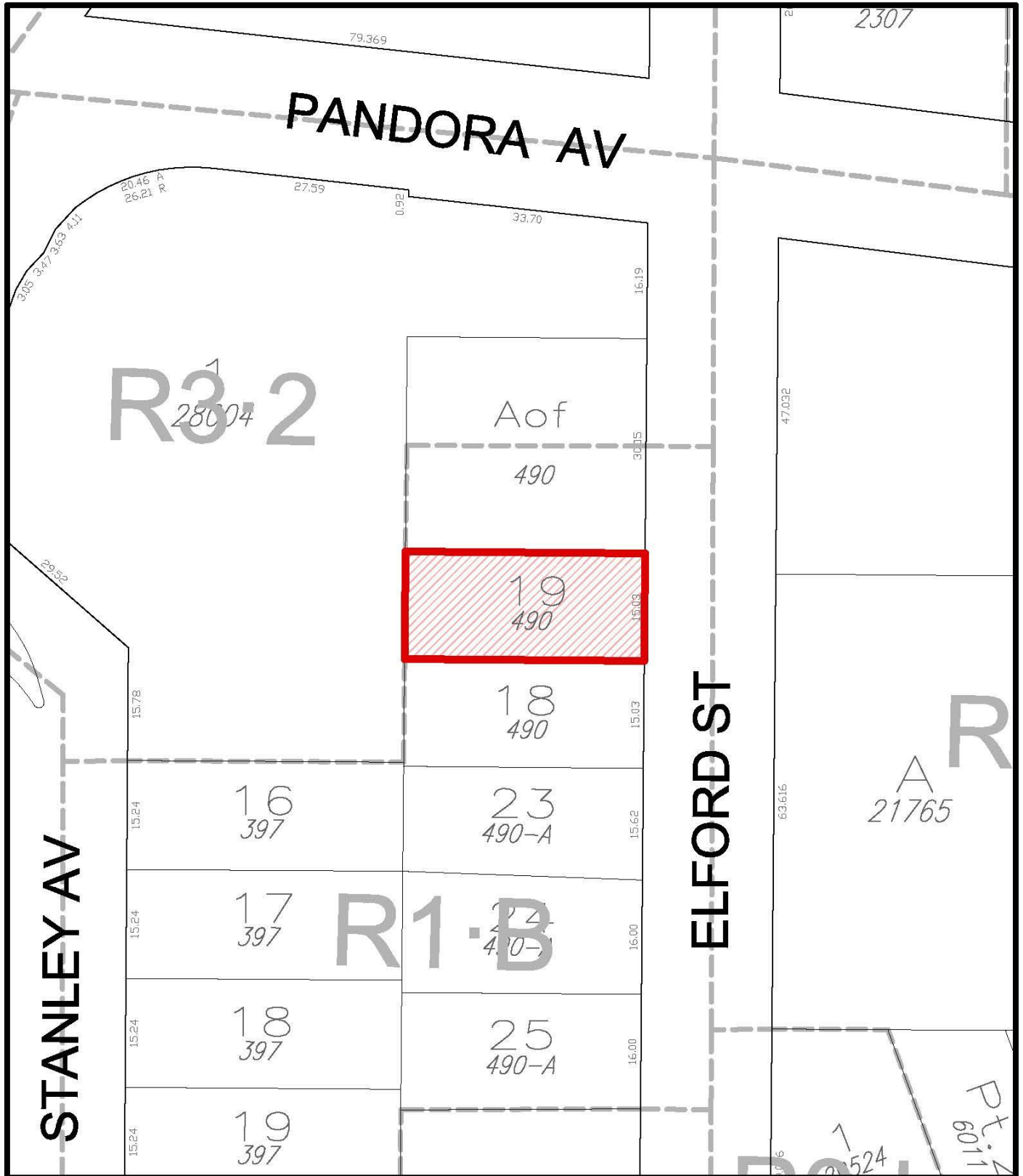
- | | |
|---|-------|
| a. <u>Front yard setback</u> (minimum) | 5m |
| b. <u>Rear yard setback</u> (minimum) | 11.5m |
| c. <u>Side yard setback</u> (north) (minimum) | 1.5m |
| d. <u>Side yard setback</u> (south) (minimum) | 4m |

3.130.6 Site Coverage

<u>Site Coverage</u> (maximum)	27%
--------------------------------	-----

PART 3.130 – R-96 ZONE, ELFORD DWELLING DISTRICT**3.130.7 Vehicle and Bicycle Parking**

- | | |
|---|--|
| a. <u>Vehicle parking</u> for a <u>multiple dwelling</u> (minimum) | 5 parking spaces |
| b. Minimum width of vehicular parking landscaping strip along rear property line (minimum) | 0.6m |
| c. Minimum width of vehicular parking landscaping strip along the side property lines (minimum) | 0.3m |
| d. Bicycle parking (minimum) | Subject to the regulations in Schedule “C” |



1442 Elford Street
Rezoning No.00703



HOUSING AGREEMENT (1442 ELFORD STREET) BYLAW
A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to authorize a housing agreement that prohibits restrictions on renting units in the development on the lands known as 1442 Elford Street, Victoria, BC.

Under its statutory powers, including section 483 of the *Local Government Act*, the Council of The Corporation of the City of Victoria in an open meeting enacts the following provisions:

Title

- 1 This Bylaw may be cited as the "HOUSING AGREEMENT (1442 ELFORD STREET) BYLAW (2020)".**

Agreement authorized

- 2 The Mayor and the City Clerk are authorized to execute the Housing Agreement:**
- (a) substantially in the form attached to this Bylaw as Schedule A;
 - (b) between the City and Neil Michael Bradley or other registered owners from time to time of the lands described in subsection (c); and
 - (c) that applies to the lands known as 1442 Elford Street, Victoria, BC, legally described as:
PID: 009-001-956
Lot 19, Section 74, Victoria District, Plan 490.

READ A FIRST TIME the	day of	2020
READ A SECOND TIME the	day of	2020
READ A THIRD TIME the	day of	2020
ADOPTED on the	day of	2020

CITY CLERK

MAYOR

HOUSING AGREEMENT

(Pursuant to section 483 of the *Local Government Act*)

AMONG:

THE CORPORATION OF THE CITY OF VICTORIA
 #1 Centennial Square
 Victoria, B.C.
 V8W 1P6
 (the "City")

AND:

NEIL MICHAEL BRADLEY
 1442 Elford Street
 Victoria, B.C.
 V8S 3S8
 (the "Owner")

AND:

ANTRIM BALANCED MORTGAGE FUND LTD.
 (Inc. No. BC0793420)
 (the "Existing Chargeholder")

WHEREAS:

- A. Capitalized terms used herein will have the respective meanings ascribed to them in section 1.1 of this Agreement, unless the context otherwise clearly requires or they are elsewhere defined herein;
- B. Under section 483 of the *Local Government Act* the City may, by bylaw, enter into a housing agreement with an owner regarding the occupancy of the housing units identified in the agreement, including but not limited to terms and conditions referred to in section 483(2) of the *Local Government Act*.
- C. The Owner is the registered owner in fee simple of lands in the City of Victoria, British Columbia, with a civic address of 1442 Elford Street, Victoria, British Columbia, and legally described as:

PID: 009-001-956
 Legal Description: Lot 19, Section 74, Victoria District, Plan 490
 (including any lands into which the same may be consolidated or subdivided, the "Lands").
- D. The Owner made an application to rezone the Lands to enable it to convert the existing single-family dwelling into a multi-unit residential building, which the City's elected council has preliminarily considered, and determined that a public hearing date may be set after,

{00041120:2}

among other things, the Owner prepares and executes a legal agreement ensuring that the future Strata Corporation bylaws cannot prohibit the rental of Dwelling Units;

- E. The Dwelling Units are intended to be stratified and therefore will be subject to the *Strata Property Act* (British Columbia) and the bylaws of the strata corporation, but the intent of this housing agreement is to ensure the perpetual availability of rental units (in addition to owner-occupied units); and
- F. The City and the Owner wish to enter into this Agreement, as a housing agreement pursuant to section 483 of the *Local Government Act*, to establish the terms and conditions regarding the occupancy of the residential units identified in this housing agreement.

NOW THIS AGREEMENT WITNESSES that pursuant to section 483 of the *Local Government Act*, and in consideration of the premises and covenants contained in this agreement (the "**Agreement**"), the parties agree each with the other as follows:

1.0 Definitions

1.1 In this Agreement:

"**Business Day**" means Monday to Friday, other than any such day which is a statutory holiday in Victoria, British Columbia;

"**Development**" means the proposed conversion of the existing single-family dwelling into a multi-unit residential building consisting of approximately five (5) ground-oriented Dwelling Units on the Lands;

"**Dwelling Units**" means any or all, as the context may require, of the self-contained residential dwelling units within the Development and includes any dwelling unit that is developed on the Lands in future, whether as part of the Development or otherwise; and "**Dwelling Unit**" means any of such residential dwelling units located on the Lands;

"**Immediate Family**" includes a person's spouse, child, grandchild, parent, grandparent, sibling, niece and nephew, and includes the Immediate Family of the person's spouse;

"**Non-owner**" means a person other than a Related Person or the Owner;

"**Owner**" includes a person who acquires an interest in the Lands or any part of the Lands and is thereby bound by this Agreement, as referred to in section 7.3;

"**Related Person**" includes, where the registered or beneficial owner of the Lands or Dwelling Unit, as applicable, is:

- (a) a corporation or society:
 - (i) an officer, director, shareholder, or member of such corporation or society, or of another entity which is a shareholder or member of such corporation or society; or
 - (ii) an Immediate Family of a person to whom paragraph (i) applies, or

{00041120:2}

- (b) an individual, an Immediate Family of the registered or beneficial owner;

"**Strata Corporation**" means, for the portions of the Lands or any building on the Lands that is subdivided under the *Strata Property Act*, a strata corporation as defined in that Act, including the Owner while in control of the strata corporation and subsequently the individual strata lot owners collectively acting as the strata corporation; and

"**Tenancy Agreement**" means a tenancy agreement pursuant to the *Residential Tenancy Act* that is regulated by that Act.

2.0 No Restrictions on Rentals

- 2.1 The Owner covenants and agrees that the Owner shall not take any steps, or enter into any agreements, or impose any rules or regulations whatsoever, the effect of which would be to prevent or restrict the Owner of a Dwelling Unit from renting that Dwelling Unit to a Non-owner under the terms of a Tenancy Agreement.
- 2.2 Without limiting the generality of section 2.1, the Owner covenants and agrees that it will not make application to deposit a strata plan for or in respect of the Lands or a building on the Lands unless the strata bylaws in no way restrict rental of any Dwelling Unit to a Non-owner under the terms of a Tenancy Agreement.
- 2.3 For certainty, if the Lands or the Development on the Lands are subdivided under the *Strata Property Act*, the Dwelling Units within the Development may be occupied by the Owners of the strata lots.

3.0 Reporting

- 3.1 The Owner covenants and agrees to provide to the City's Director of Sustainable Planning and Development, within thirty (30) days of the Director's written request, a report in writing confirming:
- (a) the number, type and location by suite or strata lot number, of Dwelling Units that are being rented to Non-owners; and
 - (b) any changes or proposed changes to the Strata Corporation's bylaws that may affect the terms of this Agreement.
- 3.2 The Owner covenants and agrees:
- (a) to exercise its voting rights in the Strata Corporation against the passage of any bylaws that would restrict the availability for rental of any Dwelling Unit under the terms of a Tenancy Agreement unless this Agreement is amended; and
 - (b) to notify the City of any proposed amendments to its strata bylaws.
- 3.3 The Owner acknowledges that it is within the City's sole discretion to consent or not to consent to modifications to this Agreement and that such consent may be withheld for any reason.

{00041120:2}

4.0 Notice to be Registered in Land Title Office

- 4.1 Notice of this Agreement (the "**Notice**") will be registered in the Land Title Office by the City at the cost of the Owner in accordance with section 483 of the *Local Government Act*, and this Agreement is binding on the parties to this Agreement as well as all persons who acquire an interest in the Lands after registration of the Notice.

5.0 Liability

- 5.1 The Owner agrees to indemnify and saves harmless the City and each of its elected and appointed officials, employees and agents and their respective administrators, successors and permitted assigns, of and from all claims, demands, actions, damages, costs and liabilities, which all or any of them shall or may be liable for or suffer or incur or be put to by reason of or arising out of failure of the Owner to comply with the terms and conditions of this Agreement, or otherwise that would not have arisen "but for" this Agreement.
- 5.2 The Owner hereby releases and forever discharges the City and each of its elected and appointed officials, employees and agents and their respective administrators, successors and permitted assigns, of and from any and all claims, demands, actions, damages, economic loss, costs and liabilities which the Owner now has or hereafter may have with respect to or by reason of or arising out of the fact that the Lands are encumbered by and affected by this Agreement, or otherwise that would not have arisen "but for" this Agreement.

6.0 Priority Agreement

- 6.1 The Existing Chargeholder, as the holder of a charge by way of mortgage which is registered against title to the Lands in the Land Title Office at Victoria, British Columbia, under number CA7290794, for and in consideration of the sum of One Dollar (\$1.00) paid by the City (the receipt whereof is hereby acknowledged), agrees with the City that upon filing of a Notice with the Land Title Office that the Lands are subject to this Agreement, pursuant to section 483(5) of the *Local Government Act*, this Agreement shall be an encumbrance upon the Lands in priority to the said charges in the same manner and to the same effect as if Notice had been filed prior to the said charges.

7.0 General Provisions

- 7.1 **Notice.** If sent as follows, notice under this Agreement is considered to be received:
- (a) upon confirmation of delivery by Canada Post if sent by registered mail,
 - (b) on the next Business Day if sent by facsimile or email with no notice of failure to deliver being received back by the sender, and
 - (c) on the date of delivery if hand-delivered, and

in the case of the City, addressed to:

City of Victoria

{00041120:2}

#1 Centennial Square
Victoria, B.C. V8W 1P6

Attention: Director of Sustainable Planning and Community Development
Fax: 250-361-0386
Email: ahudson@victoria.ca

and in the case of the Owner, addressed to:

Neil Michael Bradley
1442 Elford Street
Victoria, B.C. V8S 3S8

Fax: 250.494.7834
Email: Michael_bradley@telus.net

or upon registration of a strata plan for the Lands, to the Strata Corporation, and to the Owner of any Dwelling Unit that is subject to the restrictions under section 2.1.

If a party identifies alternate contact information in writing to another party, notice is to be given to that alternate address.

If normal mail, email or facsimile service is interrupted by strike, work slowdown, force majeure, or other cause,

- (d) notice sent by the impaired service is considered to be received on the date of delivery, and
- (e) the sending party must use its best efforts to ensure prompt receipt of a notice by using other uninterrupted services, or by hand-delivering the notice.

7.2 **Time.** Time is of the essence of this Agreement.

7.3 **Binding Effect.** This Agreement will enure to the benefit of and be binding upon the parties hereto and their respective heirs, administrators, executors, successors, and permitted assignees. In accordance with section 483(6) of the *Local Government Act*, this Agreement and all obligations hereunder is binding on all who acquire an interest in the Lands, and the Owner only during the Owner's ownership of any interest in the Lands, and with respect only to that portion of the Lands of which the Owner has an interest.

7.4 **Waiver.** The waiver by a party of any failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement is not to be construed as a waiver of any future or continuing failure, whether similar or dissimilar.

7.5 **Headings.** The division of this Agreement into articles and sections and the insertion of headings are for the convenience of reference only and will not affect the construction or interpretation of this Agreement.

7.6 **Language.** Words importing the singular number only will include the plural and vice versa,

{00041120:2}

words importing the masculine gender will include the feminine and neuter genders and vice versa, and words importing persons will include individuals, partnerships, associations, trusts, unincorporated organizations and corporations and vice versa.

- 7.7 **Legislation.** Reference to any enactment includes any regulations, orders or directives made under the authority of that enactment, and is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided.
- 7.8 **Equitable Remedies.** The Owner acknowledges and agrees that damages would be an inadequate remedy for the City for breach of this Agreement and that the public interest strongly favours specific performance, injunctive relief (mandatory or otherwise), or other equitable relief, as the only adequate remedy for a default under this Agreement.
- 7.9 **Cumulative Remedies.** No remedy under this Agreement is to be deemed exclusive but will, where possible, be cumulative with all other remedies at law or in equity.
- 7.10 **Entire Agreement.** This Agreement when executed will set forth the entire agreement and understanding of the parties as at the date it is made.
- 7.11 **Further Assurances.** Each of the parties will do, execute, and deliver, or cause to be done, executed, and delivered all such further acts, documents and things as may be reasonably required from time to time to give effect to this Agreement.
- 7.12 **Amendment.** This Agreement may be amended from time to time, by consent of the Owner and a bylaw duly passed by the Council of the City and thereafter if it is signed by the City and the Owner.
- 7.13 **Law Applicable.** This Agreement is to be construed in accordance with and governed by the laws applicable in the Province of British Columbia.
- 7.14 **No Derogation From Statutory Authority.** Nothing in this Agreement shall:
 - (a) limit, impair, fetter or derogate from the statutory powers of the City all of which powers may be exercised by the City from time to time and at any time to the fullest extent that the City is enabled and no permissive bylaw enacted by the City, or permit, licence or approval, granted, made or issued thereunder, or pursuant to statute, by the City shall estop, limit or impair the City from relying upon and enforcing this Agreement; or
 - (b) relieve the Owner from complying with any enactment, including the City's bylaws, or any obligation of the Owner under any other agreement with the City.
- 7.15 **Severability.** If any section, term or provision of this Agreement is found to be partially or wholly illegal or unenforceable, then such sections or parts will be considered to be separate and severable from this Agreement and the remaining sections or parts of this Agreement, as the case may be, will be unaffected thereby and will remain and be enforceable to the fullest extent permitted by law as though the illegal or unenforceable parts or sections had never been included in this Agreement.

{00041120:2}

- 7.16 **Joint and Several.** The Owner, if more than one, are jointly and severally obligated to perform and observe each and every of the covenants, warranties and agreements herein contained by the Owner to be observed and performed.
- 7.17 **Counterparts.** This Agreement may be executed in counterparts and delivered by emailed PDF file, each of which will have the same effect as if all parties had signed the same document. Each counterpart shall be deemed to be an original. All counterparts shall be construed together and shall constitute one and the same Agreement.
- 7.18 **Effective Date.** This Agreement is effective as of the date of the signature of the last party to sign.

IN WITNESS WHEREOF the parties hereto have set their hands and seals as of the day and year last below written.

THE CORPORATION OF THE CITY OF VICTORIA by its authorized signatories:

MAYOR LISA HELPS

CITY CLERK CHRISTOPHER D. COATES

Date signed: _____

SIGNED, SEALED AND DELIVERED
in the presence of:

Witness

Ken P. Gustafson
Address Sitka Law Corporation
Lawyer & Notary Public
202 - 3750 Shelbourne Street
Victoria, BC V8P 4H4
778-266-2677
Occupation _____


Date signed: _____

NEIL MICHAEL BRADLEY

[existing chargeholder]

ANTRIM BALANCED MORTGAGE FUND LTD.)

by its authorized signatory(ies):)

)

Print Name: CHRIS GRANLEESE)

AUTHORIZED SIGNATORY)

Print Name: _____)

Date signed: Dec 30 / 19)

{00041120:2}



Council Report

For the Meeting of January 23, 2020

To: Council **Date:** January 21, 2020
From: C. Coates, City Clerk
Subject: 1017-1023 Cook Street: Development Permit with Variances Application No. 00119

RECOMMENDATION

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

1. Housing Agreement (1017-1023 Cook Street) Bylaw (2020) No. 20-008

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 20-008.

The issue came before Council on November 14, 2019 where the following resolution was approved:

1017-1023 Cook Street: Development Permit with Variances Application No. 00119

That, subject to the preparation and execution of legal agreements to secure the rental of all dwelling units for the life of the building, to the satisfaction of the Director of Sustainable Planning and Community Development, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00119 for 1017-1023 Cook Street, in accordance with:

1. Receipt of final plans generally in accordance with the plans date stamped October 25, 2019, to revise the siting of the proposed bicycle parking rack located on the public right-of-way to the satisfaction of the Director of Engineering and Public Works.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the minimum vehicle parking from 34 stalls to 0 stalls.
3. Council authorizing the street-level projecting canopies over the City Right-of-Way on Cook Street, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
4. Final plans generally in accordance with plans date stamped October 25, 2019.
5. The Development Permit lapsing two years from the date of this resolution."

Respectfully submitted,



Chris Coates
City Clerk

Report accepted and recommended by the City Manager:



Date:

Jan 21, 2020

List of Attachments:

- Bylaw No. 20-008

HOUSING AGREEMENT(Pursuant to section 483 of the *Local Government Act*)

BETWEEN:

THE CORPORATION OF THE CITY OF VICTORIA#1 Centennial Square
Victoria, B.C. V8W 1P6

(the "City")

AND:

1021 COOK STREET HOLDINGS INC. (INC. NO. BC1151692)200- 911 Yates Street
Victoria, B.C. V8V 4X3

(the "Owner")

AND:

PEOPLES TRUST COMPANY (INC. NO. A0033943)14th Floor – 888 Dunsmuir Street
Vancouver, B.C. V6C 3K4

("Peoples Trust")

WHEREAS:

- A. Capitalized terms used herein will have the respective meanings ascribed to them in section 1.1 of this Agreement, unless the context otherwise clearly requires or they are elsewhere defined herein.
- B. Under section 483 of the *Local Government Act* the City may, by bylaw, enter into a housing agreement with an owner regarding the occupancy of the housing units identified in the agreement, including but not limited to terms and conditions referred to in section 483(2) of the *Local Government Act*.
- C. The Owner is the registered owner in fee simple of lands in the City of Victoria, British Columbia, with a civic address of 1021 Cook Street, Victoria, B.C. and legally described as:

PID: 009-396-781 THE NORTHERLY ½ OF LOT 1593 VICTORIA CITY; and

PID: 009-396-772 THE NORTHERLY ½ OF LOT 1592 VICTORIA CITY;

(collectively, the "Lands").
- D. The Owner has applied to the City for a development permit with variances with regard to the Lands to permit 22 housing units within the Development in accordance with this Agreement.

{00042209:3}

- E. The City and the Owner wish to enter into this Agreement, as a housing agreement pursuant to section 483 of the *Local Government Act*, to secure the agreement of the Owner that all Dwelling Units within the Development on the Lands will be used and held only as rental housing.

NOW THIS AGREEMENT WITNESSES that pursuant to section 483 of the *Local Government Act*, and in consideration of the premises and covenants contained in this agreement (the "**Agreement**"), the parties agree each with the other as follows:

1.0 DEFINITIONS

1.1 In this Agreement:

"**Business Day**" means Monday to Friday, other than any such day which is a statutory holiday in Victoria, British Columbia;

"**Development**" means the new 22 unit building consisting of residential housing and related facilities on the Lands;

"**Dwelling Units**" means any or all, as the context may require, of the 22 self-contained residential dwelling units within the Development and includes any dwelling unit that is developed on the Lands in future, whether as part of the Development or otherwise, and "**Dwelling Unit**" means any of such residential dwelling units located on the Lands;

"**Immediate Family**" includes a person's spouse, child, grandchild, parent, grandparent, sibling, niece and nephew, and includes the Immediate Family of the person's spouse;

"**Non-owner**" means a person other than a Related Person or the Owner;

"**Owner**" includes a person who acquires an interest in the Lands or any part of the Lands or the Development and is thereby bound by this Agreement, as referred to in section 8.3;

"**Related Person**" includes, where the registered or beneficial owner of the Lands or Dwelling Unit, as applicable, is a corporation or society, an officer, director, shareholder, or member of such corporation or society, or of another entity which is a shareholder or member of such corporation or society;

"**Strata Corporation**" means, for the portions of the Lands or any building on the Lands that is subdivided under the *Strata Property Act*, a strata corporation as defined in that Act, including the Owner while in control of the strata corporation and subsequently the individual strata lot owners collectively acting as the strata corporation;

"**Tenancy Agreement**" means a tenancy agreement pursuant to the *Residential Tenancy Act* that is regulated by that Act.

2.0 DWELLING UNITS TO BE USED AND OCCUPIED ONLY AS RENTAL UNITS

- 2.1** The Owner covenants and agrees that all of the Dwelling Units shall only be used as rental housing for the life of the building on the Lands that contains said Dwelling Units, and for that purpose shall only be occupied by a Non-owner under the terms of a Tenancy Agreement between the Owner and the Non-owner who occupies the Dwelling Unit.

{00042209:3}

- 2.2** Despite the provisions set out in section 2.1 herein, any of the Dwelling Units may be occupied by Immediate Family of the registered or beneficial owner or Immediate Family of Related Persons (including, where the registered or beneficial owner is a corporation or society, the Immediate Family of an officer, director, shareholder, or member of such corporation or society) provided that said Immediate Family is an individual that occupies any said Dwelling Unit pursuant to a Tenancy Agreement at a monthly rent that is at the market rental rate for reasonably similar rental accommodations in a reasonably similar location.

3.0 NO RESTRICTIONS ON RENTALS

- 3.1** The Owner covenants and agrees that the Owner shall not take any steps, or enter into any agreements, or impose any rules or regulations whatsoever, the effect of which would be to prevent or restrict the Owner of a Dwelling Unit from renting that Dwelling Unit to a Non-owner under the terms of a Tenancy Agreement.
- 3.2** Without limiting the generality of section 3.1, the Owner covenants and agrees that it will not make application to deposit a strata plan for or in respect of the Lands or a building on the Lands unless the strata bylaws in no way restrict rental of any Dwelling Unit to a Non-owner under the terms of a Tenancy Agreement.

4.0 REPORTING

- 4.1** The Owner covenants and agrees to provide to the City's Director of Sustainable Planning and Development, within thirty (30) days of the Director's written request, a report in writing confirming that:
- (a) all Dwelling Units are being rented to Non-owners or Immediate Family on the basis as set out in section 2.1 herein, or are vacant, and
 - (b) all other requirements of this Agreement are being complied with by the Owner and the Development,

along with such other information as may be requested by the Director from time to time.

- 4.2** The Owner hereby authorizes the City to make such inquiries as it considers necessary in order to confirm that the Owner is complying with this Agreement.
- 4.3** The Owner acknowledges that it is within the City's sole discretion to consent or not to consent to modifications of this Agreement and that such consent may be withheld for any reason.

5.0 NOTICE TO BE REGISTERED IN LAND TITLE OFFICE

- 5.1** Notice of this Agreement (the "**Notice**") will be registered in the Land Title Office by the City at the cost of the Owner in accordance with section 483 of the *Local Government Act*, and this Agreement is binding on the parties to this Agreement as well as all persons who acquire an interest in the Lands after registration of the Notice.

6.0 LIABILITY

{00042209:3}

- 6.1** The Owner agrees to indemnify and save harmless the City and each of its elected and appointed officials, employees and agents and their respective administrators, successors and permitted assigns, of and from all claims, demands, actions, damages, costs and liabilities, which all or any of them shall or may be liable for or suffer or incur or be put to by reason of or arising out of failure of the Owner to comply with the terms and conditions of this Agreement, or otherwise that would not have arisen "but for" this Agreement.
- 6.2** The Owner hereby releases and forever discharges the City and each of its elected and appointed officials, employees and agents and their respective administrators, successors and permitted assigns, of and from any and all claims, demands, actions, damages, economic loss, costs and liabilities which the Owner now has or hereafter may have with respect to or by reason of or arising out of the fact that the Lands are encumbered by and affected by this Agreement, or otherwise that would not have arisen "but for" this Agreement.

7.0 PRIORITY AGREEMENTS

- 7.1** Peoples Trust, as the registered holder of charges by way of Mortgages and Assignments of Rents against the Lands, which said charges are registered in the Land Title Office at Victoria, British Columbia, under numbers CA6709827, CA6709828, CA7836615 and CA7836616, for and in consideration of the sum of One Dollar (\$1.00) paid by the City (the receipt whereof is hereby acknowledged), agrees with the City that upon filing of a Notice with the Land Title Office that the Lands are subject to this Agreement, pursuant to section 483(5) of the *Local Government Act*, this Agreement shall be an encumbrance upon the Lands in priority to the said charges in the same manner and to the same effect as if Notice had been filed prior to the said charges.

8.0 GENERAL PROVISIONS

- 8.1 NOTICE.** If sent as follows, notice under this Agreement is considered to be received:

- (a) upon confirmation of delivery by Canada Post if sent by registered mail,
- (b) on the next Business Day if sent by facsimile or email with no notice of failure to deliver being received back by the sender, and
- (c) on the date of delivery if hand-delivered, and

in the case of the City, addressed to:

City of Victoria
 #1 Centennial Square
 Victoria, BC V8W 1P6

Attention: Director of Sustainable Planning and
 Community Development
 Fax: 250-361-0386
 Email: Planning-CommunityPlanning@victoria.ca

and in the case of the Owner, addressed to:

GMC Properties Limited Partnership

{00042209:3}

101 Island Highway
Victoria, BC V9B 1E8

Attention: Mr. Jordan Milne
Email: jmilne@gmcprojects.com

or upon registration of a strata plan for the Lands, to the Strata Corporation, and to the Owner of any Dwelling Unit that is subject to the restrictions under section 2.1.

If a party identifies alternate contact information in writing to another party, notice is to be given to that alternate address.

If normal mail, email or facsimile service is interrupted by strike, work slowdown, force majeure, or other cause,

- (d) notice sent by the impaired service is considered to be received on the date of delivery, and
- (e) the sending party must use its best efforts to ensure prompt receipt of a notice by using other uninterrupted services, or by hand-delivering the notice.

8.2 TIME. Time is of the essence of this Agreement.

8.3 BINDING EFFECT. This Agreement will enure to the benefit of and be binding upon the parties hereto and their respective heirs, administrators, executors, successors, and permitted assignees. In accordance with section 483(6) of the *Local Government Act*, this Agreement and all obligations hereunder is binding on all who acquire an interest in the Lands, and the Owner only during the Owner's ownership of any interest in the Lands, and with respect only to that portion of the Lands of which the Owner has an interest.

8.4 WAIVER. The waiver by a party of any failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement is not to be construed as a waiver of any future or continuing failure, whether similar or dissimilar.

8.5 HEADINGS. The division of this Agreement into articles and sections and the insertion of headings are for the convenience of reference only and will not affect the construction or interpretation of this Agreement.

8.6 LANGUAGE. Words importing the singular number only will include the plural and vice versa, words importing the masculine gender will include the feminine and neuter genders and vice versa, and words importing persons will include individuals, partnerships, associations, trusts, unincorporated organizations and corporations and vice versa.

8.7 LEGISLATION. Reference to any enactment includes any regulations, orders or directives made under the authority of that enactment, and is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided.

8.8 EQUITABLE REMEDIES. The Owner acknowledges and agrees that damages would be an inadequate remedy for the City for breach of this Agreement and that the public interest

{00042209.3}

strongly favours specific performance, injunctive relief (mandatory or otherwise), or other equitable relief, as the only adequate remedy for a default under this Agreement

- 8.9 CUMULATIVE REMEDIES.** No remedy under this Agreement is to be deemed exclusive but will, where possible, be cumulative with all other remedies at law or in equity.
- 8.10 ENTIRE AGREEMENT.** This Agreement when executed will set forth the entire agreement and understanding of the parties as at the date it is made.
- 8.11 FURTHER ASSURANCES.** Each of the parties will do, execute, and deliver, or cause to be done, executed, and delivered all such further acts, documents and things as may be reasonably required from time to time to give effect to this Agreement.
- 8.12 AMENDMENT.** This Agreement may be amended from time to time, by consent of the Owner and a bylaw duly passed by the Council of the City and thereafter if it is signed by the City and the Owner.
- 8.13 LAW APPLICABLE.** This Agreement is to be construed in accordance with and governed by the laws applicable in the Province of British Columbia.
- 8.14 NO DEROGATION FROM STATUTORY AUTHORITY.** Nothing in this Agreement shall:
- (a) limit, impair, fetter or derogate from the statutory powers of the City all of which powers may be exercised by the City from time to time and at any time to the fullest extent that the City is enabled and no permissive bylaw enacted by the City, or permit, licence or approval, granted, made or issued thereunder, or pursuant to statute, by the City shall estop, limit or impair the City from relying upon and enforcing this Agreement; or
 - (b) relieve the Owner from complying with any enactment, including the City's bylaws, or any obligation of the Owner under any other agreement with the City.
- 8.15 SEVERABILITY.** If any section, term or provision of this Agreement is found to be partially or wholly illegal or unenforceable, then such sections or parts will be considered to be separate and severable from this Agreement and the remaining sections or parts of this Agreement, as the case may be, will be unaffected thereby and will remain and be enforceable to the fullest extent permitted by law as though the illegal or unenforceable parts or sections had never been included in this Agreement.
- 8.16 JOINT AND SEVERAL.** The Owner, if more than one, are jointly and severally obligated to perform and observe each and every of the covenants, warranties and agreements herein contained by the Owner to be observed and performed.
- 8.17 COUNTERPARTS.** This Agreement may be executed in counterparts and delivered by emailed PDF file, each of which will have the same effect as if all parties had signed the same document. Each counterpart shall be deemed to be an original. All counterparts shall be construed together and shall constitute one and the same Agreement.
- 8.18 EFFECTIVE DATE.** This Agreement is effective as of the date of the signature of the last party to sign.

{00042209:3}

IN WITNESS WHEREOF the parties hereto have set their hands and seals as of the day and year last below written.

THE CORPORATION OF THE CITY OF)
VICTORIA by its authorized signatories:)

_____)
 MAYOR Lisa Helps)

_____)
 CITY CLERK Chris Coates)

Date signed: _____)

[owner(s)]

1021 COOK STREET HOLDINGS LTD.)
 by its authorized signatory:)


 _____)
 GORDON LORNE COURTNEY MILNE)

Date signed: November 21, 2019

[existing chargeholder(s)]

PEOPLES TRUST COMPANY)
 by its authorized signatory(ies):)

_____)
 Print Name: _____)

_____)
 Print Name: _____)

Date signed: _____)

{00014619:4}

IN WITNESS WHEREOF the parties hereto have set their hands and seals as of the day and year last below written.

THE CORPORATION OF THE CITY OF)
VICTORIA by its authorized signatories:)

MAYOR Lisa Helps)

CITY CLERK Chris Coates)

Date signed: _____)

[owner(s)]

1021 COOK STREET HOLDINGS LTD.)
by its authorized signatory(ies):)

LORNE MILNE, Director)

Date signed: _____)


[existing chargeholder(s)]

PEOPLES TRUST COMPANY)
by its authorized signatory(ies):)


Print Name: _____ Dennis Dineen)
Senior Vice President)
Commercial Banking)

Print Name: _____)

Date signed: January 7, 2020)



Gloria Ann Bychek
A Commissioner for Taking Affidavits
for British Columbia
Suite 1400 - 888 Dunsmuir Street
Vancouver, B.C. V6C 3K4
EXPIRY OCTOBER 31, 2022

{00041291:2}

TEMPORARY BORROWING BYLAW, 2020

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to provide for the borrowing of money that may be necessary to meet the current lawful expenditures of the City.

Contents

- 1 Title
- 2 Definition
- 3 Borrowing authorized
- 4 Form of borrowing
- 5 Time of repayment
- 6 Tax revenue to be used for repayment

Under its statutory powers, including section 177 of the *Community Charter*, the Council of the City of Victoria enacts the following provisions:

Title

- 1 This Bylaw may be cited as the "TEMPORARY BORROWING BYLAW, 2020".

Definition

- 2 In this Bylaw, "CFO" means the City's Chief Financial Officer.

Borrowing authorized

- 3
 - (1) The CFO may borrow, on behalf of the City, on the credit and for the purposes of the City, from any bank, credit union, corporation, or other person, as the CFO may from time to time consider appropriate, an amount of money not exceeding \$10 million.
 - (2) The CFO must not borrow the money described in subsection (1) at a rate of interest that exceeds the prime rate of interest charged by the Royal Bank of Canada at the time when the lender imposes a rate of interest.

Form of borrowing

- 4
 - (1) The CFO may borrow by means of bank overdrafts.
 - (2) Where the borrowing is other than by way of bank overdrafts, the form of an obligation to be given as an acknowledgement of the liability must be a promissory note, demand note, or a banker's acceptance, sealed with the seal of the City and signed by the Mayor and the CFO.

Time of repayment

- 5** The money borrowed under this Bylaw and any interest on it must be repaid on or before December 31, 2020.

Tax revenue to be used for repayment

- 6** Revenue from all property value taxes must be used as necessary to repay the money borrowed under this Bylaw.

READ A FIRST TIME the **9th** day of **January** 2020.

READ A SECOND TIME the **9th** day of **January** 2020.

READ A THIRD TIME the **9th** day of **January** 2020.

ADOPTED the day of 2020.

CITY CLERK MAYOR