



## REVISED AGENDA - VICTORIA CITY COUNCIL

Thursday, March 12, 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. Music Performance

By Melissa Goodchild and Anne Draper on clarinet from the Victoria Conservatory of Music.

### B. APPROVAL OF AGENDA

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D.2	<u>Riga Godron: Lack of school capacity, and unsavory (needles, defecation, condoms) near downtown rentals</u>	
D.3	<u>Catus Brooks: Stock Market Fraud, Credit Bureau Fraud, and Housing Crisis</u>	
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Focus on Sustainability

Addendum

D.5 Mary Ellen Brockman: Mental Illness

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Addendum

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Addendum

F. PUBLIC AND STATUTORY HEARINGS

F.1 Accommodating Air Space Parcels 49

*Council is considering an amendment to the Zoning Regulation Bylaw to clarify the treatment of air space parcels under zoning regulations.*

F.1.a Public Hearing & Consideration of Approval: 67

- Motion to give 3rd reading to:
  - Zoning Regulation Bylaw, Amendment Bylaw (No. 1219) No. 20-029
- Motion to adopt:
  - Zoning Regulation Bylaw, Amendment Bylaw (No. 1219) No. 20-029

G. REQUESTS TO ADDRESS COUNCIL

\*G.1 Victoria Vukmirovic: Disfunction of Vic PD Leadership and otherwise

Addendum

H. UNFINISHED BUSINESS

## **H.1     Rise and Report**

### **H.1.a     From the Closed Council Meeting held February 1, 2018**

#### **Legal Advice - 851 Broughton - YM/YWCA**

1. That Council direct the Head of Strategic Real Estate to obtain an appraisal of the approximate current market value of the former lot 251, which had been transferred by the City to the YM-YWCA of Vancouver Island at the time of construction of the YM-YWCA facility at 851 Broughton Street (the "City Contribution Value");
2. That Council authorize the Mayor and City Clerk to execute on behalf of the City an agreement, in a form satisfactory to the City Solicitor, with YM-YWCA of Vancouver Island pursuant to which the City agrees to discharge the restrictive covenant 303749G from title of the property civically known as 851 Broughton Street on the following conditions:
  - a. YM-YWCA of Vancouver Island pays to the City amount equal to the City Contribution Value;
  - b. If, within five years of the date of this resolution, the YM-YWCA of Vancouver Island substantially commences construction of a replacement facility in a location in downtown Victoria that contains facilities similar or better than the existing facility at 851 Broughton Street, the City will contribute the amount equal to the City Contribution Value to the construction of the new YM-YWCA facility in Victoria; and
  - c. If YM-YWCA of Vancouver Island does not substantially commence construction contemplated under paragraph (b) within five years of the date of this resolution, the City can apply the money received under paragraph (a) to any City capital project(s) related to recreation, health, or wellbeing of residents of Victoria.

### **H.1.b     From the Closed Council Meeting held March 15, 2018**

#### **Land Lease Amendment:**

726 Johnson Street: That Council authorize the Mayor and City Clerk to execute a lease amending agreement with Keun Ho Kim (dba Sockeye Sushi) for the premises at 726 Johnson Street, in a form satisfactory to the City Clerk, to 1) amend section 7.2 (a), that the tenant must complete tenant improvements by no later than June 30,

2018; and 2) amend section 7.2 (d) that the City may extend the termination date, subject to the publication of the statutory notices required by the Community Charter;

Land New Lease:

706 / 708 Douglas Street: That Council authorize the Mayor and City Clerk to execute a lease, in a form satisfactory to the City Clerk, for premises at 706/708 Douglas Street with Kwang Holdings Ltd. For a period of one year commencing April 6, 2018 at a base rent of \$44,706.00 per annum, plus GST, subject to the publication of the statutory notices required by the Community Charter;

Land Lease Extension:

That Council authorizes the Mayor and City Clerk to execute a lease extension agreement, in a form satisfactory to the City Clerk, for premises at 1240 Yates Street with the Provincial Rental Housing Corporation for a period of three months commencing April 1, 2018, subject to the publication of the statutory notices required by the Community Charter. 2. That all conditions relating to the current agreement stay the same.

**H.1.c From the Closed Council Meeting held May 10, 2018**

Appointment:

Reappoint Margaret Eckenfelder, Trevor Moat and James Hall each for an additional 3-year term to the BOV from July 1, 2018 to June 30, 2021.

Appointment:

Appoint Kelly Black to the HAP for a partial term ending December 31, 2018

**H.1.d From the Closed Council Meeting held May 17, 2018**

Land:

Johnson Street Bridge - Construction Licence - That Council authorize the Mayor and City Clerk to execute a Construction Licence extension with Transport Canada for the Johnson Street Bridge Project, in a form satisfactory to the City Clerk, until July 30, 2018 subject to the publication of the statutory notices required by the Community Charter.

**H.1.e From the Closed Council Meeting held June 7, 2018**

Appointment:



ATAC:

That Council:

1. Appoint Cassidy Paxton and Derry MacDonnel to the Active Transportation Advisory Committee for the remainder of the two-year term ending January 1, 2018; and
2. Rescind the appointments of Cindy Marven and Deborah Baker.

**H.1.f From the Closed Council Meeting held September 27, 2018**

Land/Lease – 736 Douglas Street – New Lease

That Council authorize the Mayor and City Clerk to execute a lease, in a form satisfactory to the City Clerk and the City Solicitor, for the premises at 736 Douglas with Mondrian Information Services Inc (#BC0717516) and guarantor Wendy Beach, for a period of two years commencing December 1, 2018 at a base rent of \$17,720.00 per annum plus GST, with an option for two additional years at a base rent of \$18,517.40 plus GST, subject to the publication of the statutory notices required by the Community Charter.

Land/Lease – 740 Douglas Street – New Lease

That Council authorize the Mayor and City Clerk to execute a lease, in a form satisfactory to the City Clerk and the City Solicitor, for premises at 740 Douglas Street with Out of the Mist Gallery (#FM0290596) and guarantor Joyce K. Piercy, for a period of two years commencing November 1, 2018 at a base rent of \$17,440.00 per annum plus GST, with an option for two additional years at a base rent of \$18,517.40 plus GST, subject to the publication of the statutory notices required by the Community Charter.

**H.1.g From the Closed Council Meeting held August 8, 2019:**

Land - License of Occupation - SD61

That Council authorize the Mayor and City Clerk to execute a Licence of Occupation with the Board of Education of School District No. 61 for portion of Lot 16, Block 5, Section 3, Plan 62, Victoria necessary to site a new outdoor learning structure, in a form satisfactory to the City Clerk and the City Solicitor, for a period of five years commencing August 15, 2019, with an option to renew for an additional five years, at a nominal rent of one dollar for the term, subject to the publication of the statutory notices required by the Community Charter.

**H.1.h From the Closed Council Meeting held August 8, 2019:**

Land – Licence Amending Agreement – City Studio

That Council:

Authorize the Mayor and City Clerk to execute a licence amending agreement with Royal Roads University and the University of Victoria, in a form satisfactory to the City Clerk, for the relocation of CityStudio to 709 Douglas for the remainder of the term of the Licence, subject to the publication of the statutory notices required by the Community Charter.

**H.1.i From the Closed Council Meeting held November 14, 2019:**

Land - Lease Renewal - 20 Centennial Square

That Council authorizes the Mayor and City Clerk to execute a lease renewal, in a form satisfactory to the City Clerk and to the City Solicitor, with the Downtown Victoria Business Association for the premises at 20 Centennial Square for a period of five years commencing January 1, 2020 at a base rent of \$21,700 per annum, increasing to \$22,785 in year three, subject to the publication of the statutory notices required by the Community Charter.

**H.1.j From the Closed Council Meeting held November 21, 2019:**

Legal Advice - 71 & 75 Montreal Street - Statutory Right of Way

That Council authorize the Mayor to execute a statutory right of way agreement for transportation improvements at 71 and 75 Montreal Street, with form and contents satisfactory to the Director of Engineering and Public Works and the City Solicitor.

**H.1.k From the Closed Council Meeting held January 30, 2020:**

Land - Licence of Occupation - pathway through Cecelia Ravine Park to Galloping Goose Regional Trail

1. That Council authorize the Director of Parks, Recreation and Facilities to execute an agreement with BC Transportation Financing Authority (BCTFA) in form satisfactory to the City Solicitor, for use and occupation of land owned by the BCTFA where a paved multipurpose pathway within Cecelia Ravine Park connects Cecelia Road to the Galloping Goose Regional Trail, as more particularly described below in this report.
2. That the City maintain liability insurance on terms and conditions consistent with those set out in the Certificate of Insurance attached as Appendix A throughout the term of that agreement.

## I. REPORTS OF COMMITTEES

### I.1 Committee of the Whole

#### I.1.a Report from the March 5, 2020 COTW Meeting

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[Link to the March 5, 2020 COTW Agenda](#)

- I.1.a.a 1739 Fort Street: Application for a Change to Hours for Christies Carriage House Pub, Liquor Primary License
- I.1.a.b Group Insurance Coverage for Neighbourhood Associations
- I.1.a.c Municipal Finance Authority of BC Background and Fund Offerings
- I.1.a.d Active Transportation Advisory Committee Motions from Meeting of October 22, 2019
- I.1.a.e 2558 Quadra Street: Rezoning and Development Permit with Variances Application (Hillside/Quadra)
- I.1.a.f 1820 Government Street: Application for a New Food Primary Licence with Entertainment Endorsement for January Gin Joint and Eatery
- I.1.a.g Update Report: Next Generation Conversion Regulations
- I.1.a.h Dallas Road Balustrade Replacement
- I.1.a.i Council Member Motion: Recommendations from the Accessibility Working Group

#### \*I.1.b Report from the March 12, 2020 COTW Meeting

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[Link to the March 12, 2020 COTW Agenda](#)

- \*I.1.b.a 2020 Micro Grant Applications
- \*I.1.b.b Appointment of a Bylaw Officer
- \*I.1.b.c Letter from the Minister of Public Safety and Solicitor General
- \*I.1.b.d Office of Equity, Diversity and Inclusion
- \*I.1.b.e Climate Action Reserve Fund Draw - Corporate Building Energy and GHG Savings

- \*I.1.b.f Council Member Motion - Endorsement of Universal Public National Pharmacare Program
- \*I.1.b.g Council Member Motion - Extended Hours for Our Place
- \*I.1.b.h Council Member Motion - Terms of Reference for Welcoming Cities Task Force
- \*I.1.b.i Response to COVID-19 in Victoria, BC

## J. NOTICE OF MOTIONS

## K. BYLAWS

### K.1 Bylaw Amendment for Victoria Subdivision and Servicing 77

A report recommending:

- 1st, 2nd, and 3rd readings of:
  - Victoria Subdivision and Servicing Bylaw, Amendment Bylaw (No. 3) No. 20-040

The purpose of the bylaw is to establish an air space parcel subdivision fee that more accurately reflects the City's costs of processing of air space parcel subdivision applications.

### \*K.2 Bylaw Amendment for Development Cost Charges 79

#### Addendum

A report recommending:

- 1st, 2nd, and 3rd readings of:
  - Development Cost Charges Bylaw, Amendment Bylaw (No. 2) No. 20-013

The purpose of the bylaw is to amend the Development Cost Charges Bylaw No. 17-020.

### \*K.3 Bylaw for Alternative Municipal Tax Collection Scheme 82

#### Addendum

A report recommending:

- 1st, 2nd, and 3rd readings of:
  - Alternative Municipal Tax Collection Scheme Bylaw No. 20-039

The purpose of the bylaw is to establish an alternative tax collection scheme

that establishes when penalties are added to unpaid taxes.

- L. CORRESPONDENCE
- M. NEW BUSINESS
- N. QUESTION PERIOD
- O. ADJOURNMENT



## MINUTES - VICTORIA CITY COUNCIL

January 30, 2020, 10:13 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: Councillor Young in the Chair, Councillor Isitt, Councillor Loveday, Councillor Potts, and Councillor Dubow

ABSENT: Councillor Alto, Councillor Thornton-Joe, and Mayor Helps

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Director of Finance, C. Coates - City Clerk, T. Zworski - City Solicitor, F. Work - Director of Engineering & Public Works, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhauer - Head of Engagement, K. Hoese - Director of Sustainable Planning and Community Development, A. Hudson - Acting Director of Sustainable Planning & Community Development, C. Havelka - Deputy City Clerk, J. O'Connor - Deputy Director of Finance, C. Mycroft - Manager of Executive Operations, P. Angelblazer - Committee Secretary

### B. APPROVAL OF AGENDA

**Moved By** Councillor Isitt  
**Seconded By** Councillor Loveday

That the agenda be adopted.

#### **Amendment:**

**Moved By** Councillor Loveday  
**Seconded By** Councillor Isitt

That the agenda be amended to include items forwarded from the January 30, 2020 Committee of the Whole.

**CARRIED UNANIMOUSLY**

**On the main motion as amended:**

Council to follow Committee of the Whole Minutes

January 30, 2020

**CARRIED UNANIMOUSLY**

**C. REPORTS OF COMMITTEES**

**C.1 Committee of the Whole**

**C.1.a Report from the January 16, 2020 COTW Meeting**

**C.1.a.a Topaz Park Improvement Plan Construction Funding**

Council received a report dated January 28th, 2020 from the City Clerk providing Council with information on an erroneously passed motion, with a recommendation to amend the earlier motion.

**Moved By** Councillor Loveday

**Seconded By** Councillor Isitt

That Council approve the following investments for Topaz Park, in the 2020 Financial Plan:

1. Allocate up to \$3.25 million from the Building Infrastructure Reserve Fund to complete the construction of a skateboard park, bike park, and related supporting infrastructure and direct staff to undertake value engineering as a part of the process.

**CARRIED UNANIMOUSLY**

**D. BYLAWS**

**D.1 Checkout Bag Regulation Bylaw**

**Moved By** Councillor Isitt

**Seconded By** Councillor Loveday

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

1. Checkout Bag Regulation Bylaw, No. 20-025

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Isitt

**Seconded By** Councillor Loveday

Direct the City Clerk to forward the Bylaw to the Minister of Environment and Climate Change Strategy for approval in accordance with section 9 of the Community Charter

**CARRIED UNANIMOUSLY**

**C. REPORTS OF COMMITTEES**

**C.1 Committee of the Whole**

**C.1.b Report from the January 30, 2020 COTW Meeting**

**C.1.b.a Council Member Motion - Advocacy for Partnerships for Fare-Free Public Transit**

**Moved By** Councillor Dubow

**Seconded By** Councillor Isitt

That Council endorse the following resolution and direct staff to forward copies to the Association of Vancouver Island and Coastal Communities, the Union of BC Municipalities and member local governments, requesting favourable consideration and resolutions of support:

**Resolution: Partnerships for Fare-Free Public Transit**

WHEREAS equitable access to mobility is fundamental to full and meaningful participation in local communities, including access to education, employment, services, recreation, culture and community life;

AND WHEREAS emissions from transportation generate a majority of community-based emissions in many communities, meaning that changes in transportation options have the potential to have a substantial impact in reducing green-house gas emissions;

AND WHEREAS forward-looking jurisdictions around the world from Kingston, Ontario to Kansas City, Missouri, to Luxembourg and Estonia are eliminating user-fee barriers to public transit ridership, with residents paying for transit services through the tax system rather than at the fare box;

THEREFORE BE IT RESOLVED THAT the Province of British Columbia work with local governments to introduce fare-free public transit services where communities support the elimination of user-fee barriers to public transit ridership.

**CARRIED UNANIMOUSLY**

**C.1.b.b Council Member Motion - Expansion of Youth Bus Pass Program**

**Moved By** Councillor Isitt

**Seconded By** Councillor Dubow

Council to follow Committee of the Whole Minutes

January 30, 2020



That Council endorses the following resolution and directs staff to forward a copy to Victoria Regional Transit Commission for consideration at its meeting of February 25, 2020:

The City of Victoria:

1. Endorses the initiation of a pilot program to provide fare-free public transit for youth across the Capital Region, to reduce greenhouse-gas emissions and promote transit ridership and sustainable mobility from an early age.
2. Requests that the Victoria Regional Transit Commission reconsider at its February 25, 2020 meeting the initiation of a pilot program beginning in 2020 to provide fare-free public transit to people 18 years and younger in the Capital Region.

**CARRIED UNANIMOUSLY**

**E. CLOSED MEETING**

**Moved By** Councillor Isitt

**Seconded By** Councillor Dubow

MOTION TO CLOSE THE 30<sup>th</sup> OF JANUARY 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)(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)(f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;*

**Amendment:**

**Moved By** Councillor Isitt

**Seconded By** Councillor Loveday

Add the following as a reason to move into closed:

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

**CARRIED UNANIMOUSLY**

**On the main motion as amended**

**CARRIED UNANIMOUSLY**

**F. APPROVAL OF CLOSED AGENDA**

**Moved By** Councillor Isitt

**Seconded By** Councillor Potts

That the closed agenda be approved.

**Amendment:**

**Moved By** Councillor Isitt

**Seconded By** Councillor Loveday

That the agenda be amended to include item J.3 Appointments – Community Charter Section 90(1)(a)

**CARRIED UNANIMOUSLY**

**On the main motion as amended:**

**CARRIED UNANIMOUSLY**

**G. READING OF CLOSED MINUTES**

**G.1 Minutes from the closed meeting held January 16th, 2020**

**Moved By** Councillor Potts

**Seconded By** Councillor Loveday

That the minutes from the closed meeting held January 16th, 2020 be adopted.

**CARRIED UNANIMOUSLY**

**J. NEW BUSINESS**

**J.1 Law Enforcement - Community Charter Section 90(1)(f)**

Council received a verbal update regarding a Law Enforcement matter.

The motion was recorded and kept confidential.

**J.2     Land - Community Charter Section 90(1)(e)**

Council received a report regarding a land matter.

The motion was recorded and kept confidential.

**J.3     Appointments – Community Charter Section 90(1)(a)**

Council received a verbal report regarding an appointments matter.

The conversation was recorded and kept confidential.

*All staff except the City Manager left the meeting at 1:02 p.m.*

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

Council received a verbal report regarding an employee relations matter.

**L.     ADJOURNMENT**

**Moved By** Councillor Young

**Seconded By** Councillor Dubow

That the Closed Council Meeting be adjourned at 1:10 p.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR



## MINUTES - VICTORIA CITY COUNCIL

February 6, 2020, 8:00 A.M.  
COUNCIL CHAMBERS - 1 CENTENNIAL SQUARE  
VICTORIA, BC

The City of Victoria is located on the homelands of the Songhees and Esquimalt People

PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Isitt (arrived at 8:09 a.m.), Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Dubow (arrived at 8:08 a.m.), Councillor Young

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Director of Finance, C. Coates - City Clerk, P. Bruce - Fire Chief, T. Zworski - City Solicitor, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhauer - Head of Engagement, A. Meyer - Assistant Director of Development Services, A. Hudson - Assistant Director of Community Planning, C. Havelka - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, P. Rantucci - Head of Strategic Real Estate, P. Angelblazer - Committee Secretary

### A. CONVENE COUNCIL MEETING

### B. APPROVAL OF AGENDA

**Moved By** Councillor Loveday  
**Seconded By** Councillor Alto

That the agenda be approved.

**CARRIED UNANIMOUSLY**

### C. CLOSED MEETING

**Moved By** Councillor Loveday  
**Seconded By** Councillor Potts

MOTION TO CLOSE THE FEBRUARY 6TH 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:

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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)(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;*

**CARRIED UNANIMOUSLY**

**H. NEW BUSINESS**

**H.1 CLOSED - Land - Community Charter Section 90(1)(e) (8:00 a.m. to 9:30 a.m.)**

Council received a presentation on a land matter.

The motion was recorded and kept confidential.

*Council recessed at 9:26 a.m., reconvened at 12:21 p.m.*

**I. OPEN COUNCIL MEETING**

**Moved By** Councillor Alto

**Seconded By** Councillor Loveday

That the agenda be approved.

**CARRIED UNANIMOUSLY**

**J. NEW BUSINESS**

**J.1 Amended 2019-2022 Strategic Plan**

**Moved By** Councillor Alto

**Seconded By** Councillor Loveday

That Council approve the amended *2019-2022 Strategic Plan* contained in Attachment A.

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

OPPOSED (1): Councillor Young

**CARRIED (7 to 1)**

**K. REPORTS FROM COMMITTEES**

**K.1 Special Committee of the Whole**

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## **K.1.a Report from the January 10, 14, 17, and 24 COTW Meetings**

### **K.1.a.a Proposed Adjustments to the Draft 2020-2024 Financial Plan**

**Moved By** Councillor Alto

**Seconded By** Councillor Potts

1. That Council approve all of the On-Going Supplemental Requests with the exception of Parks Clean Up, be added. (Protocol 'Sister City Delegations reduced to \$20,000 – see item # 6 below)
2. That Council approve that the Parks Planner and Development services Planner be funded through revenue through Development Application Fee Revenue.
3. That Council approve funding for the Short-Term Rentals Bylaw Positions from the Short-Term Rentals License revenue.
4. That Council approve the ongoing expense for Managing Public Spaces – Bylaw Position and that this position be funded from 2019 surplus for a two-year term.
5. That Council approve funding one-time expenses including the one-time expense for Parks Clean Up.
6. That Council fund the on-going expenses to address the climate emergency:

#### Climate and Environment

Community Energy and Emissions Specialist - 1 FTE:  
\$108,000

Fleet Energy and Emissions Specialist - 1 FTE:  
\$108,000 (deferred to 2021 – see # 8 below)

Building Energy and Emissions Specialist - 1 FTE:  
\$108,000

Training and Development for staff: \$10,000

Zero Waste Strategy - 1 FTE: \$100,000

Total: \$434,000

7. That Council approve the one-time funding of the following Climate and Environment items:

Climate Leadership Plan - Oil to Heat Pump Incentive Program: one time \$400,000

Climate Leadership Plan - Climate Action Program Investments: one time \$165,000

Climate Champions Program: one time \$50,000

Total: \$615,000

8. That Council approve the \$460,000 expenditure from the Climate Action Reserve.
9. That Council approve the funding for the Zero Waste Strategy one-time amount of \$200,000, funded from a combination of reserves and previous years surpluses as appropriate.
10. That Council approve funding for the Witness reconciliation program: on-going \$30,000
11. That Council approve the following funding:
  - Reconciliation training: one-time \$136,900
  - Indigenous relations function: one-time \$75,000
  - Truth and Reconciliation Dialogues: one-time \$80,000
12. That Council approve one-time funding for the Welcoming City Strategy of \$50,000.
13. That Council approve on-going funding for:
  - Urban Agriculture - Volunteer coordinator grant: \$50,000
  - Urban Agriculture - Start Up Grant: \$30,000
14. That Council approve funding the one-time \$8,000 allocation for the Pilot - City sponsored spring distributions of gardening materials in partnerships with community organizations.
15. That Council approve a one-time funding allocation of \$220,000 for the South Island Prosperity Partnership.
16. That Council approve \$250,000 one time to the Housing Reserve Fund and **\$500,000** (see # 8 below reducing this amount to \$400,000) on-going to invest in the Housing Reserve Fund and Committee of the Whole have a future discussion on building very low-income housing.
17. That Council approve funding the following on-going items:
  - The Tenant Housing Ambassador \$107,900
  - Housing and Development summit \$15,000
  - Social Planner \$125,111
18. That this matter be postponed pending information on Esquimalt's decision on this matter:
  - That Council approve a one-time funding for Restorative Justice Victoria of \$5,880 from surplus.
19. That Council approve on-going funding for Canada Day Special Duty Policing \$107,000 and special duty costs for the

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first 3 police officers of \$53,000 from on-going funding and that this funding is included in the Victoria Police Department budget.

20. That Council approve funding Property Tax Penalty \$201,500 on-going and \$1,000 one-time.
21. That Council draw down the Building and Infrastructure Reserve for a public washroom on Douglas Street \$250,000 and direct staff to report back on the location and design of the washroom before installation.
22. That Council approve funding the by-election from one-time for \$170,000.
23. That Council approve the one-time funding of \$100,000 to the Cultural Infrastructure Grant Program and one-time funding of \$25,000 for the Cultural Spaces Roadmap.
24. That Council approve funding on-going for Accessibility and Inclusion Recreation role 1 FTE - \$52,000.
25. That Council Accessible Shoreline Access design one-time \$15,000 be funded through the Accessibility Reserve.
26. That Council approve funding for Gender Diversity Training for All Staff one-time \$28,000.
27. That Council approve funding for the Festival Investment Grant Program 3-4 extra festivals on-going \$25,000.
28. That this be referred to the Committee of the Whole for staff to provide advice on the implications:  
  
That Council direct staff to create a mural program within the My Great Neighbourhood Program based on the re-allocation of resources.
29. That Council approve funding for the Special Events - In Kind Services on-going \$19,000.
30. That Council approve funding Banfield Park to Selkirk Bike Route one-time \$35,000 towards preliminary design and public engagement with Esquimalt.
31. That Council approve the funding for Childminding - Committees ongoing \$1,800.
32. That Council approve funding Neighbourhood Grants on-going \$28,116
33. That Council approve the Managing Growth and New development - Development Services 1 FTE on-going \$142,500.



34. That Council direct staff to report back on funding sources and cost estimate for installing a water fountain along Pandora bike lane in the 900 block of Pandora Avenue.
35. That Council approve funding for the Coordinated Implementation of Pandora Task Force one-time \$50,000 and have the coalition report back twice throughout the year with progress.
36. That Council allocate \$260,000 from the Building and Infrastructure Reserve for a fully controlled stop light at Cook and Princess.
37. That Council direct staff to amend the financial plan bylaw to allocate the \$500,000 of the new assessed revenue, directed to the building and infrastructure reserve, and provide a grant of \$500,000 to the Victoria Civic Heritage Trust.
38. That Council request that the Victoria Civic Heritage Trust report publicly to Council each year.
39. That Council direct staff to engage the VCHT and report back to council on the feasibility of introducing accessibility requirements in relation to these grants.
40. That Council direct staff to come back with an assessment report not later Quarter 2 for traffic calming measures on Chambers Street, and surrounding streets, including recommendations for possible funding.
41. That Council approve: Place-making – Engagement Costs – \$8,000 one time.
42. That Council approve: protocol function allocation of \$20,000 to celebrate anniversary with Morioka. (Decreased from \$60,000) (From item # 1 above)
43. That Council authorize the following FTEs for 2020 and future years, as well as an one-time expenditure of \$75,000 for contracted services, and direct staff to report back by the end of Q1 in Open and Closed Meetings on options for completing and implementing the Equity Framework taking an intersectional approach, including the direction that initial priority of the Equity and Inclusion Coordinator is the implementation of the Trans Inclusion work, using the following new staff resources and / or existing resources, including draft job descriptions:
  - Equity and Inclusion Coordinator - 1 FTE – \$107,900 (ongoing)
  - Accessibility and Inclusion Recreation Role - 1 FTE – \$52,000 (ongoing)

- Accessibility Coordinator – 1 FTE – \$107,900 (ongoing)
  - Social Planner – 1 FTE - \$125,111 (ongoing)
  - Contracted Services - \$75,000 (one-time)
  - That Council add another FTE to focus on Equity and Inclusion. \$108,000
44. That the ongoing housing reserve allocation be revised to \$400,000 (Decreased from \$500,000).(see # 16 above for original motion)
  45. That Council authorize the \$500,000 expenditure on bike parking funded from the building and infrastructure reserve.
  46. That Council approve Transportation - 1 FTE - \$142,600.
  47. That Council approve funding for the NeighbourHub for \$11,460 from on-going.
  48. That staff be directed to report back at the next quarter 1 update regarding the financial implications to ensure that the employees of the VCC parkade receive a living wage.
  49. That Council approve: one-time allocation for Banfield Dock study \$15,000 and report back to Council with funding options and other consideration for installing a larger dock in 2020.
  50. That the remainder of the VCHT and grant for VHF be approved from on-going.
  51. That staff report back what's possible to accomplish within the funds already allocated in the animal control service contract.
  52. That Council approve one-time funding of \$50,000 for Storage Facilities at Our Place.
  53. That Council approve \$7,500 fee for service for the Greater Victoria Bike to Work Society and that those funds are from the previous year's surplus in 2020 and new assessed revenue in future years and that the Bike to Work Society make an annual report to Council.
  54. That Council:
    1. Approve the Direct-Award Grants as outlined in Appendix A to this report.
    2. Approve the Other Grants as outlined in Appendix B to this report.
    3. Approve allocating any remaining surplus evenly shared between the Buildings and Infrastructure Reserve and the Vehicles and Heavy Equipment Reserve.

4. Approve allocating any remaining new property tax revenue from new development evenly shared between the Buildings and Infrastructure Reserve and the Vehicles and Heavy Equipment Reserve.
5. Direct staff to bring forward the Five-Year Financial Plan Bylaw, 2020, as amended, to the April 9, 2020 Council meeting.

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

OPPOSED (2): Councillor Isitt, and Councillor Young

### **CARRIED (6 to 2)**

**Moved By** Councillor Alto

**Seconded By** Councillor Isitt

### **2021 Budget items**

1. That Council forward these items to the 2021 financial planning process: Artist in residence program artist fee and Artist in Residence Program Administration costs
2. That Council forward these items to the 2021 financial planning process: Murals in Public Space - Public Art Reserve Increase: on-going \$65,000.
3. That the Pop-up businesses and art exhibits: on-going \$50,000 be moved to the 2021 Financial Planning Process.
4. That this be moved to the 2021 financial planning process:  
That Council approved funding for the Mural Festival on-going \$60,000. (includes Murals in public space - My Great Neighbourhood grant Stream)
5. That Daylighting Streams be moved to the 2021 Financial Planning process.
6. That Council direct staff to report back at 2021 budget process with an amount for normalizing the intersection of Douglas and Dallas road at minimal financial cost to the City and provide a progress report by the end of the second quarter of 2020.
7. That this item be referred to the 2021 budget process, Pedestrian Improvements – Sidewalk on Topaz Road, including consideration of traffic calming along Topaz.
8. That Council defer the FTE for Fleet Energy Emissions Specialist (\$108,000) to 2021.

9. That the remaining FTEs under the heading of Sustainability Mobility Strategy be sent to 2021 Budget considerations.
10. That Council approve forwarding to the 2021 budget process: the Electrical Kiosk Beautification Program.
11. That this item be referred to the 2021 budget process.
12. That Council direct staff to report back on options for accommodating the proposal to renovate a portion of Pemberton Park for the purposes of accommodating increased utilization of the sport facility as part of the 2021 budget process **including exploring a contribution of funds from user groups.**
13. Refer to the 2021 Budgeting process – the countercyclical spending on capital projects

**CARRIED UNANIMOUSLY**

## **L. CLOSED COUNCIL MEETING**

**Moved By** Councillor Potts  
**Seconded By** Councillor Loveday

MOTION TO CLOSE THE FEBRUARY 6TH 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)(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;*

**CARRIED UNANIMOUSLY**

### **L.1 CLOSED – Litigation/Potential Litigation/Intergovernmental Negotiations – Community Charter Section 90(1)(g) & 90(2)(b) (at 12:30 p.m)**

Council received a presentation regarding on litigation, potential litigation, and intergovernmental relations.

### **L.2 CLOSED – Legal Advice – Community Charter Section 90(1)(e)**

Council received a report regarding a land matter.

Council to follow Committee of the Whole Minutes

February 6, 2020

The motion was recorded and kept confidential.

**L.3     CLOSED –Intergovernmental Negotiations – Community Charter Section 90(2)(b)**

Council received a verbal report regarding intergovernmental relations.

**L.4     CLOSED –Intergovernmental Negotiations – Community Charter Section 90(2)(b)**

Council received a verbal report regarding intergovernmental relations.

**L.5     CLOSED –Intergovernmental Negotiations – Community Charter Section 90(2)(b)**

Council received a verbal report regarding intergovernmental relations.

**L.6     CLOSED – Legal Advice – Community Charter Section 90(1)(e)**

Council received a verbal report regarding legal advice.

*All staff except the City Manager left the meeting at 3:20 p.m.*

**L.7     CLOSED – Employee Relations – Community Charter Section 90(1)(c)**

Council received a verbal report regarding an employee relations matter.

**N.     ADJOURNMENT**

**Moved By** Councillor Alto  
**Seconded By** Councillor Young

That the Closed Council Meeting be adjourned at 3:22 p.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR

Council to follow Committee of the Whole Minutes

February 6, 2020

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## MINUTES - VICTORIA CITY COUNCIL

February 13, 2020, 11:03 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 Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Dubow, Councillor Young

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Director of Finance, C. Coates - City Clerk, M. Fedyczkowska - Legislation & Policy Analyst, AK Ferguson - Committee Secretary

### C. CLOSED MEETING

**Moved By** Councillor Young

**Seconded By** Councillor Thornton-Joe

MOTION TO CLOSE THE FEBRUARY 13, 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)(c) labour relations or other employee relations;*
- *Section 90(2)(b) Intergovernmental Relations*

**CARRIED UNANIMOUSLY**

### H. NEW BUSINESS

#### H.1 Intergovernmental Relations (Verbal)

Council received a verbal update from the Mayor regarding an Intergovernmental Relations matter.

All staff except the City Manager left the meeting at 11:13 a.m.

## H.2 Employee Relations (Verbal)

Council received a verbal update regarding an Employee Relations matter.

## J. ADJOURNMENT

**Moved By** Councillor Potts

**Seconded By** Councillor Alto

That the Closed Council Meeting be adjourned at 11:50 a.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR





## MINUTES - VICTORIA CITY COUNCIL

February 20, 2020, 1:51 P.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 Isitt, Councillor Loveday, Councillor Thornton-Joe, Councillor Young, Councillor Dubow, Councillor Potts

**STAFF PRESENT:** J. Jenkyns - City Manager, C. Coates - City Clerk, S. Thompson - Deputy City Manager / Director of Finance, F. Work - Director of Engineering & Public Works, T. Soulliere - Director of Parks, Recreation & Facilities, C. Mycroft - Manager of Executive Operations, T. Zworski - City Solicitor, K. Hoese - Director of Sustainable Planning and Community Development, P. Rantucci - Head of Strategic Real Estate, A. Hudson - Assistant Director of Community Planning, C. Royle - Deputy Fire Chief, M. Heiser - Committee Secretary

**A. CONVENE COUNCIL MEETING**

**B. APPROVAL OF AGENDA**

**C. CLOSED MEETING**

**Moved By** Councillor Loveday

**Seconded By** Councillor Potts

**MOTION TO CLOSE THE FEBRUARY 20, 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)(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.*

**CARRIED UNANIMOUSLY**

**D. APPROVAL OF CLOSED AGENDA**

**Moved By** Councillor Loveday

**Seconded By** Councillor Thornton-Joe

That the closed agenda be approved.

**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.

*All staff except the City Manager withdrew from the meeting at 1:54 p.m.*

**H.2 Employee Relations - Community Charter Section 90(1)(c)**

Council received a verbal report regarding an employee relations matter.

**J. ADJOURNMENT**

**Moved By** Councillor Alto

**Seconded By** Councillor Potts

That the Closed Council Meeting be adjourned at 2:12 p.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR



## MINUTES - VICTORIA CITY COUNCIL

February 27, 2020, 1:45 P.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, C. Coates - City Clerk, P. Bruce - Fire Chief, S. Thompson - Deputy City Manager / Director of Finance, T. Soulliere - Director of Parks, Recreation & Facilities, K. Hoese - Director of Sustainable Planning and Community Development, J. Jensen – Head of Human Resources, C. Mycroft - Manager of Executive Operations, T. Zworski - City Solicitor, P. Rantucci - Head of Strategic Real Estate, A. Hudson – Assistant Director of Community Planning, P. Angelblazer - Committee Secretary

### C. CLOSED MEETING

**Moved By** Councillor Loveday  
**Seconded By** Councillor Young

#### MOTION TO CLOSE THE FEBRUARY 27 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)(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(2) A part of a council meeting must be closed to the public if the subject matter being considered relates to one or more of the following:

*Section 90(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal*

*government or both, or between a provincial government or the federal government or both and a third party;*

**D. APPROVAL OF CLOSED AGENDA**

**Moved By** Councillor Isitt

**Seconded By** Councillor Alto

That the closed agenda be approved.

**CARRIED UNANIMOUSLY**

**H. NEW BUSINESS**

**H.1 Land/Intergovernmental Relations - Community Charter Section 90(1)(e) & Section 90(2)(b)**

Council received a confidential report on a land/intergovernmental relations matter.

The motion was recorded and kept confidential.

**H.2 Employee Relations - Community Charter Section 90(1)(c)**

Council received a verbal update on a matter regarding employee relations.

The discussion was kept confidential.

**G. ADJOURNMENT**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Alto

That the meeting be adjourned at 2:24 p.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR



## MINUTES - VICTORIA CITY COUNCIL

February 27, 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 / 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. Eisenhower - Head of Engagement, K. Hoese - Director of Sustainable Planning and Community Development, A. Meyer - Assistant Director of Development Services, C. Mycroft - Manager of Executive Operations, L. Taylor - Senior Planner, J. Handy - Senior Planner, P. Martin - Council Secretary

### **A. APPROVAL OF AGENDA**

The City Clerk outlined amendments to the agenda.

**Moved By** Councillor Loveday

**Seconded By** Councillor Potts

That the agenda be approved as amended.

**CARRIED UNANIMOUSLY**

### **B. Poetry Reading**

Poet Laureate, John Barton, read a poem titled "Faithful street".

### **C. READING OF MINUTES**

**Moved By** Councillor Potts

**Seconded By** Councillor Alto

That the following minutes be adopted:

1. Minutes from the evening meeting held January 23, 2020
2. Minutes from the evening meeting held February 13, 2020

**CARRIED UNANIMOUSLY**

**D. REQUESTS TO ADDRESS COUNCIL**

**Moved By** Councillor Alto

**Seconded By** Councillor Isitt

That the following speakers be permitted to address Council.

**CARRIED UNANIMOUSLY**

**D.1 Vanessa Udy: Police Relations with Indigenous Peoples and Activists**

Outlined why Council should mandate that a policy review is conducted, relating to police relations with Indigenous peoples and activists.

**D.2 Cotus Brooks: Cannabis Sale**

Outlined concerns and questions relating to licensing the sale of cannabis.

**D.3 Bob June: Community Association Land Use Committees**

Outlined the importance of Community Association Land Use Committees.

**D.4 Mary Ellen Brockman: Poetry**

Read a poem titled "Catastrophe".

**D.5 David Fullbrook: Victoria Press Building - Heritage Designation**

Outlined why Council should support the Heritage Designation application for the Victoria Press building.

**E. PROCLAMATIONS**

**E.1 "International Women's Day and Week" - March 8, 2020 and March 8-15, 2020**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Alto

That the following proclamation be endorsed:

1. "International Women's Day and Week" - March 8, 2020 and March 8-15, 2020

**CARRIED UNANIMOUSLY**

**E.2 "Tibet Day" - March 10, 2020**

**Moved By** Councillor Loveday

**Seconded By** Councillor Dubow

That the following proclamation be endorsed:

1. "Tibet Day" - March 10, 2020

**CARRIED UNANIMOUSLY**

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

### **F.1 Waterfront Setback Regulations**

Zoning Regulation Bylaw, Amendment Bylaw (No. 1211) No. 20-002:

To amend the Zoning Regulation Bylaw by adding a new definition for “waterfront lot” in Schedule A – Definitions and amending the General Regulations by adding a new regulation that applies principal building setback regulations to retaining walls, outdoor features, accessory buildings and garden suites on all waterfront properties occupied by residential uses.

#### **F.1.a Public Hearing & Consideration of Approval**

*Jim Handy (Senior Planner): Advised that the proposed amendment to the Zoning Regulation Bylaw is to add a new definition in Schedule A - Definitions and amend the General Regulations by adding a new regulation that applies principal building setback regulations to retaining walls, outdoor features, accessory buildings, and garden suites on all waterfront properties occupied by residential uses.*

*Mayor Helps opened the public hearing at 7:02 p.m.*

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

*Mayor Helps closed the public hearing at 7:03 p.m.*

**Moved By** Councillor Isitt  
**Seconded By** Councillor Loveday

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1211) No. 20-002

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Isitt  
**Seconded By** Councillor Loveday

That the following bylaw **be adopted:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1211) No. 20-002

**CARRIED UNANIMOUSLY**

### **F.2 514 and 518 Sumas Street: Rezoning Application No. 00691**

Zoning Regulation Bylaw, Amendment Bylaw (No. 1218) No. 20-026:

To rezone the land known as 514 and 518 Sumas Street from the R1-B Zone, Single Family Dwelling District, to the RT Zone, Traditional Residential Attached Dwelling District, to permit an attached dwelling.

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

Leanne Taylor (Senior Planner): Advised that the application is to allow for an approximately three-storey townhouse development.

*Mayor Helps opened the public hearing at 7:07 p.m.*

Tim Rodier (Applicant): Provided information regarding the application.

Paul Swarnson (Burnside Road East): Expressed concerns with the application as the proposed development will not suit the neighbourhood.

Nigel Fletcher: Expressed concerns with the application, due to potential increased traffic impacts.

Tristan Trotter (Mason Street): Expressed concerns with the application, due to the process of approving the rezoning prior to the development permit.

Cotus Brooks (Richmond Road): Expressed concerns with the transition from single family dwellings to a townhouse development.

*Council discussed the following:*

- *How the proposed development may impact traffic in the neighbourhood.*
- *That the neighbourhood plan supports this type of development.*
- *Concerns on approving the rezoning application without having the design of the building.*

*Mayor Helps closed the public hearing at 7:47 p.m.*

**Moved By** Councillor Potts

**Seconded By** Councillor Loveday

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1218) No. 20-026

*Council discussed the following:*

- *The support received from the Burnside Gorge Community Association.*
- *Whether the proposed rezoning is appropriate for this location in the Burnside Gorge neighbourhood.*

FOR (4): Mayor Helps, Councillor Alto, Councillor Loveday, and Councillor Potts

OPPOSED (4): Councillor Dubow, Councillor Isitt, Councillor Thornton-Joe, and Councillor Young

**DEFEATED (4 to 4)**

*Council recessed from 8:09 p.m. until 8:16 p.m.*



**F.3 1309 and 1315 Cook Street, 1100-1120 Yates Street, and 1109-1115 Johnson Street: Official Community Plan Amendment, Rezoning Application No. 00681, and Development Permit with Variances Application No. 00104**

Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 35) No. 20-016:

To include all of the land known as 1109 and 1115 Johnson Street, 1100, 1102, 1108 and 1120 Yates Street, 1309 and 1315 Cook Street in the Core Residential Urban Place Designation and increase the number of storeys identified in the Core Residential urban place designation for the properties located at 1309 and 1315 Cook Street and 1100, 1102 and 1108 Yates Street from eight to twelve storeys.

Zoning Regulation Bylaw, Amendment Bylaw (No. 1214) No. 20-015:

To rezone the land known as 1109 and 1115 Johnson Street, 1100, 1102, 1108 and 1120 Yates Street, 1309 and 1315 Cook Street from the C-1 Zone, Limited Commercial District and the R3-1 Zone, Multiple Dwelling District to the CD-16 Zone, Fernwood Comprehensive Development District, to permit a twelve-storey mixed-use building, a six-storey multi-unit residential building and the retention of the existing Victoria Professional Building.

Development Permit Application:

The Council of the City of Victoria will also consider issuing a development permit for the land known as 1109 and 1115 Johnson Street, 1100, 1102, 1108 and 1120 Yates Street, 1309 and 1315 Cook Street, in Development Permit Area 16: General Form and Character for the purposes of approving the exterior design and finishes for the proposed mixed-use and multi-unit residential buildings as well as landscaping.

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

Leanne Taylor (Senior Planner): *Advised that the application is to increase the density in order to facilitate a mixed-use development, consisting of an approximately twelve-storey and six-storey building, and retain the existing Victoria Professional Office building.*

*Mayor Helps opened the public hearing at 8:18 p.m.*

Byron Chard and Hugh Cochlin (Applicants): Provided information regarding the application.

Resident (Harbour Road): Expressed support for the application and the affordable home ownership options.

Jayne Bradbury (Owner of Fort Properties): Expressed support for the application as it will provide a variety of home ownership options as well as the need for the childcare space.

Julian West (Central Spur Road): Expressed support for the application as it will provide housing opportunities for the middle income bracket.

Dimitri Adamopoulos (Yates Street): Expressed support for the application as it will provide needed housing and will support neighbouring businesses.

Cam Troy (Resident): Expressed support for the application as it will provide many jobs during the building process.

Christine Gaucher (Yates Street): Expressed support for the development but noted concerns relating to the parking situation during the construction process.

Tristan Trotter (Mason Street): Expressed concerns with the application due to the proposed reduction of parking stalls.

Madeline Sherwood (Resident): Expressed support for the application as it will provide affordable home ownership.

Riga Godron (Resident): Expressed concerns with the application due to the reduction of parking stalls.

Christine Call (Newton Street): Expressed support for the application due to the inclusion of child care spaces and the potential for aging in place, but noted that the home ownership being provided should be considered as "attainable" rather than "affordable".

Diane Flood (View Street): Expressed support for the application but noted concerns with the amount of development and changes to zoning that is occurring in the neighbourhood.

Raymond Kong and John McEwan (BC Housing): Expressed support for the application due to the need for affordable home ownership and outlined their partnership with the project.

Suzanne Bradbury (Beachwood Avenue): Expressed support for the application as it will be a great addition to the neighbourhood.

Mike Newchant (Yates Street): Expressed support for the application due to inclusion of affordable home ownership opportunities, child care space, and other community amenities.

Brady Cecelia (Cook Street): Expressed support for the application due to the need for child care spaces in the downtown neighbourhood, as well as the inclusion of green and community spaces.

Vicki Vickmurovich (Resident): Expressed concerns with the application due to the need for more affordability.

*Council discussed the following:*

- *Whether the proposal is in compliance with the Inclusionary Housing Policy.*

- *The reasoning behind the change in phasing of the development and the interim parking plan.*

*Mayor Helps closed the public hearing at 9:39 p.m.*

**Moved By** Mayor Helps

**Seconded By** Councillor Thornton-Joe

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1214) No. 20-015
2. Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 35) No. 20-016

*Council discussed the following:*

- *That the financial model of the development is supportable as it allows for attainable home ownership.*
- *The need for child care spaces in the downtown neighbourhood.*
- *The variety of amenities that will be provided by this development.*

**Moved By** Councillor Loveday

**Seconded By** Councillor Alto

That Councillor Dubow be allowed to speak a second time.

**CARRIED UNANIMOUSLY**

- *Whether additional provisions should be provided to make it truly affordable for everyone.*

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

OPPOSED (2): Councillor Dubow, and Councillor Isitt

**CARRIED (6 to 2)**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Alto

That the following bylaw **be adopted:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1214) No. 20-015
2. Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 35) No. 20-016
3. Housing Agreement (1109 and 1115 Johnson Street, 1100, 1102, 1108 and 1120 Yates Street, 1309 and 1315 Cook Street) Bylaw (2020) No. 20-017

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

OPPOSED (2): Councillor Dubow, and Councillor Isitt

**CARRIED (6 to 2)**

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

That Council authorize the issuance of Development Permit with Variances Application No. 00104 for 1309 & 1315 Cook Street, 1100-1120 Yates Street and 1109-1115 Johnson Street, in accordance with:

1. Plans date stamped January 24, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. increase the height of the building on Parcel A from 40m to 42.76m for a rooftop structural wall projection
  - ii. reduce the required number of residential parking spaces for the twelve-storey, mixed-use building on Parcel A from 87 to 70
  - iii. reduce the required number of visitor parking spaces for the twelve-storey, mixed-use building on Parcel A from 11 to 6
  - iv. reduce the required number of commercial parking spaces for the twelve-storey, mixed-use building on Parcel A from 21 to 0
  - v. reduce the required number of residential parking spaces for the six-storey, multi-unit residential building on Parcel B from 102 to 59
  - vi. reduce the required number of visitor parking spaces for the six-storey, multi-unit residential building on Parcel B from 10 to 0
  - vii. reduce the required number of commercial parking spaces for the existing Victoria Professional Building on Parcel C from 120 to 0
  - viii. reduce the short-term commercial bicycle parking spaces on Parcel A from 11 to 10.
3. The Development Permit lapsing two years from the date of this resolution.

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

OPPOSED (2): Councillor Dubow, and Councillor Isitt

**CARRIED (6 to 2)**

## **H. UNFINISHED BUSINESS**

### **H.1 Letter from the Minister of Northern Affairs**

A letter of response dated January 23, 2020 thanking the Mayor for congratulating them on their appointment as Minister.

**Moved By** Councillor Loveday  
**Seconded By** Councillor Young

That the correspondence dated January 23, 2020 from the Minister of Northern Affairs be received for information.

**CARRIED UNANIMOUSLY**

## **H.2 Letter from the Minister of Public Safety and Solicitor General**

A letter of response dated February 11, 2020, regarding the City's concerns over the costs associated with policing the core area of the Capital Regional District.

**Moved By** Councillor Dubow

**Seconded By** Councillor Alto

That the correspondence dated February 11, 2020 from the Minister of Public Safety and Solicitor General be received for information.

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Isitt

**Seconded By** Councillor Loveday

That the letter be referred to the March 12, 2020 Committee of the Whole meeting.

**CARRIED UNANIMOUSLY**

## **I. REPORTS OF COMMITTEES**

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

#### **I.1.a Report from the February 20, 2020 COTW Meeting**

##### **I.1.a.a Conference Attendance Request for Councillor Thornton-Joe - Sociable City Summit**

**Moved By** Councillor Dubow

**Seconded By** Councillor Alto

That Council authorize the attendance and approximate costs of \$2419.36 for Councillor Thornton-Joe to attend the Sociable City Summit to be held in Seattle WA, February 29 – March 2, 2020.

**CARRIED UNANIMOUSLY**

##### **I.1.a.b Victoria Police Quarter Four Report 2019**

**Moved By** Councillor Loveday

**Seconded By** Councillor Thornton-Joe

That Council:

1. Receive the Victoria Police Department Quarter Four report for information.

**CARRIED UNANIMOUSLY**

### **I.1.a.c Fourth Quarter (Q4) Accountability Report**

**Moved By** Councillor Young

**Seconded By** Councillor Thornton-Joe

That Council:

1. Receive the Fourth Quarter (Q4) report for information.

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Alto

**Seconded By** Councillor Loveday

#### Gorge Waterway Stewardship and Access

1. Refer the report of the Collaborative to Improve Access to the Gorge Waterway to staff.
2. Direct staff to report back at the Quarterly Update in the first quarter of 2020 on the implications of amending the City's Strategic Plan by adding this 2021 action: "Engage Burnside-Gorge and Victoria West residents on a streamlined process to update the management plans for the following parks and greenspaces, with a view toward improving ecological stewardship and low-impact recreation: Arm Street Park, Burleith Park, Banfield Park, Arbutus Park, and the public foreshore at the foot of Harriet Street.

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Loveday

#### Horse Drawn Carriages

That Council receive the motions and take no action at this time.

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

OPPOSED (2): Councillor Dubow, and Councillor Isitt

**CARRIED (6 to 2)**

**Moved By** Councillor Young

**Seconded By** Councillor Isitt

#### Active Transportation Advisory Committee - Meeting Date: October 22, 2019

That the Active Transportation Advisory Committee recommendations be forwarded to staff for their consideration during the annual budgeting process and to the March 5, 2020 Committee of the Whole meeting.

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Loveday  
**Seconded By** Councillor Potts

Accessibility Working Group Minutes - Meeting Date: October 7, 2019

That Council forward these two recommendations from the October 7 Accessibility Working Group meeting to staff for consideration during accessibility framework implementation and relevant bylaw reviews.

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Loveday  
**Seconded By** Councillor Dubow

Renters' Advisory Committee (RAC) - Meeting Date: October 29, 2019

That Council ratify the following motion:

That the RAC request Council amend the RAC Terms of Reference to include an attendance policy. The policy will have a provision that RAC members may be removed from the Committee after two consecutive unexcused absences, subject to a majority vote from the RAC. RAC members may request a leave of absence from the RAC, subject to the approval by a majority vote from the RAC members. The RAC may make a motion to recommend City Council not replace vacancies on the RAC between terms.

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Dubow  
**Seconded By** Councillor Loveday

Renters' Advisory Committee (RAC) - Meeting Date: October 29, 2019

That Council ratify the following motion and direct staff to report back to Committee of the Whole with proposed amendments to the policy:

That the RAC recommend the TAP moving expenses and assistance compensation be amended to include two compensation options for tenants, at the discretion of the tenant, while increasing the maximum compensation per unit as follows:

Moving Expenses and Assistance:

One of two options be provided to tenants, at the discretion of the tenant:

(1) An insured moving company may be hired by the applicant, with all arrangements and costs covered for tenant's relocation;  
Or

(2) Flat rate compensation (based on unit size) be provided to the tenant at the rate of:

- \$500 for a bachelor unit
- \$750 for a 1-bedroom unit
- \$1000 for a 2-bedroom unit
- \$1500 for a 3-bedroom+ unit

**CARRIED UNANIMOUSLY**

**I.1.a.d #103-45 Bastion Square: Application for Change to Hours for Wind Cries Mary, Food Primary License**

**Moved By** Councillor Dubow

**Seconded By** Councillor Loveday

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 Wind Cries Mary located at #103 - 45 Bastion Square having hours of operation from 9:00 am to 2:00 am daily with the existing occupant load of 99 people.

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 considering established licence capacity and comparability of hours of other licenced establishments in the area. The requested hours of operation in conjunction with the existing occupant load are not expected to result in negative impacts to the community.
- b. If the application is approved, the impact on the community is expected to be positive economically as the approval supports the business plan and long-term viability of the establishment.
- c. If the application is approved, it is not expected to result in the service area being operated in a manner contrary to the primary purpose.
- d. The views of residents were solicited via a mail out which included 501 letters to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice was posted at the property. The City received two letters in response to the request, both of which opposed the application and included one from the Downtown Residents Association.
- e. Council recommends the license endorsements be approved.

**CARRIED UNANIMOUSLY**



**I.1.a.e Accommodating Air Space Parcels in the Zoning Regulation Bylaw**

**Moved By** Councillor Alto

**Seconded By** Councillor Young

That Council give first and second readings to the attached Zoning Regulation Bylaw Amendment Bylaw No. 20-029, to clarify the treatment of air space parcels under zoning regulations by excluding air space parcels from the definition of Lot and to add a general regulation that deems air space parcels to form part of the Lot at ground level, and direct staff to advertise and schedule a public hearing to consider third reading and adoption of this bylaw.

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

OPPOSED (2): Councillor Dubow, and Councillor Isitt

**CARRIED (6 to 2)**

**I.1.a.f Air Space Subdivision Fees**

**Moved By** Councillor Loveday

**Seconded By** Councillor Young

That Council instruct the City Solicitor to bring forward amendments to the Victoria Subdivision and Development Servicing Bylaw 12-102 to establish a \$15,000 fee for air space subdivision applications.

**CARRIED UNANIMOUSLY**

**I.1.b Report from the February 27, 2020 COTW Meeting**

**I.1.b.a 1913 & 1915 Fernwood Road: Rezoning Application No. 00626 and Development Permit with Variance Application No. 00073 (Fernwood)**

**Moved By** Councillor Dubow

**Seconded By** Councillor Loveday

Rezoning Application No. 00626 for 1913 and 1915 Fernwood Road

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in Rezoning Application No. 00626 for 1913 and 1915 Fernwood Road, that first and second reading of the Zoning Regulation Bylaw amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

- a. Preparation and execution of the appropriate legal agreements in order to secure the following:

- i. That future strata corporations could not pass bylaws that would prohibit or restrict the rental of units to non-owners, to the satisfaction of the Director of Sustainable Planning and Community Development; and
- ii. A Statutory Right-of-Way of 1.40m on Fernwood Road, to the satisfaction of the Director of Engineering and Public Works.

Development Permit with Variances Application No. 00073 for 1913 and 1915 Fernwood Road

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00626, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variances Application No. 00073 for 1913 and 1915 Fernwood Road, in accordance with:

1. Plans date stamped October 31, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. reduce the required number of parking spaces from 5 to 4;
  - ii. reduce the continuous landscaping screen between a surface vehicle parking area and an adjacent lot primarily for residential uses from 1 m to 0.60m;
3. reduce the side yard setback for an accessory building from 0.60m to 0.17m.
4. The Development Permit lapsing two years from the date of this resolution.”

**CARRIED UNANIMOUSLY**

**I.1.b.b Emergency Support Services Modernization**

**Moved By** Councillor Alto

**Seconded By** Councillor Dubow

That Council authorize and direct staff to apply for a grant worth up to \$25,000 through the Community Emergency Preparedness Fund for Emergency Support Services (ESS) modernization through equipment and training.

**CARRIED UNANIMOUSLY**

**I.1.b.c Coastal Communities Social Procurement Initiative Update and Proposed Purchasing Policy Amendments**

**Moved By** Mayor Helps

**Seconded By** Councillor Dubow

That Council direct staff to amend the City's Purchasing Policy by expanding the Community Benefit section to include the following

foundational factors and priorities for social procurement based on the Council endorsed values, principles and considerations for the equity lens:

1. Objective: Removing barriers
2. Guiding principles for policy application:
  - a. Practical
  - b. Achievable
  - c. Transparent
  - d. Measurable
3. Evaluation criteria considerations as outlined in Appendix A: Descriptive rather than prescriptive using an intersectional approach.

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

**CARRIED (7 to 1)**

**I.1.b.d 1015 Cook Street: Rezoning Application No. 00670 and Development Permit with Variance Application No. 00131 (Fairfield)**

**Moved By** Councillor Alto

**Seconded By** Councillor Potts

Rezoning Application No. 00670 for 1015 Cook Street

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00670 for 1015 Cook Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. An executed legal agreement, with terms and in a form to the satisfaction of the Director of Engineering and Public Works and the City Solicitor, to secure Transportation Demand Management measures that include:
  - i. provision of three car share vehicles (different sizes);
  - ii. three dedicated on-site car share parking space with access to electric vehicle charging;
  - iii. one car share membership for each dwelling unit with an initial \$100 credit;
  - iv. two long term bike parking spaces in addition to what is required by the *Zoning Regulation Bylaw*; and
  - v. an at-grade bike parking room that includes a bike repair station, bike wash area, parking for oversized bikes and electric charging capabilities in addition to what is required by the *Zoning Regulation Bylaw*.
2. An executed legal agreement in a form to the satisfaction of the City Solicitor, to secure all of the dwelling units as rental in perpetuity.

Development Permit with Variance Application No. 00131 for 1015 Cook Street

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00679, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00131 for 1015 Cook Street, in accordance with:

1. Plans date stamped December 18, 2019.
2. Revisions to the landscape plan to identify the existing pear tree as "to be retained".
3. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. reduce the parking from 16 stalls to three stalls and the visitor parking from three stalls to one stall.
4. The Development Permit lapsing two years from the date of this resolution."

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

OPPOSED (1): Councillor Young

**CARRIED (7 to 1)**

**I.1.b.e 11 Chown Place: Development Permit with Variance Application No. 00132 (Burnside-Gorge)**

*Councillor Dubow withdrew from the meeting at 10:30 pm.*

**Moved By** Councillor Isitt

**Seconded By** Councillor Thornton-Joe

That, subject to the preparation and execution of a legal agreement to ensure the dwelling units remain rental in perpetuity, 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. 00132 for 11 Chown Place, in accordance with:

1. Plans date stamped December 20, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. increase the building height from 11 m to 12.57m;
  - ii. increase the number of storeys from 2 to 4;

- iii. reduce the horizontal distance between existing Building J and the proposed multi-unit residential building from 12.19m to 9.66m;
  - iv. reduce the horizontal distance between existing Building K and the proposed multi-unit residential building from 12.19m to 8.64m;
  - v. reduce the horizontal distance between existing Building L and the proposed multi-unit residential building from 12.19m to 10.34m;
  - vi. reduce the horizontal distance between the proposed multi-unit residential building and proposed cistern from 12.19m to 0.69m;
  - vii. reduce the horizontal distance between the west side of the proposed multi-unit residential building and surface parking spaces from 6m to 2.40m;
  - viii. reduce the horizontal distance between the east side of the proposed multi-unit residential building and surface parking spaces from 6m to 3.29m;
  - ix. reduce the horizontal distance between the north side of the proposed multi-unit residential building and surface parking spaces from 6m to 3.14m.
3. Discharge existing Section 219 Covenant (Registration No. L3326) from title, to the satisfaction of the Director of Sustainable Planning and Community Development.
  4. The Development Permit lapsing two years from the date of this resolution."

**CARRIED UNANIMOUSLY**

*Councillor Potts withdrew from the meeting at 10:31 p.m. due to a pecuniary conflict of interest with the following item, as she lives close to the subject property.*

*Councillor Isitt withdrew from the meeting at 10:31 p.m. due to a pecuniary conflict of interest with the following item, as his father lives within a 100 meters of the subject property.*

**I.1.b.f 330-336 Michigan Street: Development Permit with Variance  
Application No. 00122 (James Bay)**

*Councillor Dubow returned to the meeting at 10:31 pm.*

**Moved By** Councillor Alto  
**Seconded By** Councillor Loveday

That, subject to the preparation and registration of legal agreements to secure the building as rental in perpetuity, to the satisfaction of the Director of Sustainable Planning and Community Development, and subject to securing a Statutory Right-of-Way of 2.44m off Superior Street to the satisfaction of the Director of Engineering, and subject to the applicant working with

staff to explore design modifications to reduce the number of trees impacted by proposed landscaping changes and submitting updated and revised plans addressing inconsistencies between the Arborist Report and submitted plans to the satisfaction of the Director of Parks, Recreation and Facilities, 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. 00122 for 330-336 Michigan Street, in accordance with:

1. Plans date stamped January 21, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. increase the site coverage from 40% to 43.5%
  - ii. reduce the open site space from 60% to 55.5%
  - iii. reduce the setback from the street boundary (Michigan Street) from 10.5m to 5.5m
  - iv. reduce the rear yard setback from 7.38m to 5.78m
  - v. reduce the east side yard setback from 7.38m to 6.0m
  - vi. reduce the west side yard setback from 7.38m to 6.39m to the building face and 5.82m to the balcony.
3. Registration on the property's title of a Statutory Right-of-Way of 2.44m off Superior Street, to the satisfaction of the Director of Engineering.
4. The Development Permit lapsing two years from the date of this resolution."

**CARRIED UNANIMOUSLY**

**I.1.b.g Revised Victoria Housing Reserve Fund Grant Application for 330-336 Michigan Street (Michigan Square) (James Bay)**

Councillor Dubow withdrew from the meeting at 10:33 pm.

**Moved By** Councillor Alto

**Seconded By** Councillor Thornton-Joe

That Council:

1. Reduce the grant, approved on March 21, 2019, from the Victoria Housing Reserve Fund to the Capital Region Housing Corporation for the Michigan Square project located at 330-336 Michigan Street from \$1,395,000 to \$990,000 to reflect changes to the project, specifically reduction in number and composition of eligible units.
2. Confirm that all other terms and conditions of the grant approval continue to apply in accordance with the March 21, 2019 approval, except for the number and composition of proposed units.
3. Direct staff to discuss with the CRHC options to adjust the unit mix to include more affordable 3 bedroom units.

4. And explore options to reduce rents specifically for 3 bedroom units if the previous approved grant funding was offered.

**CARRIED UNANIMOUSLY**

*Councillor Isitt and Councillor Potts returned to the meeting at 10:34 p.m.*

**I.1.b.h 359, 363, & 369 Tyee Road: Development Permit Application No. 00550 (Victoria West)**

**Moved By** Councillor Alto

**Seconded By** Councillor Loveday

That Council authorize the issuance of Development Permit Application No. 000550 for 359-369 Tyee Road, in accordance with:

1. Plans date stamped January 29, 2020.
2. Development meeting all *Zoning Regulation Bylaw*
3. The terms of the Master Development Agreement registered on title to the property, including:
  - i. Registration of Section 219 Covenant on the on the property's title requiring that noise reduction measures are incorporated into the design of the buildings and that the owner, or future owners, are prohibited from removing any noise reduction building components; and
  - ii. Registration of an easement over the proposed interim condition areas to ensure that the owner of the adjacent property has the legal right and authority to enter the land to complete any unfinished public amenities.
4. Preparation and execution of the appropriate legal agreements, in a form to the satisfaction of staff, in order to secure the following:
  - i. That future strata corporations cannot pass bylaws that would prohibit or restrict the rental of units to non-owners; and
  - ii. That all of the dwelling units in the proposed rental tower will be rental tenure only for a period of not less than 25 years.
5. The Development Permit lapsing two years from the date of this resolution.

**CARRIED UNANIMOUSLY**

**I.1.b.i Heritage Tax Incentive Program Overview and Update**

*Councillor Dubow returned to the meeting at 10:35 pm.*

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Alto

That Council receive this report for information.

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Isitt  
**Seconded By** Councillor Loveday

Motion arising:

That Council direct staff to provide the BC Assessment Authority with information on properties in the City that meet the following criteria as of February 27, 2020:

1. Eligible for a heritage tax exemption for residential purposes; and
2. in receipt of a "whole unit" / commercial short-term rental business license.

**CARRIED UNANIMOUSLY**

**I.1.b.j 2615-2629 Douglas Street: Heritage Designation Application No. 00187 (Burnside-Gorge)**

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

That Council approve the designation of the property located at 2615-2629 Douglas Street, specifically the original 1971 exterior of the historic building described in the attached Statement of Significance, in accordance with plans dated February 13, 2020, pursuant to Section 611 of the Local Government Act, as a Municipal Heritage Site, and that first and second reading of the Heritage Designation Bylaw be considered by Council and a Public Hearing date be set.

**CARRIED UNANIMOUSLY**

**I.1.b.k 2615-2629 Douglas Street: Tax Incentive Program Application (Burnside-Gorge)**

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

That Council instruct the City Solicitor to prepare a Tax Exemption Bylaw for 2615-2629 Douglas Street for land and improvements located within 66.1 metres of the front property line for 10 years, pursuant to Section 225 of the Community Charter, with the following conditions:

1. That the heritage designation of the property be completed.
2. That a covenant identifying the tax exemption be registered on the title of the property and any possible future strata titles.
3. That the final costs of seismic upgrading be verified by the Victoria Civic Heritage Trust.

**CARRIED UNANIMOUSLY**



**K. BYLAWS**

**K.1 Bylaw for 1301 Hillside Avenue: Rezoning Application No. 00636**

**Moved By** Councillor Potts

**Seconded By** Councillor Alto

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1215) No. 20-018

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

OPPOSED (2): Councillor Isitt, and Councillor Loveday

**CARRIED (6 to 2)**

**Moved By** Councillor Alto

**Seconded By** Councillor Thornton-Joe

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

1. Housing Agreement (1301 Hillside Avenue) Bylaw (2020) No. 20-019

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Alto

**Seconded By** Councillor Young

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00636, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00074 for 1301 Hillside Avenue in accordance with:

1. Plans date stamped January 20, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. reduce the number of residential vehicle parking stalls from 48 to 19;
  - ii. reduce the number of visitor vehicle parking stalls from 5 to 4;
  - iii. increase the site coverage from 40% to 75.5%; and
  - iv. reduce the open site space from 50% to 20.9%.
3. The Development Permit lapsing two years from the date of this resolution. "

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

OPPOSED (1): Councillor Isitt

**CARRIED (7 to 1)**

**K.2 Bylaw for Parks and Recreation Fees**

**Moved By** Councillor Young  
**Seconded By** Councillor Potts

That the following bylaw **be adopted**:

1. Recreation Fees Bylaw, Amendment Bylaw (No.11) No. 20-028

**CARRIED UNANIMOUSLY**

**K.3 Bylaw for Accommodating Air Space Parcels**

**Moved By** Councillor Young  
**Seconded By** Councillor Potts

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1219) No. 20-029

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

**CARRIED (6 to 2)**

**N. QUESTION PERIOD**

A question period was held.

**O. ADJOURNMENT**

**Moved By** Councillor Dubow  
**Seconded By** Councillor Loveday

That the Council meeting adjourn.  
TIME: 10:43 p.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR

**“PURPLE DAY”**

- WHEREAS** *Purple Day is a global effort dedicated to promoting epilepsy awareness in countries around the world; and*
- WHEREAS** *Purple Day was founded in 2008 by Cassidy Megan, a nine-year-old girl from Nova Scotia, who wanted people with epilepsy to know they aren't alone; and*
- WHEREAS** *People in countries around the world are encouraged to wear purple and host events in support of epilepsy awareness on Purple Day; and*
- WHEREAS** *40,000 people in British Columbia, 400,000 people in Canada and 65 million people worldwide are living with epilepsy; and*
- WHEREAS** *Purple Day is an initiative to create a society that embraces the beauty of difference, and how even with our individuality, we can all come together to make the world a better place; and*
- WHEREAS** *Purple Day encourages people to rid the stigma around epilepsy and seizures; and*
- WHEREAS** *The onset of epilepsy can occur at any stage of life, Purple day is a health promotion that does not discriminate against age, race, or gender.*

**NOW, THEREFORE** I do hereby proclaim the day of March 26<sup>th</sup>, 2020 as **“PURPLE DAY”** 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 March 12<sup>th</sup>, Two Thousand and Twenty.

---

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

**Sponsored by:**  
Londyn Skinner  
BC Epilepsy Society

**“WORLD DOWN SYNDROME DAY”**

- WHEREAS** *World Down Syndrome Day is international observance resolved by the General Assembly of the United Nations to raise public awareness of Down syndrome and promote equitable treatment of individuals with Down syndrome in accordance with the Convention on the Rights of Persons with Disability; and*
- WHEREAS** *at this time we take an opportunity to highlight the unique abilities, strengths and needs of our community members with Down syndrome; and*
- WHEREAS** *individuals with Down syndrome have tremendous potential to live full and fulfilling lives as contributing members of our community; and*
- WHEREAS** *as Canadians, we celebrate our similarities, as well as our differences, knowing we are richer, as a result; and*
- WHEREAS** *the City of Victoria values our citizens with Down syndrome and their families and supports the well-being of all individuals with Down syndrome so that they may achieve their fullest potential.*

**NOW, THEREFORE** *I do hereby proclaim Saturday, March 21<sup>st</sup>, 2020 as “WORLD DOWN SYNDROME DAY” 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 March 12<sup>th</sup> Two Thousand and Twenty.*

---

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

**Sponsored by:**  
*Paul Crowley  
Greater Victoria Down Syndrome Day*

**“PARKINSON’S AWARENESS MONTH”**

**WHEREAS** *Parkinson's disease, for which there is no known cause or cure, is a progressive, degenerative neurological disorder which causes tremor or trembling of the arms and legs, muscular rigidity, slowness of movement and difficulty with speaking and swallowing; and*

**WHEREAS** *Parkinson's affects approximately 13,000 adults in the Province of British Columbia; and*

**WHEREAS** *Parkinson Society British Columbia is providing information, consultation, support services and educational seminars for people with Parkinson's and their families; and is promoting a better understanding of this disorder; and*

**WHEREAS** *it is desirable to increase the level of understanding of Parkinson's and the needs of persons living with Parkinson's.*

**NOW, THEREFORE** *I do hereby proclaim April 2020 as “PARKINSON’S AWARENESS MONTH” 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 March 12<sup>th</sup> Two Thousand and Twenty.*

---

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

**Sponsored by:**  
*Kat Perez  
Parkinson Society British Columbia*

**I. REPORTS OF COMMITTEES**

**I.1 Committee of the Whole**

**I.1.a Report from the February 20, 2020 COTW Meeting**

**I.1.a.e Accommodating Air Space Parcels in the Zoning Regulation Bylaw**

**Moved By** Councillor Alto

**Seconded By** Councillor Young

That Council give first and second readings to the attached Zoning Regulation Bylaw Amendment Bylaw No. 20-029, to clarify the treatment of air space parcels under zoning regulations by excluding air space parcels from the definition of Lot and to add a general regulation that deems air space parcels to form part of the Lot at ground level, and direct staff to advertise and schedule a public hearing to consider third reading and adoption of this bylaw.

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

OPPOSED (2): Councillor Dubow, and Councillor Isitt

**CARRIED (6 to 2)**

## **F.2 Accommodating Air Space Parcels in the Zoning Regulation Bylaw**

Committee received a report dated February 13, 2020 from the Director or Sustainable Planning and Community Development regarding information, analysis and recommendations on proposed zoning amendments to permit air space parcel subdivisions.

**Moved By** Mayor Helps  
**Seconded By** Councillor Young

That Council give first and second readings to the attached Zoning Regulation Bylaw Amendment Bylaw No. 20-029, to clarify the treatment of air space parcels under zoning regulations by excluding air space parcels from the definition of Lot and to add a general regulation that deems air space parcels to form part of the Lot at ground level, and direct staff to advertise and schedule a public hearing to consider third reading and adoption of this bylaw.

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

OPPOSED (2): Councillor Dubow and Councillor Isitt

**CARRIED (6 to 2)**



## Committee of the Whole Report For the Meeting of February 20, 2020

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**To:** Committee of the Whole **Date:** February 13, 2020  
**From:** Karen Hoese, Director, Sustainable Planning and Community Development  
**Subject:** **Accommodating Air Space Parcels in the Zoning Regulation Bylaw**

---

### RECOMMENDATION

That Council give first and second readings to the attached Zoning Regulation Bylaw Amendment Bylaw No. 20-029, to clarify the treatment of air space parcels under zoning regulations by excluding air space parcels from the definition of Lot and to add a general regulation that deems air space parcels to form part of the Lot at ground level, and direct staff to advertise and schedule a public hearing to consider third reading and adoption of this bylaw.

### LEGISLATIVE AUTHORITY

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures; the density of the use of the land, building and other structures; the siting, size and dimensions of buildings and other structures; as well as, the uses that are permitted on the land, and the location of uses on the land and within buildings and other structures.

### EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations on proposed zoning amendments to permit air space parcel subdivisions. Air space parcels are lots created through three-dimensional subdivision plans under Part 9 of the Land Title Act (LTA). They are a relatively new form of subdivision that is becoming more common, especially within larger mixed use developments. Air space subdivision allows for greater separation of legal ownership of different components of a development and avoids some of the governance difficulties associated with strata ownership within mixed use buildings. For example, air space parcels can provide the ability for a developer to secure separate commercial leases without involvement of the residential component of the development. Similarly, where a mixed-use building contains affordable rental units, those units can be located within their own airspace parcel that can be owned and operated by a non-profit housing provider, without the involvement of the commercial owners.

The City's Zoning Bylaw 2018 that applies to Downtown's Old Town and Central Business Districts already permits air space parcels; however, Zoning Regulation Bylaw No. 80-159 which applies to the rest of the city does not. In order to facilitate this, Zoning Regulation Bylaw Amendment Bylaw No. 20-029 (Attachment A) has been prepared.



These zoning bylaw amendments ensure that air space parcels will be regulated in the same manner as those that are subject to Zoning Bylaw 2018, resulting in a consistent approach across the city that supports a more streamlined process for the review of development applications, and provides greater autonomy and clarity related to the ownership and operation of residential and commercial portions of a building.

The proposed amendments do not confer any additional development rights on a property. Approval of the proposed Zoning Regulation Bylaw Amendment is also subject to a public hearing that provides opportunities for public feedback.

## **PURPOSE**

The purpose of this report is to present Council with information, analysis and recommendations on proposed zoning amendments to permit air space parcel subdivisions.

## **BACKGROUND**

Air space parcels are lots created through three-dimensional subdivision plans under Part 9 of the Land Title Act (LTA). They are a relatively new form of subdivision that is becoming more common, especially for large and complex developments that include different uses, such as developments mixing residential and commercial uses. Air space subdivision allows for greater separation of legal ownership of different components of a development and avoids some of the governance difficulties associated with strata ownership within mixed use buildings. However, because each air space parcel is considered to be an entirely separate lot under the LTA, it would normally be treated as a separate lot under zoning. This means that each air space parcel would be entitled to full development rights under the zoning, but would also have to comply with all applicable regulations such as setbacks and density limits. Because air space parcels usually are created to follow the form of the building, it is often impossible for the development to comply with zoning rules without site-specific adjustments to the applicable zoning.

On July 26, 2018, Council approved the new Zoning Bylaw 2018 that applies within the downtown core area, while the Zoning Regulation Bylaw applies in all other areas of the city. Zoning Bylaw 2018 includes updated provisions to address air space parcel subdivisions. However, the Zoning Regulation Bylaw does not include these same regulations which has resulted in the need for site-specific rezonings to accommodate air space parcels for properties that are subject to the Zoning Regulation Bylaw. This has resulted in varied regulations and an inconsistent approach for accommodating air space parcels within Victoria.

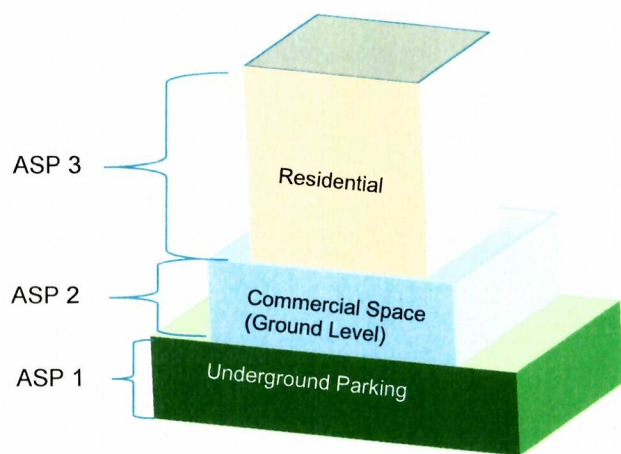
## **ISSUES AND ANALYSIS**

### **Legal Basis for Air Space Parcels**

Part 9 of the Land Title Act provides for air space parcels. The Act defines an “air space parcel” as:

“A volumetric parcel, whether or not occupied in whole or in part by a building or other structure, shown as such in an air space plan”.

In general terms, an air space plan can include multiple air space parcels (comprised of air, land or a combination of both) within a 3-D profile (volumetric parcel). The volumetric parcel may then contain a proposed building and its elements such as mechanical equipment, setback areas or parking.



Illustrative example of a mixed-use development with separate air space parcels for the underground parking, ground floor commercial space and upper level residential.

### Increased Use of Air Space Parcels

The use of air space parcel subdivisions within urban areas such as Victoria's downtown core area is becoming more common, especially within mixed-use buildings that have different types of owners for the different parts of these buildings. Air space parcels provide the ability to recognize the residential and commercial portions of a building as separate entities which can result in benefits for the residential and commercial owners. For example, this can provide the ability for a developer to secure separate commercial leases without involvement of the residential component of the development. Whereas, if the commercial units were part of a typical building strata then all units, including the commercial units, would form part of the strata corporation, and the decision-making on issues that affect the strata can become complicated based on the apportionment of votes and voting procedures.

Similarly, where a mixed-use building contains affordable rental units, those units can be located within their own airspace parcel that can be owned and operated by a non-profit housing provider, without the involvement of the commercial owners. Therefore, air space parcels provide greater autonomy between the residential and commercial portions of a building and they do not preclude the ability to establish a residential strata corporation, rather the residential strata would be contained to the residential portions of the building.

### Application of Zoning Regulations

The air space parcel regulations contained in Zoning Bylaw 2018 are predicated on the premise that air space parcel subdivision should not create any increased development entitlement; therefore, the regulations ensure that each proposed parcel is treated by the zoning regulations as if it were part of the parcel located at ground level. This means that all development on the site, including within all related air space parcels, must comply with the applicable zoning regulations for matters such as uses, density, building height, setbacks, site coverage, parking, etc. This approach also precludes zoning regulations from being duplicated at the ground level and within the air space parcel. For example, if the zoned maximum building height is 18 metres, the entire development including the physical building and the volumetric air space parcel(s) must not exceed the maximum building height as measured from grade. Therefore, the creation and application of an air space parcel does not alter the existing zone or convey any additional development rights. However, these types of regulations are not currently included in the Zoning Regulation Bylaw and result in the need for site-specific rezonings.



## Proposed Zoning Bylaw Amendments

To regulate air space parcels in a consistent manner across the city, staff propose amendments to the Zoning Regulation Bylaw to include regulations similar to those contained in Zoning Bylaw 2018. This includes a revised definition of 'Lot' that excludes an air space parcel to ensure that zoning regulations for a lot are not repeated or duplicated for the air space parcel. This approach is further reinforced by the proposed general regulation that clarifies that the zoned regulations for the ground level lot extend to the air parcel.

Current definition:

- **"Lot"** means a single area of land, designated and registered at the Victoria Land Title Office as not more than one parcel of land, and if a parcel of land is divided by a lane or otherwise, each division thereof constituting a single area of land shall be deemed to be a separate lot, and includes a strata lot in a bare land strata plan but does not include any other strata lot.

Proposed definition:

- **"Lot"** means a single area of land, designated and registered at the Victoria Land Title Office as not more than one parcel of land, and if a parcel of land is divided by a lane or otherwise, each division thereof constituting a single area of land shall be deemed to be a separate lot, and includes a strata lot in a bare land strata plan but does not include any other strata lot **or an air space parcel**.

Proposed General Regulation (**New**)

- For the purposes of this bylaw, an air space parcel is deemed to be part of the same lot as the parcel at ground level.

## Consultation

Since the proposed zoning bylaw amendments do not relate to a specific development application and are primarily administrative in nature to provide alignment with the *Local Government Act* and consistency among the City's bylaws, staff recommend that notice of the public hearing is advertised in the local newspaper and on the City website. On-site sign posting is not required where ten or more properties are affected by a City-initiated Zoning Regulation Bylaw amendment. Information will also be made available in the City's Development Centre so that landowners and developers are aware of the new regulations. Staff also propose to send a notification of the proposed zoning amendment to all Community Association Land Use Committees and the Urban Development Institute prior to the public hearing.

## OPTIONS AND IMPACTS

### Option 1: Amend the Zoning Regulation Bylaw (Recommended)

This option will better accommodate air space parcels, streamline development processes for mixed-use developments, and ensure they are regulated in a consistent manner across the city.

### Option 2: Do not amend the Zoning Regulation Bylaw

This option will result in air space parcels continuing to require site-specific rezonings outside of the Old Town and Central Business Districts, which may require a longer and more costly review process for the applicant with additional staff resources expended to process applications. Additionally, it would maintain an inconsistent approach between the two zoning bylaws.

### *Accessibility Impact Statement*

The proposed zoning amendments do not have any impacts on accessibility.

### *2015 - 2018 Strategic Plan*

This project supports objective four: Prosperity and Economic Inclusion, which identifies an ongoing action related to continuing to improve processing times and process improvements and build better understanding of the development processes.

### *Impacts to Financial Plan*

The proposed zoning amendments will not have impacts to the Financial Plan.

### *Official Community Plan Consistency Statement*

This project is consistent with the Official Community Plan which supports the role of the Zoning Bylaw to help implement plan objectives, land uses, built forms and densities (policy 6.3).

## **CONCLUSIONS**

Amending the Zoning Regulation Bylaw to permit air space parcels will ensure a consistent approach across the city, help streamline processes for mixed-use developments, and improve bylaw clarity and interpretation.

Respectfully submitted,



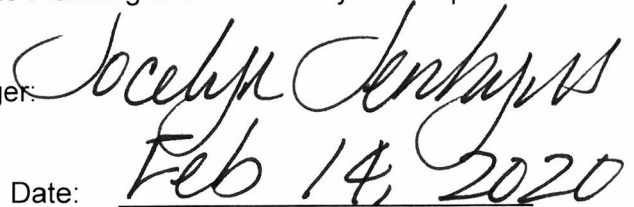
Robert Batallas, Senior Planner  
Community Planning Division

Att.



Karen Hoese, Director  
Sustainable Planning and Community Development

Report accepted and recommended by the City Manager:



Date:

Feb 14, 2020

## **List of Attachments**

- Attachment A: Zoning Regulation Bylaw Amendment Bylaw No. 20-029.

NO. 20-029

**ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1219)**

# A BYLAW OF THE CITY OF VICTORIA

The purpose of this bylaw is to amend the Zoning Regulation Bylaw to clarify the treatment of air space parcels under zoning regulations.

## Contents

- |     |              |
|-----|--------------|
| 1   | Title        |
| 2-3 | Amendments   |
| 4   | Commencement |

Under its statutory powers, including section 479 of the *Local Government Act*, the Council of the Corporation of the City of Victoria in a public meeting assembled enacts the following provisions:

## Title

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT  
BYLAW (NO. 1219)”.

## Amendments

- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended, by adding, immediately after section 45, the following as the new section 46:

"46. For the purposes of this Bylaw, an air space parcel is deemed to be part of the same lot as the parcel at ground level."

- 3** The definition of “Lot” in Schedule A of Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended by adding, immediately after the words “any other strata lot”, the words “or an air space parcel”.

## Commencement

- 4** This Bylaw comes into force on adoption.

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

# Air Space Parcel Subdivision

## Amendments to Zoning Regulation Bylaw



1

### Purpose

- Council's consideration of Zoning Regulation Bylaw Amendment Bylaw No. 20-029 that proposes to include air space parcel regulations similar to those that exist in Zoning Bylaw 2018.
- Amendment ensures that air space parcels are regulated in a consistent manner across the city.



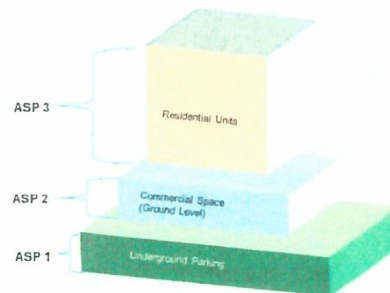
Accommodating Air Space Parcels in the Zoning Regulation Bylaw

2



## Air Space Parcels (ASP)

- Defined by Land Title Act as:  
*"A volumetric parcel, whether or not occupied in whole or in part by a building or other structure, shown as such in an air space plan".*
- Common form of subdivision for large and complex developments.
- Allows for better legal separation and ownership of different parts of a building.



Accommodating Air Space Parcels in the Zoning Regulation Bylaw

3

## Zoning Bylaw Regulations

- Zoning Bylaw 2018 contains regulations to accommodate air space parcels.
- ASP regulations are not included within Zoning Regulation Bylaw that applies to the remainder of the city - results in the need for site specific zones.



Accommodating Air Space Parcels in the Zoning Regulation Bylaw

4



## Amendments to Zoning Regulation Bylaw

### Revised 'Lot' definition:

- **"Lot"** means a single area of land, designated and registered at the Victoria Land Title Office as not more than one parcel of land, and if a parcel of land is divided by a lane or otherwise, each division thereof constituting a single area of land shall be deemed to be a separate lot, and includes a strata lot in a bare land strata plan but does not include any other strata lot **or an air space parcel**.

### Proposed General Regulation (New)

- For the purposes of this bylaw, an air space parcel is deemed to be part of the same lot as the parcel at ground level.



Accommodating Air Space Parcels in the Zoning Regulation Bylaw

5

## Consultation

- Notice of the public hearing will be advertised in the local newspaper and on the City website.
- Information will also be available at the City's Development Centre.
- Notification of the proposed zoning amendment bylaw will be emailed to all Community Association Land Use Committees and the Urban Development Institute prior to the public hearing.



Accommodating Air Space Parcels in the Zoning Regulation Bylaw

6

## Recommendation

- That Council give first and second readings to the attached Zoning Regulation Bylaw Amendment Bylaw No. 20-029, to clarify the treatment of air space parcels under zoning regulations by excluding air space parcels from the definition of Lot and to add a general regulation that deems air space parcels to form part of the Lot at ground level, and direct staff to advertise and schedule a public hearing to consider third reading and adoption of this bylaw.



Accommodating Air Space Parcels in the Zoning Regulation Bylaw

K. **BYLAWS**

K.3 **Bylaw for Accommodating Air Space Parcels**

**Moved By** Councillor Young  
**Seconded By** Councillor Potts

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1219) No. 20-029

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

OPPOSED (2): Councillor Dubow, and Councillor Isitt

**CARRIED (6 to 2)**



## Council Report

For the Meeting of February 27, 2020

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**To:** Council **Date:** February 25, 2020

**From:** Karen Hoese, Director, Sustainable Planning and Community Development

**Subject:** Zoning Regulation Bylaw Amendment Bylaw (No. 20-029)

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### RECOMMENDATION

That the following bylaw be given first and second readings:

1. Zoning Regulation Bylaw (No. 1219) No. 20-029

### BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 20-029.

The issue was considered at Committee of the Whole on February 20, 2020 where the following resolution was made:

#### Accommodating Air Space Parcels in the Zoning Regulation Bylaw

That Council give first and second readings to the attached Zoning Regulation Bylaw Amendment Bylaw No. 20-029, to clarify the treatment of air space parcels under zoning regulations by excluding air space parcels from the definition of Lot and to add a general regulation that deems air space parcels to form part of the Lot at ground level, and direct staff to advertise and schedule a public hearing to consider third reading and adoption of this bylaw.

Therefore, staff are advancing Zoning Regulation Bylaw No. 20-029 for Council's consideration of first and second reading, subject to Council's approval of the related motion from the February 20, 2020 Committee of the Whole meeting.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Robert Batallas".

Robert Batallas,  
Senior Planner  
Community Planning Division

Handwritten initials "AH." in blue ink.

A handwritten signature in blue ink, appearing to read "KH Hoese".

Karen Hoese,  
Director  
Sustainable Planning and Community Development

Report accepted and recommended by the City Manager:



Date: February 26, 2020

**List of Attachments:**

- Zoning Regulation Bylaw, Amendment Bylaw (No. 1219) No. 20-029.

**ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1219)**

**A BYLAW OF THE CITY OF VICTORIA**

The purpose of this bylaw is to amend the Zoning Regulation Bylaw to clarify the treatment of air space parcels under zoning regulations.

**Contents**

- 1 Title
- 2-3 Amendments
- 4 Commencement

Under its statutory powers, including section 479 of the *Local Government Act*, the Council of the Corporation of the City of Victoria in a public meeting assembled enacts the following provisions:

**Title**

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1219)”.

**Amendments**

- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended, by adding, immediately after section 45, the following as the new section 46:
  - “46. For the purposes of this Bylaw, an air space parcel is deemed to be part of the same lot as the parcel at ground level.”
- 3 The definition of “Lot” in Schedule A of Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended by adding, immediately after the words “any other strata lot”, the words “or an air space parcel”.

**Commencement**

- 4 This Bylaw comes into force on adoption.

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

**ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1219)**

**A BYLAW OF THE CITY OF VICTORIA**

The purpose of this bylaw is to amend the Zoning Regulation Bylaw to clarify the treatment of air space parcels under zoning regulations.

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**Amendments**

- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended, by adding, immediately after section 45, the following as the new section 46:
  - “46. For the purposes of this Bylaw, an air space parcel is deemed to be part of the same lot as the parcel at ground level.”
- 3 The definition of “Lot” in Schedule A of Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended by adding, immediately after the words “any other strata lot”, the words “or an air space parcel”.

**Commencement**

- 4 This Bylaw comes into force on adoption.

READ A FIRST TIME the                      **27<sup>th</sup>**    day of                      **February**                      2020

READ A SECOND TIME the                      **27<sup>th</sup>**    day of                      **February**                      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

**COMMITTEE OF THE WHOLE REPORT**  
**FROM THE MEETING HELD MARCH 5, 2020**

For the Council meeting of March 12, 2020, the Committee recommends the following:

**F.3     1739 Fort Street: Application for a Change to Hours for Christies Carriage House Pub, Liquor Primary License**

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 Christies Carriage House Pub located at 1739 Fort Street having hours of operation from 10:00 am 11 :00 pm Sunday through Thursday and 10:00am to 12:00 am Friday and Saturday with the existing occupant load of 135 persons.

Providing the following comments on the prescribed considerations:

- a. The impact of noise on the community in the vicinity of the establishment has been considered in relation to the request, and assumptions are the noise impacts would be negligible based on experience with the operator, and nature of the request. The requested hours of operation in conjunction with the existing occupant load are not expected to result in negative impacts to the community.
- b. If the application is approved, the impact on the community is expected to be positive economically as the approval supports the business plan and long-term viability of the establishment.
- c. The views of residents were solicited via a mail out which included 480 letters to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. The City received six letters in response to the request, all of which generally supported the application and no correspondence was received from the South Jubilee Residents Association.
- d. Council recommends the license endorsements be approved.

**I.3     Group Insurance Coverage for Neighbourhood Associations**

That Council authorize an expenditure of up to \$7,500, funded from the 2020 contingency, to cover the cost of Group Accident Insurance Coverage for neighbourhood associations that do not have city-funded community centres.

**D.1     Municipal Finance Authority of BC Background and Fund Offerings**

That Council receive this presentation for information.

**E.1 Active Transportation Advisory Committee Motions from Meeting of October 22, 2019**

1. That this item be referred to staff for consideration as part of the 2021 Financial Planning process:
  - The City should increase its capital spending on transit shelters. Specifically, the City should prioritize replacement of old shelters on rapid and frequent transit routes, consider non-standard shelter designs, explore alternative funding models, and prioritize advertisement-free shelters on the busiest corridors.
2. Refer this to staff to evaluate and report back to Council in the context of bus rapid transit, transit prioritization, and other transit issues throughout the City and request that staff present to council on transit:
  - The City should plan for the completion of the Douglas Street Priority Bus lanes to Belleville Street.
3. That the next two bullets be referred to staff to report back in the 2021 budget process on options for greenway improvements.
  - Recognizing that new greenways are largely initiated through private development projects and improvements are associated with Parks or Transportation capital projects, the City should consider a future reserve fund to support greenways implementation.
  - The City should consider initiating a project to name/brand different greenways and active transportation routes across the community.
4. As part of the 2021 budget and onwards the City should consider increased capital spending to support neighbourhood traffic calming (e.g.: speed reductions; improved pedestrian amenities; reduced cut-through traffic).
5. That this be referred to staff to report back in the 2021 budgeting process with recommendations for wayfinding outside the downtown:

The City should continue to support pedestrian wayfinding beyond the downtown core.
6. That this be referred to staff to inform the implementation of the Bicycle Master Plan:
  - The City should continue to support comprehensive investments under the Bicycle Master Plan budget including accessibility improvements, crosswalk upgrades/installations, sidewalk replacements/widening, and place-making features.

**F.1 2558 Quadra Street: Rezoning and Development Permit with Variances Application (Hillside/Quadra)**

**Rezoning Application No. 00707 for 2558 Quadra Street**

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00707 for 2558 Quadra Street, that first and second reading of the Zoning Regulation

Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation and execution of legal agreements to secure a Statutory Right-of-Way of 3.2m off Quadra Street, to the satisfaction of the Director of Engineering.
2. Preparation and execution of a Housing Agreement to secure the building as rental in perpetuity and to secure 19 units as affordable and 21 units as below market in perpetuity, defined by the VHRF guidelines that were in existence on March 19, 2019, to the satisfaction of the Director of Sustainable Planning and Community Development.

**Development Permit with Variances Application No. 00141 for 2558 Quadra Street**

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00707, if it is approved, consider the following motion:

That Council authorize the issuance of Development Permit with Variance Application No. 00141 for 2558 Quadra Street, in accordance with:

1. Plans date stamped February 12, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. decrease the rear yard setback from 4.53m to 2.90m to the steps;
  - ii. decrease the north side yard setback from 4.53m to 0m to the parkade and 2.52m to the building face; and
  - iii. decrease the south side yard setback from 4.53m to 0m to the parkade and 3.89m to the building face.
3. Revised plans, to the satisfaction of the Director of Sustainable Planning and Community Development and the Director of Engineering, addressing staff comments regarding the public realm.
4. The Development Permit lapsing two years from the date of this resolution.

**F.2 1820 Government Street: Application for a New Food Primary Licence with Entertainment Endorsement for January Gin Joint and Eatery**

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 January Gin Joint & Eatery located at 1820 Government Street to have hours of operation from 9:00 am to 12:00 am Sunday through Wednesday and 9:00 am to 1:00 am Thursday through Saturday, an occupant load of 43 people and an entertainment endorsement.

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 assumptions are the noise impacts would be comparable in proportion to existing licence capacity in the vicinity.
- b. If the application is approved, the impact on the community is expected to be positive economically as the approval supports this new business and the long-term viability of the establishment.
- c. The views of residents were solicited via a mail out which included 474 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 from the Downtown Residents Association opposing the application in response to the request.
- d. Council recommends the hours supported for the establishment be approved.

#### **F.4 Update Report: Next Generation Conversion Regulations**

1. That Council direct staff to prepare bylaws to amend Schedule G - House Conversion Regulations and Schedule C - Off Street Parking Regulations of the Zoning Regulation Bylaw, consistent with this report, in order to:
  - a. change the qualifying year of construction;
  - b. reduce restrictions on exterior changes;
  - c. clarify and expand opportunities to utilize under-height basements;
  - d. allow attic spaces to be developed;
  - e. allow vehicle car parking in front yard (for non-heritage properties);
  - f. increase and incentivize permitted number of units;
  - g. allow windows and doors on front elevations;
  - h. remove parking requirements; and
  - i. require bicycle parking.
2. That Council direct staff to monitor the impact of the Next Generation Conversion Regulations, with particular attention paid to buildings with heritage value, and prepare an update report to Council within two to three years (once meaningful observations can be made), noting that staff would report back earlier in the event that a pattern of negative impacts to buildings with heritage value or other concerning trends are observed.
3. That Council direct staff to monitor the impact of removing parking requirements and prepare an update to Council within two to three years (once meaningful observations can be made) noting that staff would report back earlier in the event of a negative pattern emerging.
4. That Council direct staff to continue to explore and bring forward items for Council's consideration that are listed in the "Sprint Option" of the Committee of the Whole Report dated December 5, 2019, as opportunities for improvements/expansion (e.g.

green building incentive program) present themselves, noting that a more fulsome review and accounting of progress towards sprint goals would be included in the two to three year review report.

5. That Council direct staff to develop a design guidance document to provide advice aimed at advancing high-quality design that respects the local context and addresses potential neighbourliness impacts.

#### **G.1 Dallas Road Balustrade Replacement**

That Council

1. Direct staff to amend the 2020 Financial Plan by adding \$3,850,000 in project funding for the replacement of the Dallas Road Balustrade funded from the Buildings and Infrastructure Reserve; and,
2. That staff be authorized to repurpose up to 10 parking spots for benches and other public realm improvements.

#### **I.2 Council Member Motion: Recommendations from the Accessibility Working Group**

1. That Council forward this resolution to staff for consideration during the implementation of the Urban Forest Master Plan:

AWG recommends to Council to direct staff to amend the Urban Forest Master Plan to include consideration of human health.

2. That Council forward the following resolution for consideration when the AWG Framework comes back to Council: The AWG recommends to Council that a dedicated advisory body for accessibility is struck to replace the Accessibility Working Group before the end of its current interim mandate and that this committee includes one or two current AWG members to provide continuity (see attached background provided by the AWG in attachment A).

**COMMITTEE OF THE WHOLE REPORT**  
**FROM THE MEETING HELD MARCH 12, 2020**

For the Council meeting of March 12, 2020, the Committee recommends the following:

**F.1 2020 Micro Grant Applications**

That Council approve the eligible Micro Grant applications outlined in Appendix A.

**F.4 Appointment Bylaw Officer**

That Council approve the appointment of Grant Love:

1. As a Bylaw Officer pursuant to section 2(a) of the Inspection Bylaw (06-061); and
2. As a Business Licence Inspector for the City of Victoria

**D.1 Letter from the Minister of Public Safety and Solicitor General**

That this letter be received for information.

**F.2 Office of Equity, Diversity and Inclusion**

That Council:

1. Receive this report for information.
2. Direct staff to implement the climate lens impact statement on an interim basis as soon as practical.

**F.3 Climate Action Reserve Fund Draw - Corporate Building Energy and GHG Savings**

That Council:

Direct staff to amend the 2020 Financial Plan by adding a \$135,500 budget for facility energy and emission upgrades funded by the Climate Action Reserve Fund.

**H.1 Council Member Motion - Endorsement of Universal Public National Pharmacare Program**

That Council:

1. Endorses the resolution from the City of Port Moody calling on the Federal Government to work with the provinces and territories to develop and implement a Universal Public National Pharmacare program as one of its first orders of business.
2. Directs staff to communicate this endorsement to the Prime Minister of Canada and the federal Minister of Health, with copies forwarded to the Provincial Minister of Health, the Premier of British Columbia and the Mayor and Council of the Cities of Port Moody and New Westminster.

**H.2 Council Member Motion - Extended Hours for Our Place**

That Council:

1. allocate \$50,000 from contingency to partner with BC Housing and Island Health to increase the hours and services for Our Place to match winter hours from April 1-October 31; and,
2. forward an allocation to Our Place for Council's consideration as part of the 2021 budget process; and,
3. request that the Mayor write to the provincial government requesting adequate funding for Our Place.

### **H.3 Council Member Motion - Terms of Reference for Welcoming Cities Task Force**

1. That Council approve the Welcoming Cities Task Force Terms of Reference and direct staff to seek participants.
2. That the Indigenous participants are compensated as per the City's protocol, to be funded from the Welcoming Cities budget.
3. That the Terms of Reference be amended to add an appointee from the Greater Victoria Public Library.

### **H.4 Response to COVID-19 in Victoria, BC**

That Council endorse the following resolution and direct staff to forward copies without delay to the Greater Victoria Harbour Authority, the federal Ministers of Transport and Health, and the Provincial Health Officer of British Columbia:

#### **Response to COVID-19 in Victoria, BC**

WHEREAS Provincial Health Officer Dr. Bonnie Henry has advised that cruise ship visits to the Port of Victoria should be postponed to reduce the risk of transmission of COVID-19;

AND WHEREAS members of the public have expressed concern over the scheduled arrival of international cruise ships to the City of Victoria beginning in early April 2020, including a ship which has been quarantined in another jurisdiction with confirmed cases of COVID-19;

AND WHEREAS jurisdictions around the world have taken measures to restrict international transport in order to contain COVID-19 and reduce the risk to human health and the strain on public healthcare systems;

THEREFORE BE IT RESOLVED THAT the City of Victoria requests that the Greater Victoria Harbour Authority follow the advice of the Provincial Health Officer and suspend authorization for the landing of international cruise ships at the Ogden Point Wharves until risks associated with COVID-19 have subsided;

AND BE IT FURTHER RESOLVED THAT the City of Victoria requests that the Government of Canada as the operator of the Port of Victoria follow the advice of the Provincial Health Officer and suspend authorization of international cruise ship visits to the Port of Victoria until risks associated with COVID-19 have subsided;

AND BE IT FURTHER RESOLVED THAT the City of Victoria requests that the Government of Canada work with other levels of government to provide relief to workers and businesses that experience hardship as a result of a postponement of cruise ship visits to the Port of Victoria.

#### **Motion Arising:**

That Council ask the Greater Victoria Harbour Authority to attend a Committee of the Whole meeting to provide Council and the public with the latest information and actions of the Authority.



**Motion Arising:**

That Council ask Island Heath to provide an update and information on its plans to provide urgent health care and other services to Victoria residents without homes.

**Motion Arising:**

That Council direct staff to provide an update to Council and the public on adjustments to city programs, services and procedures arising from the COVID-19 pandemic.



## Council Report For the Meeting of March 12, 2020

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**To:** Council **Date:** March 3, 2020  
**From:** C. Coates, City Clerk  
**Subject:** Victoria Subdivision and Servicing Bylaw, Amendment Bylaw (No. 3) No. 20-040

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### RECOMMENDATION

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

1. Victoria Subdivision and Servicing Bylaw, Amendment Bylaw (No. 3) No. 20-040

### BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 20-040.

The issue came before Council on February 27, 2020 where the following resolution was approved:

#### **Air Space Subdivision Fees**

That Council instruct the City Solicitor to bring forward amendments to the Victoria Subdivision and Development Servicing Bylaw 12-102 to establish a \$15,000 fee for air space subdivision applications.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Chris Coates".

Chris Coates  
City Clerk

Report accepted and recommended by the City Manager:

A handwritten signature in black ink, appearing to read "Joseph Jenkinson".  

Date: March 5, 2020

#### **List of Attachments:**

- Bylaw No. 20-040





**Council Report**  
**For the Meeting of March 12, 2020**

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**To:** Council **Date:** March 9, 2020  
**From:** C. Coates, City Clerk  
**Subject:** Development Cost Charges Bylaw, Amendment Bylaw (No. 2) No. 20-013

---

**RECOMMENDATION**

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

1. Development Cost Charges Bylaw, Amendment Bylaw (No. 2) No. 20-013

**BACKGROUND**

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 20-013.

The issue came before Council on February 13, 2020 where the following resolution was approved:

**Development Cost Charges**

That Council direct staff to bring forward an amendment Bylaw to establish a Consumer Price Index-based 2.5 percent increase to Development Cost Charges.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Chris Coates".

Chris Coates  
City Clerk

Report accepted and recommended by the City Manager:

A handwritten signature in black ink, appearing to read "Jocelyn Jenkyns".  
**Date:** March 9, 2020

**List of Attachments:**

- Bylaw No. 20-013

NO. 20-013

## DEVELOPMENT COST CHARGES BYLAW, AMENDMENT BYLAW

# A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the Development Cost Charges Bylaw No. 17-020.

Under its statutory powers of the *Community Charter*, the Municipal Council of The Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw shall be cited as the "DEVELOPMENT COST CHARGES BYLAW,  
AMENDMENT BYLAW (NO. 2)".
- 2 That Development Cost Charges Bylaw No. 17-020 is amended by replacing Schedule A  
with Schedule A attached to this Bylaw.

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

**Schedule A to Bylaw  
No. 20-013  
Development Cost Charges  
(All amounts in dollars)**

	Transportation	Water	Drainage	Sewage	Parkland Acquisition and Development	Total  Development Cost Charge		When  Payable
Detached Dwelling	1,924.01	674.58	902.35	687.62	2,442.11	6,630.67	per lot	Subdivision Approval
Two Family Dwelling	2,338.99	1,349.16	1,804.69	1,375.23	4,884.22	11,752.29	per lot	Subdivision Approval
Attached Dwelling	9.93	5.16	4.17	5.26	18.67	43.19	per m2 of total floor area	Building Permit Issue
Multiple Dwelling	14.80	4.98	3.31	5.07	18.03	46.19	per m2 of total floor area	Building Permit Issue
Commercial	18.86	3.10	2.89	3.15	2.23	30.23	per m2 of total floor area	Building Permit Issue
Industrial	5.66	1.26	1.99	1.29	0.91	11.11	per m2 of total floor area	Building Permit Issue
Institutional	18.86	3.10	2.89	3.15	2.23	30.23	per m2 of total floor area	Building Permit Issue



## Council Meeting Report For the Meeting of March 12, 2020

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**To:** Council **Date:** March 3, 2020  
**From:** C. Coates, City Clerk  
**Subject:** Alternative Municipal Tax Collection Scheme Bylaw No. 20-039

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### RECOMMENDATION

That Council give three readings to Alternative Municipal Tax Collection Scheme Bylaw No. 20-039.

### BACKGROUND

In November 2019, Council gave staff direction to report back on the implications of changing the 10% tax penalty after the statutory due date prescribed by the *Municipal Tax Regulation (BC Reg 426/2003)* to an initial 5% penalty after the July due date and a further 5% penalty effective September 1.

Subsequently Council passed the following motion on February 6, 2020:

**That Council approve funding Property Tax Penalty \$201,500 on-going and \$1,000 onetime.**

This motion addressed the funding shortfall that was estimated as a result of a change to the tax penalty.

Attached for Council's consideration is the Bylaw that is required to implement the change. Section 4 proposes the two-tiered penalty. The other provisions in the attached Bylaw carry forward from the current Alternative Tax Collection Scheme Bylaw for the City.

Respectfully submitted,

Handwritten signature of Jennifer Lockhart in blue ink.

Jennifer Lockhart  
Manager of Revenue

Handwritten signature of Chris Coates in blue ink.

Chris Coates  
City Clerk

Handwritten signature of Susanne Thompson in blue ink.

Susanne Thompson  
Deputy City Manager/CFO

**Report accepted and recommended by the City Manager**

**Date:**

Handwritten signature of the City Manager in blue ink.  
March 9, 2020

## **List of Attachments**

Appendix A: Alternative Municipal Tax Collection Scheme Bylaw No. 20-039



A BYLAW OF THE CITY OF VICTORIA

The purpose of this bylaw is to establish an alternative tax collection scheme that establishes when penalties are added to unpaid taxes

Under its statutory powers, including section 235 of the *Community Charter*, the Municipal Council of The Corporation of the City of Victoria enacts the following provisions:

1. Title
2. Definitions
3. Penalties
4. General Scheme Election
5. Penalty Abatement

**Title**

- 1 This Bylaw may be cited as the " ALTERNATIVE MUNICIPAL TAX COLLECTION SCHEME BYLAW No. 20-039"

**Repeal**

- 2 Alternative Municipal Tax Collection Scheme Bylaw no 13-016 is hereby repealed.

**Definitions**

- 3 In this bylaw,

“collector”

means the municipal officer assigned responsibility as collector of taxes for the municipality.

**Penalties**

- 4 (1) If all or part of property taxes for the current taxation year for a parcel of land and its improvements on the assessment roll remain unpaid:
  - a) after the first working day in July of the year those taxes are levied, the collector will add to the said unpaid property taxes a penalty equal to 5% of the portion that remains unpaid; and,
  - b) after the first working day in September of the year those taxes are levied, the collector will add to the said unpaid property taxes a penalty equal to an additional 5% of the portion that remains unpaid.

- (2) The penalties referred to in section 4 are due as part of the property taxes for the current year for the parcel of land and its improvements.

### **Penalty Abatement**

- 5 (1) Where penalties would otherwise be applied, and the property owner is eligible for and subsequently claims the current year's Home Owner Grant and applies to the collector for such grant on or before the first working day in September, the penalty shall not be applied to that portion of the taxes outstanding which was equal to the current year's Home Owner Grant.
- (2) When a property owner is eligible for, and applies to, the collector for a Home Owner Grant on or before the first working day in July, and that claim is in whole, or in part, disallowed due to errors in the form's completion, upon correcting and approval of the claim before the first working day in September, the penalty shall be reversed on the portion of the taxes outstanding which is equal to the Home Owner Grant.

### **General Scheme Election**

- 6 Under section 235 (2) Community Charter a property owner may elect, by giving written notice, during the twelve month period ending May 15th of the current year to pay under the general tax scheme.

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 the	day of	2020.

CITY CLERK

MAYOR