



MINUTES - COMMITTEE OF THE WHOLE

February 27, 2020, 9:00 A.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 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, P. Bruce - Fire Chief, T. Zworski - City Solicitor, T. Soullière - Director of Parks, Recreation & Facilities, B. Eisenhauer - Head of Engagement, K. Hoese - Director of Sustainable Planning and Community Development, F. Work - Director of Engineering & Public Works, A. Meyer - Assistant Director of Development Services, J. Paul - Assistant Director of Engineering, A. Hudson - Assistant Director of Community Planning, C. Havelka - Deputy City Clerk, K. Hennessey - Manager Supply Management, L. Hamilton - Buyer, J. Handy - Senior Planner, A. Johnston - Planner, L. Taylor - Senior Planner, M. Angrove - Planner, M. Sandhu - Head of Service Innovation & Improvement, R. Batallas - Senior Planner, H. Carrie-Mattimoe - Planning Technician, P. Angelblazer - Committee Secretary

GUESTS: K. Fairholm-Mader - Co-Founding Director - Scale Collaborative
C. Culham - Senior Manager - Capital Region Housing Corporation

A. APPROVAL OF AGENDA

Moved By Councillor Alto
Seconded By Councillor Loveday

That the agenda be approved.

Amendment:

Moved By Mayor Helps
Seconded By Councillor Loveday

That the consent agenda be amended to include:

G.1 – Emergency Support Services Modernization

CARRIED UNANIMOUSLY

On the main motion as amended:

CARRIED UNANIMOUSLY

B. CONSENT AGENDA

Moved By Councillor Alto

Seconded By Councillor Loveday

That the following items be approved without further debate

CARRIED UNANIMOUSLY

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

Moved By Councillor Alto

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;
 - iii. reduce the side yard setback for an accessory building from 0.60m to 0.17m.
3. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

G.1 Emergency Support Services Modernization

Moved By Councillor Alto

Seconded By Councillor Loveday

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

G.2 Proclamation - Tibet Day

Moved By Councillor Alto

Seconded By Councillor Loveday

That the *Tibet Day* Proclamation be forwarded to the February 27, 2020 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

G.3 Proclamation - International Women's Day and Week

Moved By Councillor Alto

Seconded By Councillor Loveday

That the *International Women's Day and Week* Proclamation be forwarded to the February 27, 2020 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

D. Presentations

D.1 Coastal Communities Social Procurement Initiative Update and Proposed Purchasing Policy Amendments

Council received a report dated February 4, 2020 from the Deputy City Manager/Chief Financial Officer providing background on social procurement, progress to-date, and seeking Council's direction on proposed amendments to the City's Purchasing Policy.

Committee discussed the following:

- *Social procurement criteria.*
- *Free trade agreement restrictions on social procurement initiatives.*
- *Bid evaluation process and examples.*
- *Generating local impacts as a result of procurement.*
- *Construction industry involvement.*

Moved By Mayor Helps

Seconded By Councillor Alto

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 Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, and Councillor Dubow

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

F. LAND USE MATTERS

F.2 1015 Cook Street: Rezoning Application No. 00670 and Development Permit with Variance Application No. 00131 (Fairfield)

Committee received a report dated February 13, 2020 from the Director of Sustainable Planning and Community Development presenting Council with information, analysis, and recommendations for applications to increase allowable density on site, allow for multi-unit residential uses subject to rental tenure in perpetuity, and to construct a five-storey building with multiple dwellings including live/work units.

Committee discussed the following:

- *Rental housing guarantee with the application*
- *Possible concerns with height and shadowing*

- *On-site car-share parking details*
- *Floor to ceiling height of the proposal and adjacent buildings*
- *Unit size and type*

Committee recessed at 10:34 a.m. and reconvened at 10:40 a.m.

Moved By Councillor Loveday
Seconded By Councillor Alto

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 Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, and Councillor Dubow

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

F.3 11 Chown Place: Development Permit with Variance Application No. 00132 (Burnside-Gorge)

Committee received a report dated February 13, 2020 from the Director of Sustainable Planning and Community Development presenting Council with information, analysis and recommendations for an application to construct a four-storey, multi-unit residential building consisting of approximately 58 affordable rental dwelling units.

Committee discussed the following:

- *Preference for a master development plan for the area.*
- *North-south and east-west connection possibilities.*

Moved By Councillor Isitt

Seconded By Councillor Loveday

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 Isitt recused himself due to a pecuniary conflict of interest with the following two items, as his father lives in nearby strata building.

Councillor Potts recused herself due to a pecuniary conflict of interest with the following two items, as she lives close to the proposed development.

F.4 330-336 Michigan Street: Development Permit with Variance Application No. 00122 (James Bay)

Committee received a report dated February 13, 2020 from the Director of Sustainable Planning and Community Development presenting Council with information, analysis, and recommendations for an application to demolish three existing three-storey multi-unit residential buildings and construct two new four-storey multi-unit residential buildings while retaining the existing heritage-designated building.

Committee discussed the following:

- *Appreciation for the work done to bring the application forward*
- *Tenant relocation impacts*
- *Updated unit composition and affordability levels*

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

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

F.5 Revised Victoria Housing Reserve Fund Grant Application for 330-336 Michigan Street (Michigan Square) (James Bay)

Committee received a report dated January 23, 2020 from the Director of Sustainable Planning and Community Development presenting Council with updated recommendations related to a previously approved Victoria Housing Reserve Fund grant application for a below-market housing project at 330-336 Michigan Street, proposed by the Capital Region Housing Corporation.

Committee discussed the following:

- *New overall affordability scheme for the development*
- *Rationale for the current offering of units*
- *Preference for mixed-income in an affordable housing development*
- *Future applications to the Victoria Housing Reserve Fund*

Moved By Councillor Alto

Seconded By Councillor Dubow

That the applicant be given an opportunity to respond to questions.

CARRIED UNANIMOUSLY

On behalf of the Capital Region Housing Corporation, C. Culham, Senior Manager, answered questions from Council on changes to the application and the process for determining affordability and unit composition.

Moved By Councillor Alto

Seconded By Mayor Helps

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.

Amendment:

Moved By Councillor Loveday

Seconded By Councillor Dubow

3. **Direct staff to discuss with the CRHC options to adjust the unit mix to include more affordable 3 bedroom units.**

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Loveday

Seconded By Councillor Dubow

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

CARRIED UNANIMOUSLY

On the main motion as amended:

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 returned to the meeting at 11:59 a.m.

Councillor Potts returned to the meeting at 11:59 a.m.

F.6 359, 363, & 369 Tyee Road: Development Permit Application No. 00550 (Victoria West)

Committee received a report dated February 13, 2020 from the Director of Sustainable Planning and Community Development presenting Council with information, analysis, and recommendations for an application to, as a part of the Dockside Green development, construct three residential towers fronting Tyee Road increasing in height from north to south from 13 storeys to 16 storeys.

Committee recessed at 12:10 a.m., reconvened at 12:16 a.m.

Committee discussed the following:

- *High-quality nature of the application.*
- *Height of the buildings.*

Moved By Councillor Thornton-Joe
Seconded By Mayor Helps

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 requirements.
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

F.7 Heritage Tax Incentive Program Overview and Update

Committee received a report dated February 13, 2020 from the Director of Sustainable Planning and Community Development providing Council with an overview of the City's Tax Incentive Program in advance of considering a tax exemption for 2615-2629 Douglas Street, which is the first heritage tax exemption proposed following the 2018 municipal election. The report responds to an action in the Strategic Plan 2019-2022 requesting a review of the Heritage Tax Exemption program.

Committee discussed the following:

- *Past examples of success with the program.*
- *Program goals in terms of full building conservation*
- *Possible inclusion of affordability as a factor for consideration of Heritage Tax Incentive Program applications*

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That Council receive this report for information.

CARRIED UNANIMOUSLY

Motion arising:

Moved By Councillor Isitt

Seconded By Councillor Young

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
2. in receipt of a "whole unit" / commercial short-term rental business license.

Amendment:

Moved By Councillor Young

Seconded By Councillor Isitt

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

On the motion arising as amended:

CARRIED UNANIMOUSLY

F.8 2615-2629 Douglas Street : Heritage Designation Application No. 00187 (Burnside-Gorge)

Committee received a report dated February 13, 2020 from the Director of Sustainable Planning and Community Development presenting Council with information, analysis and recommendations regarding an application to designate the 1971 exterior of the Victoria Press Building as a Municipal Heritage Site.

Moved By Councillor Thornton-Joe

Seconded By Councillor Loveday

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

F.9 2615-2629 Douglas Street: Tax Incentive Program Application (Burnside-Gorge)

Committee received a report dated February 13, 2020 from the Director of Sustainable Planning and Community Development presenting Council with information, analysis and recommendations regarding an application for a ten-year tax exemption under the City's Tax Incentive Program to assist in the seismic upgrading of the property known as the Victoria Press Building.

Committee discussed the following:

- *Value of also recognizing modern buildings as a part of Victoria's heritage.*
- *The Times Colonist sign at the front.*
- *Future development in the rear parking lot.*

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

J. ADJOURNMENT OF COMMITTEE OF THE WHOLE

Moved By Councillor Alto

Seconded By Councillor Potts

That the Committee of the Whole Meeting be adjourned at 1:44 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR