



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, Burleigh 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

CITY CLERK

MAYOR