MINUTES - VICTORIA CITY COUNCIL

December 12, 2019, 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 Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young

ABSENT: Councillor Dubow

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Director of Finance, P. Bruce - Fire Chief, C. Coates - City Clerk , F. Work - Director of Engineering & Public Works, T. Soulliere - Director of Parks, Recreation & Facilities, T. Zworski - City Solicitor, B. Eisenhauer - Head of Engagement, A. Meyer - Assistant Director of Development Services, C. Havelka - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, R. Batallas – Senior Planner, A. Johnston – 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.

Amendment:

Moved By Councillor Loveday
Seconded By Councillor Potts

That Aneesa Blake and Reed Cassidy be added to the second Request to Address Council section.

CARRIED UNANIMOUSLY

On the main motion as amended:
CARRIED UNANIMOUSLY

B. Poetry Reading

John Barton, Poet Laureate, read a poem titled "Boxing Day 1934".

C. READING OF MINUTES

Moved By Councillor Alto
Seconded By Councillor Loveday

That the following minutes be adopted.:
1. Minutes from the evening meeting held November 14, 2019
2. Minutes from the daytime meeting held November 21, 2019
3. Minutes from the evening meeting held November 28, 2019

CARRIED UNANIMOUSLY

D. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Loveday
Seconded By Councillor Potts

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

D.2 Angela Carmichael: School Zone Safety / Police Liaison Program
Outlined for Council the need for a lighted crosswalk at Cook Street and Princess Avenue as well as Chambers Street and Bay for school zone safety, and why they should support the Police Liaison Program.

D.3 Charlotte Hughes: Commitment by City of Victoria to Revamp Amphion Street Outlined in 2019 Future Years Budget Not Honoured
Outlined why Council should honour its commitment to revamp Amphion Street.

D.4 Ted Smith: Raid by Community Safety Unit
Outlined for Council his concerns regarding the provincial cannabis regulations and the raid of the Cannabis Buyers Club by the Community Safety Unit, and explained why his business should be granted an exception.

D.5 Dale Conway: Municipal Bylaw
Outlined why Council should update the Vehicles for Hire bylaw as it relates to Division 2 licenses.

D.6 Ray Zimmermann: Funding
Outlined concerns with a police incident that he witnessed.

G.1 Robert Ashton: Cruise Ship Industry
Outlined for Council the labour side of the debate in regards to the cruise ship industry discussion.

E. PROCLAMATIONS

E.1 "National Homeless Persons' Memorial Day" - December 21, 2019

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the following proclamation be endorsed:
1. "National Homeless Persons' Memorial Day" - December 21, 2019

CARRIED UNANIMOUSLY

E.2 "South Asian Women in Canada Day" - December 24, 2019

Moved By Councillor Thornton-Joe
Seconded By Councillor Isitt

That the following proclamation be endorsed:
1. "South Asian Women in Canada Day" - December 24, 2019

CARRIED UNANIMOUSLY

F. PUBLIC AND STATUTORY HEARINGS

F.1 Proposed Amendments to the Official Community Plan: Food-Bearing, Pollinator, and Native Plant Landscape Design Guidelines

Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 33) No. 19-079:

- To amend Development Permit Area 4: Town Centres, DPA 5: Large Urban Villages, DPA 6A: Small Urban Villages, DPA 7A: Corridors, DPA 10A: Rock Bay, DPA 10B (HC): Rock Bay Heritage, DPA 13: Core Songhees and DPA 16: General Form and Character with an updated reference to the revised *Design Guidelines For: Multi-Unit Residential, Commercial and Industrial* to reflect amendments to those guidelines that mandate native, adapted, food bearing or pollinator plants in landscape design and that provide direction to consider the potential environmental health impacts from plant-based allergens.
- To amend Development Permit Area 15F: Intensive Residential - Attached Residential Development with an updated reference to the revised *Design Guidelines for Attached Residential Development* in order to reflect an amendment to those guidelines that mandates native, adapted, food bearing or pollinator plants in landscape design and that provide direction to consider the potential environmental health impacts from plant-based allergens.

F.1.a Public Hearing & Consideration of Approval

Mayor Helps opened the public hearing at 7:11 p.m.

Robert Batallas (Senior Planner): *Advised that the proposed amendment to the Official Community Plan is to revise the references to the Design Guidelines For: Multi-Unit Residential, Commercial and Industrial (July 2012) and the Design Guidelines for Attached Residential Development (May 2018) in order to reflect an amendment to those guidelines that mandates native, adapted, food bearing, or pollinator plants in landscape design.*

Robin Bayley (The City Clerk read out the submission in accordance with the *Interim Public Hearing Speaking Accommodation Policy)*: Expressed support for the need to address barriers to accessibility of the planted environment.

Mayor Helps closed the public hearing at 7:17 p.m.

Moved By Councillor Isitt
Seconded By Councillor Loveday

That the following bylaw **be given third reading:**
1. Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 33) No. 19-079

CARRIED UNANIMOUSLY

Moved By Councillor Loveday
Seconded By Councillor Isitt

That the following bylaw **be adopted:**
1. Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 33) No. 19-079

CARRIED UNANIMOUSLY

F.2 1209 Yukon Street: Heritage Designation Application No. 000183

Heritage Designation Application:
Under the provisions of the Local Government Act, the City of Victoria intends to designate the exterior of the building located at 1209 Yukon Street, legally described as PID: 000-962-830, Lot 2, Spring Ridge, Victoria City, Plan 351-A, as protected heritage property, under Heritage Designation (1209 Yukon Street) Bylaw No. 19-094.

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

Alec Johnston (Senior Planner): *Advised that the application is to designate the exterior of the heritage registered property.*

Mayor Helps opened the public hearing at 7:21 p.m.

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

Mayor Helps closed the public hearing at 7:22 p.m.

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That the following bylaw **be given third reading:**
1. Heritage Designation (1209 Yukon Street) Bylaw No. 19-094

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe
Seconded By Councillor Loveday

That the following bylaw **be adopted:**
1. Heritage Designation (1209 Yukon Street) Bylaw No. 19-094

CARRIED UNANIMOUSLY

Councillor Young withdrew from the meeting at 7:24 p.m. due to a pecuniary conflict of interest with the following item, as the applicant is a client of his firm.

F.3 953 Balmoral Road: Rezoning Application No. 00598 and Development Permit with Variances Application No. 000506

Zoning Regulation Bylaw, Amendment Bylaw (No. 1206) No. 19-091:
To rezone the land known as 953 Balmoral Road from the R-2 Zone, Two Family Dwelling District, to the R-95 Zone, Balmoral Multiple Dwelling District, to permit a multi-unit residential building.

Development Permit Application:
The Council of the City of Victoria will also consider issuing a development permit for the land known as 953 Balmoral Road, in Development Permit Area 3 (HC): Core Mixed-Use Residential for the purposes of approving the exterior design and finishes for the multi-unit residential building as well as landscaping.

F.3.a Public Hearing & Consideration of Approval

Alec Johnson (Senior Planner): *Advised that the application proposes a multiple dwelling building consisting of 11 rental units.*

Mayor Helps opened the public hearing at 7:25 p.m.

Raa Sahota (Applicant): Provided information regarding the application.

Vincent Bart (On behalf of clients on Mason Street): Expressed concerns with the application as it is not the highest and best use of the land.

Tina Bandar (Victoria Cool Aid Society): Expressed concerns with the application, as the proposed development is too large for the site.

Tristan Trotter (Mason Street): Expressed concerns with the application, as it is not a good fit for the space and the neighbourhood.

Chris Travis (Balmoral Road): Expressed support for the application due to the need for affordable rentals.

Council discussed the following:
- *Whether further discussions of a land assembly should be completed.*

Motion to recess:

Moved By Councillor Isitt

That the public hearing be recessed until January 23, 2020 to permit a final opportunity for discussions of a potential land assembly.

Failed to proceed due to no seconder

Vicki Vukmirovich: Expressed support for the application due to the need for affordable rentals.

Mayor Helps closed the public hearing at 8:02 p.m.

Moved By Councillor Loveday
Seconded By Councillor Thornton-Joe

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1206) No. 19-091

Motion to postpone:

Moved By Councillor Isitt

That this matter be postponed until January 23, 2020 .

Failed to proceed due to no seconder

Council discussed the following:

- *That a land assembly would have been preferable.*
- *Whether the proposed development is a good fit for the neighbourhood.*

FOR (5): Mayor Helps, Councillor Alto, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe
OPPOSED (1): Councillor Isitt

CARRIED (5 to 1)

Moved By Councillor Thornton-Joe
Seconded By Councillor Potts

That the following bylaw **be adopted:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1206) No. 19-091
2. Housing Agreement (953 Balmoral Road) Bylaw (2019) No. 19-092

FOR (5): Mayor Helps, Councillor Alto, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe
OPPOSED (1): Councillor Isitt

CARRIED (5 to 1)

Moved By Councillor Thornton-Joe
Seconded By Councillor Potts

That Council authorize the issuance of Development Permit with Variance Application No. 000506 for 953 Balmoral Road, in accordance with:

1. Plans date stamped May 14, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
   i. reduce the required number of residential parking spaces from 9 to 3
   ii. reduce the front yard setback from 4m to 2m
   iii. reduce the side (east) yard setback from 6m to1.52m
   iv. reduce the side (west) yard setback from 6m to 3.64m
   v. increase the site coverage from 30% to 43%
   vi. reduce the open site space from 30% to 15.30%
   vii. Reduce the width of a landscape strip from 1 m to nil along the west and south property lines.
3. Registration of legal agreements on the property's title to secure the MODO Car Share Vehicle and parking space, car share memberships, one monthly transit pass for each unit over a period of three years (396 monthly passes), and one bicycle for each unit to the satisfaction of City Staff.
4. The Development Permit lapsing two years from the date of this resolution.

FOR (5): Mayor Helps, Councillor Alto, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe
OPPOSED (1): Councillor Isitt

CARRIED (5 to 1)

Councillor Young returned to the meeting at 8:23 p.m.

F.4 1139 Burdett Avenue: Rezoning Application No. 00690 and Heritage Alteration Permit with Variances Application No. 00232

Zoning Regulation Bylaw, Amendment Bylaw (No. 1207) No. 19-103:
To rezone the land known as 1139 Burdett Avenue from the R1-B Zone, Single Family Dwelling District, to the R1-48 Zone, Burdett Conversion District, to permit a house conversion to multiple dwelling units.

Heritage Alteration Permit with Variances Application:
The Council of the City of Victoria will also consider issuing a Heritage Alteration Permit with Variances for the land known as 1139 Burdett Avenue, in Development Permit Area 16: General Form and Character for the purposes approving the exterior alterations to the heritage designated building, the exterior design and finishes of the new construction and the associated landscaping.

F.4.a Public Hearing & Consideration of Approval

Alec Johnston (Senior Planner): *Advised that the application proposes to retain the heritage designated building, convert the building to multiple dwelling units, and add dwelling units within a new addition.*

Mayor Helps opened the public hearing at 8:24 p.m.

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

Douglas Curran (Burdett Avenue): Expressed support for the application as it will be a good fit for the neighbourhood.

Mary Doody-Jones (Kipling Street): Expressed support for the application as it is a good solution for the heritage building.

Mayor Helps closed the public hearing at 8:41 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. 1207) No. 19-103

CARRIED UNANIMOUSLY

Moved By Councillor Alto
Seconded By Councillor Isitt

That the following bylaw **be adopted:**
1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1207) No. 19-103
2. Housing Agreement (1139 Burdett Avenue) Bylaw (2019) No. 19-104

CARRIED UNANIMOUSLY

Moved By Councillor Isitt
Seconded By Councillor Thornton-Joe

That Council authorize the issuance of Heritage Alteration Permit with Variances Application No. 00232 for 1139 Burdett Street, in accordance with:
1. Plans date stamped May 9, 2019, and the Heritage Restoration Plan date stamped July 8, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
   i. reduce the minimum rear yard setback from 9.18m to 2.03m
   ii. reduce the minimum side yard setback (east) from 2.19m to 1.50m
   iii. increase the maximum height from 7.6m to 9.3m.
3. Heritage Alteration Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

Council recessed from 8:45 p.m. to 8:52 p.m.

Councillor Loveday withdrew from the meeting at 8:45 p.m.

G. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Alto
Seconded By Councillor Isitt

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

G.2 Chris Holt: Oaklands New Childcare Community Centre
Gregory spoke on Chris' behalf and outlined why Council should meet with School District 61 to resolve the land issues around Oaklands Elementary so that a new location can be found for childcare and community centre.

G.3 Harry Kope: A New Community Center for the Oaklands Community
Outlined why Council should work with School District 61 to sort out land title issues and agree on a new home for a community centre for Oaklands.

G.4 Mary Doody-Jones: The Implications of Heritage Grants on Demolitions: Examples from Mount St. Angela and Old Town
Outlined for Council the implications of demolitions on heritage grants.

G.5 Brett Hartley: Cruise Ships
Outlined why Council should allow the cruise ship industry to continue in Victoria.

G.6 Meg Dunning: Rezoning Application REZ00695
Outlined why Council should table the rezoning application pending an update on the status of the tenant relocation from the building.

G.8 Aneesa Blake & Reed Cassidy: Rezoning Application
Outlined why Council should support their rezoning application.

Moved By Councillor Alto
Seconded By Councillor Isitt

That Council add Chris to the second Request to Address Council section.

CARRIED UNANIMOUSLY

G.9 Chris: Rezoning Application REZ00695
Outlined why Council should table the rezoning application pending an update on the status of the tenant relocation from the building.

H. UNFINISHED BUSINESS

H.1 Rise and Report

H.1.a From the October 31, 2019 Special Closed Council Meeting:
That Council instruct Don Lidstone to include the City of Victoria as an intervenor in the Supreme Court of Canada hearing of the Ontario, Saskatchewan and Alberta appeal on the GGPA. That Council direct up to $7,000 towards the appeal.

H.1.b From the November 7, 2019 Closed Council Meeting:
That Council:

1. Appoint the following three candidates as City appointees to the Greater Victoria Public Library Board for two-year terms expiring December 31, 2021:
   a. Tzu-I Chung
   b. Deborah Begoray
   c. Kathy Santini

H.2 Letter from the President of the Union of BC Municipalities

A letter dated November 27, 2019 advising of the distribution of the second Community Works Fund payment in the amount of $1,833,186.39 for fiscal 2019/2020.

Moved By Councillor Potts
Seconded By Councillor Alto

That the correspondence dated November 27, 2019 from the President of the Union of BC Municipalities be received for information.

CARRIED UNANIMOUSLY

H.3 Briefing Note to Inform Governance Review and Review of Council Remuneration

Moved By Councillor Isitt
Seconded By Councillor Potts

That Council receive this report for information.

FOR (4): Mayor Helps, Councillor Isitt, Councillor Potts, and Councillor Young
OPPOSED (2): Councillor Alto, and Councillor Thornton-Joe

CARRIED (4 to 2)

I. REPORTS OF COMMITTEES

I.1 Committee of the Whole

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

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

Moved By Councillor Alto
Seconded By Councillor Potts

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

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

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

CARRIED UNANIMOUSLY

I.1.a.b Council Member Motion - Briefing on Climate Champions Program

Moved By Councillor Isitt
Seconded By Councillor Potts

1. That Council receive this report for information.
2. That Council amend the strategic plan to remove 2019 Action "Create Neighbourhood Climate Champion program with one child, youth, adult and elder from each neighbourhood to lead and inspire at the local level on Climate Action" and replace it with a 2020 Action "Create a Climate Champions Program."
3. That Council consider allocating up to $50,000 from the 2019 surplus to fund the program in 2020 as a pilot project and assess its effectiveness in mobilizing people to take climate action, reduce greenhouse gas emissions and build community resilience.

CARRIED UNANIMOUSLY

I.1.a.c Proposed Adjustments to the Draft 2020-2024 Financial Plan

Moved By Councillor Alto
Seconded By Councillor Potts

That Council receive this report for information and consideration at budget meetings starting on January 10, 2020, and request that staff report back on priorities for FTEs to carry out the existing work.

CARRIED UNANIMOUSLY

I.1.a.d Draft Financial Plan - Public Input Summary

Moved By Councillor Isitt
Seconded By Councillor Young

That Council receive this report for information.

CARRIED UNANIMOUSLY

I.1.a.e My Great Neighbourhood Grant - Fall Intake Report

Moved By Councillor Alto
Seconded By Councillor Isitt

That Council:
1. Approve the 29 applications received for the Fall Intake of the 2019 My Great Neighbourhood Grant program in the amount of $52,945 as outlined in Tables 1 and 2.
2. That the $10,755 unallocated grant funds go to the My Great Neighbourhood grant stream for 2020.

CARRIED UNANIMOUSLY

Moved By Councillor Isitt
Seconded By Councillor Thornton-Joe

Motion Arising:
That items 1 and 2 in Table 3 to be referred to staff to report back on options for the potential to install the proposed amenities.

CARRIED UNANIMOUSLY

I.1.a.f Vacant Council Appointments

Moved By Councillor Thornton-Joe
Seconded By Councillor Young

That Councillor Loveday be appointed on an interim basis to the Urban Food Table as the Council Liaison.

That Councillor Alto be nominated as the appointee to the Greater Victoria Harbour Authority Board.

CARRIED UNANIMOUSLY

I.1.a.g Next Generation Conversion Regulations - Proposed Changes

Moved By Councillor Isitt
Seconded By Councillor Alto

That Council direct staff to:

1. Undertake consultation, as outlined in this report, on the following proposed changes to the Zoning Regulation Bylaw Schedule G - Housing Conversion Regulations and Schedule C - Off-Street Parking Regulations described as the 'Run' option:
   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. Decrease parking requirements
   i. Require bicycle parking
   j. Allow exemptions for required bicycle parking
2. Report back to Council with feedback from consultation and final recommendations for amendments to the Zoning Regulation Bylaw.

CARRIED UNANIMOUSLY

I.1.a.h 709/711 Douglas Street (Previously CityStudio Victoria)

Moved By Councillor Isitt
Seconded By Councillor Potts

Council authorizes the use of 709/711 Douglas Street, previously known as 'CityStudio Victoria', operate as a pilot for 2020 as the 'NeighbourHub' to be managed by the Neighbourhood Team and be available to all neighbourhood associations, all community organizations that directly impact or are connected to neighbourhood associations, City of Victoria Youth Council, City's Local Champions Program, City Staff, and community organizations that deliver either strategic or operational requirements where capacity permits.

FOR (5): Mayor Helps, Councillor Alto, Councillor Isitt, Councillor Potts, and Councillor Thornton-Joe
OPPOSED (1): Councillor Young

CARRIED (5 to 1)

I.1.a.i Update Report - Citizen's Assembly Terms of Reference

Moved By Councillor Alto
Seconded By Councillor Young

That Council receive this report for information and accept the final terms of reference as presented by Saanich and direct staff to work with Saanich staff to bring forward a report outlining the steps necessary to be completed in order to make application to the Province for funding to undertake the Citizens Assembly.

CARRIED UNANIMOUSLY

I.1.b Report from the December 12, 2019 COTW Meeting

I.1.b.a 1881 Fort Street: Rezoning Application No. 00713 (South Jubilee)

Moved By Councillor Alto
Seconded By Councillor Potts

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00713 for 1881 Fort 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. Revised plans identifying the Statutory Right-of-Ways, to the satisfaction of the Director of Sustainable Planning and Community Development.
2. Preparation and execution of a Statutory Right-of-Way of 1.4m off Davie Street and 0.72m off Fort Street.
3. Council authorizing an Encroachment Agreement for the four parking stalls at the northern-most portion of the site that project into City property in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.

CARRIED UNANIMOUSLY

I.1.b.b 1029 Queens Avenue: Rezoning Application No. 00693 and Development Permit with Variance Application No. 00117 (North Park)

Moved By Councillor Thornton-Joe
Seconded By Councillor Potts

Rezoning Application No. 00693

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00693 for 1029 Queens Avenue, 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. Placement of the existing duplex on the Heritage Register. (Refer to the Heritage Report on this application.)

2. Preparation and execution of legal agreement to secure the rental housing along with affordability considerations to the satisfaction of the Director of Sustainable Planning and Community Development.
3. A legal agreement to secure four car share memberships (one per dwelling unit) plus a $100 usage credit for each membership to the satisfaction of the Director of Engineering and Public Works.

Development Permit with Variances Application No. 00117
That prior to setting the Public Hearing for the Rezoning Application, the applicant consider revisions to the proposed two-family dwelling to create a more direct relationship with the street 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, and after the Public Hearing for Rezoning Application No. 00693, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00117 for 1029 Queens Avenue, in accordance with:
1. Plans date stamped July 26, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
   a. reduce the required off-site vehicle parking from four stalls to one stall
   b. allow more than one principal building on a lot
   c. variances for front yard setback for the new building from 7.5m to 6.74m, and side yard setback from 3.0m to 2.24m with combined side yard setback from 4.5m to 3.29m.
3. The Development Permit lapsing two years from the date of this resolution.
4. Details of the bicycle parking (stall dimensions and security features) to be provided at building permit stage.

CARRIED UNANIMOUSLY

I.1.b.c 1029 Queens Avenue: Request to add 1029 Queens Avenue to the City of Victoria Register of Heritage Properties (North Park)

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That, concurrent with Rezoning Application No. 00693, if it is approved, Council approve the request to add the property located at 1029 Queens Avenue to the City of Victoria Register of

Heritage Properties pursuant to section 598 of the Local Government Act.

CARRIED UNANIMOUSLY

I.1.b.d Local Government Recommendation for Burnside Buds at 3175 Harriet Road

Moved By Councillor Potts
Seconded By Councillor Alto

1. That Council direct staff to advise the Liquor and Cannabis Regulation Branch:

   Council supports the application of Burnside Buds at 3175 Harriet Road to receive a provincial cannabis retail store license with following comments on the prescribed considerations:

   a. The Council recommends that the LCRB issue a license to Burnside Buds at 3175 Harriet Road, subject to the condition that this license not be issued until after the applicant obtains a Delegated Development Permit for any proposed alterations to the building exterior.

   b. City staff did not raise any concerns about this application in terms of community impacts.

   c. The views of residents were solicited through a mail-out to property owners and occupiers within 100 meters of this address and the Burnside/Gorge Community Association.

      The City sent 247 notices and received 9 responses. All respondents live within 100 metres of the property. The City did not receive correspondence from the Burnside/Gorge Community Association.

      4 support issuing a license, 4 oppose issuing a license, and 1 did not provide comments about issuing a license. The concerned respondents raised issues related to traffic, parking, proximity to residential, nuisances (noise, smell, smoke), and public safety.

   d. A Delegated Development Permit may be required to ensure alterations to the building exterior do not diminish the pedestrian experience and create safety concerns by obstructing the view from the sidewalk or street into the store.

   e. Council wishes the Province to make its own deliberations about the fact that this operation remained in operation for at least 6 months following legalization.

2. That Council direct staff to advise the LCRB of Council's recommendation subject to the applicant's compliance with City bylaws and permits.

CARRIED UNANIMOUSLY

I.1.b.e 1301 Hillside Avenue: Rezoning Application No. 00636 and Development Permit with Variances Application No. 00074 (Oaklands)

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

Rezoning Application No. 00636

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00636 for 1301 Hillside Avenue, 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. Revised plans to the satisfaction of the Director of Sustainable Planning and Community Development to correct inaccuracies and omissions.
b. Preparation and execution of the following legal agreements, with form and contents to the satisfaction of the City Solicitor and the Director of Engineering and Public Works:
    i. A Statutory Right-of-Way of 3.24m off Cook Street
    ii. A Statutory Right-of-Way of 3.57m off Hillside Avenue
    iii. Legal agreements securing the purchase of a car share vehicle, on-site provision of a vehicle parking space for the car share vehicle, provision of car share memberships that run with the unit and $100 in credits for each of the unit, and one year subscription for each unit to the BC Transit EcoPass Program.
c. Preparation and execution of the following legal agreements, with form and contents to the satisfaction of the City Solicitor and the Director of Sustainable Planning and Community Development:
    i. Such legal agreement(s) as may be required to secure seven studios, one one-bedroom and one two-bedroom through BC Housing's Affordable Home Ownership Program and prohibiting future stratas from restricting rentals.
    ii. A legal agreement to secure the construction of the raingardens within the Cook Street and Hillside Avenue boulevards.
d. Preparation and execution of the following legal agreements, with form and contents to the satisfaction of the City Solicitor and the Director of Parks, Recreation and Facilities:
    i. Legal agreements that provides for replacement of removed Garry oaks at a ratio of 3 to 1 at 1190 Kings

Road (Cridge Centre property), to implement measures such as irrigation to ensure newly planted Garry oaks grow to maturity, to enhance the existing Garry oak meadow on the Cridge Centre property and to install split rail fencing around the Garry oak meadow on the Cridge Centre property.

e. An updated Arborist Report, to the satisfaction of the Director of Parks, Recreation and Facilities, confirming the tree locations and health of the trees on the eastern property line, and confirming that the construction and excavation work would damage two Garry oak trees to the point that the removal of the trees is necessary.

Development Permit with Variances Application No. 00074

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 September 13, 2019.
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 (5): Mayor Helps, Councillor Alto, Councillor Potts, Councillor Thornton-Joe, and Councillor Young
OPPOSED (1): Councillor Isitt

CARRIED (5 to 1)

I.1.b.f 2740 and 2742 Fifth Street: Rezoning Application No. 00709 and Development Variance Permit Application No. 00236 (Hillside/Quadra)

Moved By Mayor Helps
Seconded By Councillor Thornton-Joe

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00709 for 2740 & 2742 Fifth 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:

a. Preparation and execution of legal agreements secure the design of the existing and proposed buildings including the energy efficiency certifications, to the satisfaction of City Staff.
b. Preparation and execution of a Housing Agreement to secure the proposed dwelling as rental for five years.

2. 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 00709, if it is approved, consider the following motion

"That Council authorize the issuance of a Development Variance Permit Application for 2740 & 2742 Fifth Street, in accordance with:

a. Plans date stamped October 10, 2019.
b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance
   i. reduce the rear yard setback from 3.0m to 1.20m.
c. The Development Permit lapsing two years from the date of this resolution."

Motion to refer:

Moved By Councillor Isitt
Seconded By Councillor Young

That this matter be referred to the January 9, 2020 Committee of the Whole Meeting.

FOR (2): Councillor Isitt, and Councillor Young
OPPOSED (4): Mayor Helps, Councillor Alto, Councillor Potts, and Councillor Thornton-Joe

DEFEATED (2 to 4)

Amendment:

Moved By Mayor Helps
Seconded By Councillor Thornton-Joe

That the motion be amended by adding a point c as follows:

c. **Subject to refinements being made to the proposal with respect to the length of rental tenure and the passive house standard of the new building.**

CARRIED UNANIMOUSLY

On the main motion as amended:

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the

proposed development outlined in Rezoning Application No. 00709 for 2740 & 2742 Fifth 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:

a. Preparation and execution of legal agreements to secure the design of the existing and proposed buildings including the energy efficiency certifications, to the satisfaction of City Staff.
b. Preparation and execution of a Housing Agreement to secure the proposed dwelling as rental for five years.
c. Subject to refinements being made to the proposal with respect to the length of rental tenure and the passive house standard of the new building.

2. 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 00709, if it is approved, consider the following motion

"That Council authorize the issuance of a Development Variance Permit Application for 2740 & 2742 Fifth Street, in accordance with:

1. Plans date stamped October 10, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance
   1. reduce the rear yard setback from 3.0m to 1.20m.
3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

I.1.b.g 1050-1058 Pandora Avenue and 1508-1518 Cook Street: Rezoning Application No. 00695, Heritage Alteration Permit Application No. 00016, and Heritage Designation Application No. 000188 (North Park)

Moved By Mayor Helps
Seconded By Councillor Young

Rezoning Application No. 000695

That subject to the applicant committing to measures outlined in the District Correspondence outlining the summary of the Parkway Building flood from November 2 to December 10, Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00695 for 1050-1058 Pandora Avenue and 1508-1518 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. Preparation and execution of the appropriate legal agreements in order to secure the following:

a. all dwelling units remain rental in perpetuity;
b. a Statutory Right-of-Way of 3.083m along Cook Street, to the satisfaction of the Director of Engineering and Public Works;
c. pay for the construction of an asphalt pathway in Franklin Green Park to connect the proposed 3m wide pathway at the northwest corner of the site to an existing park pathway to the west to the satisfaction of the Director of Parks, Recreation and Facilities;
d. provide a bus shelter on Cook Street in accordance with the site plan dated November 22, 2019, and to the satisfaction of the Director of Engineering and Public Works and the Director of Sustainable Planning and Community Development;
e. provide two car share vehicles, two assigned car share parking spaces on-site, 118 car share memberships, a $100 of driving credits for each resident, and 40 electric bicycle charging stations (11 OV wall outlets) in the underground parkade, to the satisfaction of the Director of Engineering and Public Works; and
f. purchase 100 transit passes through BC Transit's EcoPass program to the satisfaction of the Director of Engineering and Public Works.

2. Council authorizing street-level projecting canopies and cornices over the City Right-of-Way on 1050-1058 Pandora Avenue and 1508-1518 Cook Street, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.

Heritage Designation Application No. 000188 and Heritage Alteration Permit Application No. 00016

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. 00695, if it is approved, consider the following motions:

1. "That Council authorize the issuance of Heritage Alteration Permit Application No. 00016 for 1050-1058 Pandora Avenue and 1508-1518 Cook Street, in accordance with:
   a. Plans, date stamped November 22, 2019.
   b. The Conservation Plan for the Parkway Apartments, date stamped July 2019.
   c. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.
   d. Heritage Alteration Permit lapsing two years from the date of this resolution.
2. That Council approve the designation of the heritage-registered property located at 1050-1058 Pandora Avenue and 1508-1516 Cook Street, pursuant to Section 611 of the

Local Government Act, as a Municipal Heritage Site, consistent with the plans dated November 22, 2019."

Motion to postpone:

Moved By Councillor Isitt
Seconded By Councillor Potts

That consideration of this matter be postponed to the January 9, 2019 Council meeting.

FOR (2): Councillor Isitt, and Councillor Potts
OPPOSED (4): Mayor Helps, Councillor Alto, Councillor Thornton-Joe, and Councillor Young

DEFEATED (2 to 4)

FOR (4): Mayor Helps, Councillor Alto, Councillor Thornton-Joe, and Councillor Young
OPPOSED (2): Councillor Isitt, and Councillor Potts

CARRIED (4 to 2)

I.1.b.h 2649-2659 Douglas Street and 735 Hillside Avenue: Rezoning Application No. 00664 and Development Permit Application No. 000123 (Burnside)

Moved By Councillor Isitt
Seconded By Councillor Thornton-Joe

Rezoning Application No. 00664
That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00664 for 2649-2659 Douglas Street and 735 Hillside Avenue, 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 the appropriate legal agreements in order to secure the following:
    a. All dwelling units remain rental in perpetuity.
    b. A Statutory Right-of-Way of 3.57m on Hillside Avenue to the satisfaction of the Director of Engineering and Public Works.
    c. Provide a bus shelter on Hillside Avenue in accordance with the site plans dated November 4, 2019, and to the satisfaction of the Director of Engineering and Public Works.
    d. Provide two car share vehicles; two assigned car share parking spaces on-site; 151 car share memberships (one for each dwelling unit); a $100 of driving credits for each resident; and 40 electric bicycle charging stations (11 OV wall outlets) in the underground parkade, to the satisfaction of the Director of Sustainable Planning and Community Development.

e. Purchase 100 transit passes through BC Transit's EcoPass program to the satisfaction of the Director of Sustainable Planning and Community Development.

2. Council authorizing street-level projecting canopies and cornices over the City Right-of-Way on 2649-2659 Douglas Street and 735 Hillside Avenue, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.

Development Permit Application No. 00123

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. 00123 if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00123 for 2649- 2659 Douglas Street and 735 Hillside Avenue, in accordance with:

1. Plans date stamped November 4, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements.
3. The Development Permit lapsing two years from the date of this resolution."

Heritage Designation Application No. 000180

That concurrent with Rezoning Application No. 00664, if it is approved, Council approve the designation of the property located at 2659 Douglas Street as a Municipal Heritage Site, consistent with plans dated November 4, 2019 and pursuant to Section 611 of the Local Government Act.

CARRIED UNANIMOUSLY

I.1.b.i Urban Forest Master Plan Implementation

Moved By Councillor Isitt
Seconded By Councillor Alto

That Council;

1. Approve the reallocation of $110,000 from the Tree Preservation Bylaw project to the priority Urban Forest Master Plan actions outlined in this report and;
2. Direct staff to amend the Urban Forest Master Plan to reflect the updated canopy cover estimates, shown in Attachment A.

FOR (5): Mayor Helps, Councillor Alto, Councillor Isitt, Councillor Potts, and Councillor Thornton-Joe
OPPOSED (1): Councillor Young

CARRIED (5 to 1)

I.1.b.j 2020 By-Election

Moved By Councillor Isitt
Seconded By Mayor Helps

That Council direct staff to proceed with Option 1 a modified by-election process and report back on final timing, cost estimates, appointment of a Chief Election Officer in January 2020, a voter information card mailed to each residence, and invite candidate profile information to be compiled and provided on the City's website.

CARRIED UNANIMOUSLY

I.1.b.k Municipal Licensing and Regulating of Provincially Approved Taxis, Limousines, and Ride-Hailing Services

Moved By Councillor Young
Seconded By Councillor Potts

That Council direct staff to:

1. Bring forward amendments to the Vehicles for Hire Bylaw to Council that suspend taxi licensing conditions under Division 2, 3, 4, and 5, except section 70 and 71, of the Vehicles for Hire Bylaw.
2. Review City bylaws and bring forward bylaw amendments to align with provincial licensing requirements for taxis, limousines, and ride-hail vehicles.
3. Report back with further regulatory recommendations for passenger directed vehicles in conjunction with the Sustainable Mobility Strategy.

CARRIED UNANIMOUSLY

I.1.b.l Council Member Motion - Welcoming City Strategy

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That Council receives this report for information and considers allocating one-time funding from the 2019 surplus during January 2020 budget deliberations in order to develop a Welcoming City Strategy as identified in the 2019-2022 Strategic Plan.

CARRIED UNANIMOUSLY

K. BYLAWS

K.1 Bylaw for 1708 Coronation Street: Rezoning Application No. 00663 and Development Permit with Variances Application No. 00663

Moved By Councillor Alto
Seconded By Councillor Potts

That the following bylaw **be given first and second readings:**
1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1200) No. 19-084

CARRIED UNANIMOUSLY

K.2 Bylaw for Delegation of Signing Authority Amendment

Moved By Mayor Helps
Seconded By Councillor Alto

That the following bylaw **be adopted:**
1. Delegation of Signing Authority Bylaw, Amendment Bylaw (No. 1) No. 19-116

CARRIED UNANIMOUSLY

N. QUESTION PERIOD

A question period was held.

O. ADJOURNMENT

Moved By Councillor Alto
Seconded By Councillor Young

That the Council meeting adjourn.
TIME: 10:15 p.m.

CARRIED UNANIMOUSLY

CITY CLERK MAYOR