



REVISED AGENDA - VICTORIA CITY COUNCIL

Thursday, August 6, 2020

COUNCIL CHAMBERS - 1 CENTENNIAL SQUARE, VICTORIA BC

To be held immediately following the Committee of the Whole Meeting

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

Due to the COVID-19 Pandemic, public access to City Hall is not permitted. This meeting may be viewed on the City's webcast at www.victoria.ca

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Pending approval at the August 6, 2020 COTW meeting

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Pending approval at the August 6, 2020 COTW meeting

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Pending approval at the August 6, 2020 COTW meeting

E. UNFINISHED BUSINESS

*E.1	<u>Proposed Adjustments to Parking Fees</u>	38
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From the July 23, 2020 Council Meeting:

That Council forward #4 - Reinstate regular on-street metered rates and time

limits as per map in Appendix A - to the August 6, 2020 daytime Council Meeting and that this motion be forwarded to the Downtown Victoria Business Association.

F. REPORTS OF COMMITTEES

F.1 Committee of the Whole

F.1.a Report from the July 23, 2020 COTW Meeting

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[Link to the July 23, 2020 COTW agenda](#)

F.1.a.a 956 Heywood Avenue - Development Permit with Variances Application No. 00126 (Fairfield)

F.1.a.b 1908, 1916, 1920 Oak Bay Avenue - Rezoning Application No. 00694 and Development Permit with Variance Application No. 000551 (South Jubilee)

F.1.a.c 3020 Douglas Street and 584 Burnside Road - Victoria Housing Reserve Fund Application (Burnside)

F.1.a.d Proposed Adjustments to Parking Fees

F.1.a.e City Hall West HVAC Replacement Operational Impacts - Verbal

***F.1.b Report from the August 6, 2020 COTW Meeting**

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[Link to the August 6, 2020 COTW agenda](#)

***F.1.b.a 1118 Princess Avenue: Development Variance Permit Application No. 000246 (George Jay Elementary School) (Fernwood)**

***F.1.b.b 202 Raynor Avenue: Rezoning Application No.00724 and Heritage Alteration Permit with Variance Application No. 00021(Victoria West)**

***F.1.b.c Accessibility Framework and Policy**

***F.1.b.d 2020 Budget Update and Review of Deferred Items**

***F.1.b.e 1050-1058 Pandora Avenue & 1508-1518 Cook Street: Update Report- Rezoning Application No. 00695, HD Application No. 000188 and Heritage Alteration Permit Application No. 00016 (Wellburn's Site)(North Park)**

- *F.1.b.f 3197 and 3199 Fifth Street and 1027, 1035, 1045, 1055, 1065 and 1075 Tolmie Avenue: Repeal of Housing Agreement Bylaw No. 14-044 and Discharge of Notice of Housing Agreement from title (Hillside-Quadra)
- *F.1.b.g 1230 Grant Street, 1209, 1218, 1219, 1220 and 1226 North Park Street, 1219 Vining Street, 1235 Caledonia Avenue and 1211 Gladstone Avenue: Update to the Housing Agreement for Rezoning Application No.00715 (Fernwood)
- *F.1.b.h Save-on-Foods Memorial Arena Capital Upgrades
- *F.1.b.i Council Member Motion: Recognizing the Extraordinary Contribution of Accessibility Working Group Volunteer Members
- *F.1.b.j Council Member Motion: Recovery Stimulus Package for BC's Tourism and Hospitality Sector
- *F.1.b.k Council Member Motion: Coordinated Assessment and Access Policy Group Recommendations
- *F.1.b.l Council Member Motion: Expediting Land Use and Permitting Applications for Schools During Covid19

G. BYLAWS

G.1 Bylaw for 1400 Quadra Street and 851 Johnson Street: Rezoning Application No. 00738

47

A report recommending:

- 1st and 2nd readings of:
 - Zoning Bylaw 2018, Amendment Bylaw (No. 6) No. 20-078

The application is ready to proceed to Public Hearing and proposes to allow for a Storefront Cannabis Retailer.

G.2 Bylaw for 404 Henry Street: Heritage Designation Application No. 000189

50

A report recommending:

- 1st and 2nd readings of:
 - Heritage Designation (404 Henry Street) Bylaw No. 20-074

The application is ready to proceed to Public Hearing and proposes to heritage designate the property.

G.3 Bylaws for 2558 Quadra Street: Rezoning Application No. 00707 and Development Permit with Variances Application No. 00141

52

A report recommending:

- **1st and 2nd readings of:**
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1225) No. 20-054
- **1st, 2nd, and 3rd readings of:**
 - Housing Agreement (2558 Quadra Street) Bylaw (2020) No. 20-055

The application is ready to proceed to Public Hearing and proposes a mixed-use, five-storey affordable rental building with commercial use on the ground level.

G.4 Bylaw for Council Procedures Bylaw Amendment Bylaw

68

- **Consideration of adoption of:**
 - Council Procedures Bylaw Amendment (No. 1) Bylaw No. 20-083

The purpose of this bylaw is to amend the procedures to be followed by Council and Council committees.

H. UNFINISHED BUSINESS

H.1 Rise and Report

H.1.a From the July 2, 2020 Closed Council Meeting

Appointments to the Advisory Design Panel

That Council:

Appoint nine candidates to the Advisory Design Panel (ADP) each for an 18-month term from July 1, 2020 to December 31, 2021;

Joseph Kardum

Devon Skinner

Marilyn Palmer

Sean Partlow

Brad Forth

Benjamin Smith

Mathew Jardine
Trish Piwowar
Ruth Dollinger

H.1.b From the July 2, 2020 Closed Council Meeting

Appointments to the Heritage Advisory Panel

That Council:

Appoint ten candidates to the Heritage Advisory Panel (HAP) each for an 18-month term from July 1, 2020 to December 31, 2021:

Douglas Campbell
Graham Walker
Pam Madoff
Steve Barber
Shari Khadem
Aaron Usatch
James Kerr
Avery Bonner
Helen Edwards
Kirby Delaney

H.1.c From the July 2, 2020 Closed Council Meeting

Appointments to the Art in Public Places Committee

That Council:

Appoint seven candidates to the Arts in Public Places Committee (AIPPC) each for an 18-month term from July 1, 2020 to December 31, 2021:

Lynda Gammon
Silvia Bonet
Toby Lawrence
Elizabeth Matheson
Kim Dhillon
Laura Gildner
Matty Cervantes

H.1.d From the July 9, 2020 Closed Council Meeting

Appointments to the Victoria Family Court and Youth Justice Committee

That Council:

1. Appoint Kari Sloane to the Victoria Family Court and Youth Justice Committee for a term ending June 30, 2021.

H.1.e From the July 9, 2020 Closed Council Meeting

Appointment to the Board of Variance

That Council:

Appoint Rus Collins and Rosa Munzer candidates to the Board of Variance (BOV) each for a 3-year term from July 1, 2020 to July 1, 2023.

I. CLOSED MEETING

MOTION TO CLOSE THE AUGUST 6, 2020 COUNCIL MEETING TO THE PUBLIC

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

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

- Section 90(1)(c) labour relations or other employee relations;
- Section 90(1)(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;
- Section 90(1)(f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;
- Section 90(1)(g) litigation or potential litigation affecting the municipality;
- Section 90(1)(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.

Section 90(2) A part of a council meeting may be closed to the public if the subject matter being considered relates to one or more of the following:

- Section 90(2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

J. APPROVAL OF CLOSED AGENDA

K. READING OF CLOSED MINUTES

L. UNFINISHED BUSINESS

M. CORRESPONDENCE

N. NEW BUSINESS

N.1 Municipal Service - Community Charter Section 90(1)(k)

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

N.3 Employee Relations - Community Charter Section 90(1)(c)

N.4 Intergovernmental Relations - Community Charter Section 90(2)(b)

N.5 Law Enforcement/Litigation - Community Charter Section 90(1)(f) and 90(1)(g)

N.6 Employee Relations - Community Charter Section 90(1)(c)

O. CONSIDERATION TO RISE & REPORT

P. ADJOURNMENT



MINUTES - VICTORIA CITY COUNCIL

July 9, 2020, 1:30 P.M.

COUNCIL CHAMBERS - 1 CENTENNIAL SQUARE, VICTORIA BC

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PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Dubow, Councillor Young

**PRESENT VIA
ELECTRONIC
PARTICIPATION:** Councillor Isitt

STAFF PRESENT: J. Jenkyns - City Manager, C. Coates - City Clerk, P. Bruce - Fire Chief, T. Zworski - City Solicitor, T. Soulliere - Director of Parks, Recreation & Facilities, J. Jensen - Head of Human Resources, K. Hoese - Director of Sustainable Planning and Community Development, P. Bellefontaine - Acting Director of Engineering & Public Works, A. Meyer - Assistant Director of Development Services, C. Havelka - Deputy City Clerk, J. O'Connor - Deputy Director of Finance, K. Moore - Head of Business and Community Relations, C. Mycroft - Manager of Executive Operations, P. Angelblazer - Committee Secretary, A. James - Head of Strategic Operations,

B. APPROVAL OF AGENDA

Moved By Councillor Alto

Seconded By Councillor Loveday

That the agenda is approved.

CARRIED UNANIMOUSLY

D. UNFINISHED BUSINESS

D.1 Letter from the Minister of Finance and Deputy Premier

A letter of response dated June 8, 2020, regarding the COVID-19 Action Plan.

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That the letter dated June 8, 2020 from the Minister of Finance and Deputy Premier be received for information.

CARRIED UNANIMOUSLY

D.2 Letter from the District of Oak Bay

A letter of response dated June 30, 2020, regarding the next phase of construction of the *Bicycle Master Plan*.

Council discussed the following:

- *Further and future consultation with Oak Bay Council*
- *Alignment with Oak Bay and regional cycling infrastructure plans*
- *Siting of the East-West cycling corridor*
- *Dialogue with Oak Bay staff*
- *Bike lane public opinion*

Moved By Mayor Helps
Seconded By Councillor Dubow

That the correspondence dated June 30, 2020 from the District of Oak Bay be received for information.

Amendment:

Moved By Councillor Thornton-Joe
Seconded By Councillor Young

And that staff extend consultation to allow Oak Bay Council the opportunity to review and comment on the design prior to approving changes to the Richardson Street Corridor.

FOR (2): Councillor Thornton-Joe, and Councillor Young

OPPOSED (6): Mayor Helps, Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Potts, and Councillor Dubow

DEFEATED (2 to 6)

Amendment:

Moved By Councillor Loveday
Seconded By Councillor Dubow

That the correspondence dated June 30, 2020 from the District of Oak Bay be received for information **and that staff present to Oak Bay Council for information before tendering the project.**

CARRIED UNANIMOUSLY

On the main motion as amended:

That the correspondence dated June 30, 2020 from the District of Oak Bay be received for information and that staff present to Oak Bay Council for information before tendering the project.

CARRIED UNANIMOUSLY

E. REPORTS OF COMMITTEE

E.1 Committee of the Whole

E.1.a Report from the July 2, 2020 COTW Meeting

E.1.a.a South Island Prosperity Project

Moved By Councillor Alto

Seconded By Councillor Dubow

That Council receive this presentation for information.

CARRIED UNANIMOUSLY

E.1.a.b 1400 Quadra Street and 851 Johnson Street - Rezoning Application No. 00738

Moved By Councillor Alto

Seconded By Mayor Helps

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00738 to add storefront cannabis retailer as a permitted use at 1400 Quadra Street and remove storefront cannabis retailer as a permitted use at 851 Johnson Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

FOR (6): Mayor Helps, Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Potts, and Councillor Dubow

OPPOSED (2): Councillor Thornton-Joe, and Councillor Young

CARRIED (6 to 2)

E.1.a.c 43, 45 and 55 Gorge Road East and 2827, 2829 and 2831 Irma Street - Rezoning Application No. 00720 and Development Permit with Variances Application No. 00135 (Burnside)

Moved By Councillor Thornton-Joe

Seconded By Councillor Loveday

Rezoning Application No. 00720

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00720 for 43, 45 and 55 Gorge Road East and 2827, 2829 and 2831 Irma Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and that a Public Hearing date be set once the following conditions are met:

1. Preparation and execution of the appropriate legal agreements executed by the applicant in order to secure the following:
 - i. a housing agreement to ensure the residential rental units remain rental in perpetuity
 - ii. Statutory Right-of-Ways of 4.82m on Grant Street and 1.38m on Irma Street be registered on title to the satisfaction of the Director of Engineering and Public Works
 - iii. construction of a public plaza on the corner of Gorge Road East and Irma Street to the satisfaction of the Director of Community Planning and Sustainable Development and Director of Engineering and Public Works.
 - iv. purchase of two car share vehicles with assigned parking spaces on-site, 121 car share memberships for the life of the building along with \$100 usage credit for each membership and 6 commercial parking spaces assigned to residential visitors after business hours and on weekends to the satisfaction of the Director of Community Planning and Sustainable Development.
 - v. preparation of the appropriate legal agreement to ensure the appropriate construction methodology would not impact the health of the Garry Oak trees to be retained.
2. The applicant confirms that all the current tenants have reviewed the Tenant Assistance Plan and had an opportunity to identify their individual needs and that the applicant update the Tenant Assistance Plan accordingly to the satisfaction of the Director of Community Planning and Sustainable Development.

Development Permit with Variances Application No. 00135

That, subject to the preparation and execution of legal agreements to secure rental housing in perpetuity, Statutory Right-of-Ways, the construction of a new plaza and transportation demand management measures, to the satisfaction of the Director of Community Planning and Sustainable Development and Director of Engineering and Public Work, 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. 00720, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variances Application No. 00135 for 43, 45 and 55 Gorge Road East and 2827, 2829 and 2831 Irma Street, in accordance with:

1. Plans date stamped May 22, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the required number of residential parking spaces from 141 to 106
 - ii. reduce the required number of visitor parking spaces from 15 to 7 parking spaces
 - iii. reduce the rear yard setback from 6m to 2.93m.
3. The applicant provide the details of the proposed public art to be installed on the brick facade on the west elevation drawing to the satisfaction of the Director of Community Planning and Sustainable Development.
4. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY

E.1.a.d1224 Richardson Street - Rezoning Application No. 00705 and Development Permit with Variances Application No. 00149 (Rockland)

Moved By Councillor Alto

Seconded By Councillor Potts

Rezoning Application No. 00705

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00705 for 1224 Richardson Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation and execution of legal agreements for the following:
 - a. to ensure that a future strata cannot restrict the rental of units to non-owners, to the satisfaction of the Director of Sustainable Planning and Community Development;

- b. to secure the following transportation demand management measures, to the satisfaction of the Director of Engineering and Public Works:
 - i. one car share vehicle
 - ii. one car share parking spot
 - iii. one car share membership per dwelling unit
 - iv. one hundred dollars in car share usage credits per membership
 - v. two oversized bicycle parking stalls
 - vi. one bicycle repair station;
 - c. to secure a 1.43 metre statutory right-of-way adjacent to the lane;
 - d. to secure the initial sale prices at a maximum average of \$330,000 for one bedroom units and \$480,000 for two bedroom units; and
 - e. to ensure that an owner contribute 50% of the difference between their purchase price and the increased sale price to the City's Housing Reserve Fund if the unit is sold within three years of purchase.
2. That Council direct staff to work with the applicant to establish an administrative way to implement affordable home ownership and report to Council at first and second reading of the bylaws for this proposal.

Development Permit with Variances Application No. 00149

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. 00705, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00149 for 1224 Richardson Street, in accordance with:

- 1. Plans date stamped June 8, 2020.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the vehicle parking from 23 stalls to 10 stalls;
 - ii. increase the height from 7.6 metres to 10.08 metres;
 - iii. increase the number of storeys from 2.5 to 3;
 - iv. allow for roof decks.

3. 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)

E.1.a.e 146 Kingston Street - Application for a Change to Hours for Coast Victoria Harbourside Hotel, Liquor Primary License (James Bay)

Moved By Councillor Thornton-Joe

Seconded By Councillor Potts

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 Coast Victoria Harbourside Hotel located at 146 Kingston Street having hours of operation from 9:00 am to 1:00 am daily with the existing occupant load of 52 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 that the noise impacts would be negligible as the establishment proposes closing one hour later on Sunday only and opening two hours earlier each day, and the increase affects only indoor service 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. The views of residents were solicited via a mail out which included 276 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 twelve letters in response to the request where 9 respondents were opposed to the adjustment and 3 were in support of the change. The James Bay Neighbourhood Association did not provide comment.
- d. Council recommends the license endorsements be approved.

CARRIED UNANIMOUSLY

E.1.a.f COVID-19 Update

Moved By Councillor Thornton-Joe

Seconded By Councillor Potts

That Council receive the report from the City Manager for information.

CARRIED UNANIMOUSLY

E.1.a.g Bicycle Master Plan - 2020 Project Designs and Network Update

Council discussed the following:

- *Traffic calming options to compliment the design for the Kings-Haultain Corridor*
- *Connections along Kings & Douglas, as well as on the Kimta Road / E&N Corridor*
- *Victoria West cycling infrastructure options*
- *Safety issues along various routes*
- *Purpose of the overall cycling infrastructure network*

Moved By Councillor Isitt

Seconded By Councillor Loveday

That Council:

1. Approve the design for the Kings-Haultain corridor as per the details of this report and direct staff to complete engineering drawings and prepare construction tender documents;
2. Approve the design for the Kimta Road / E&N Connector and direct staff to complete engineering drawings and prepare construction tender documents; and Authorize City Staff to apply for funding for the Kimta Road / E&N Connector project through the Province of BC Active Transportation Grant Program. If successful, authorize the City Clerk to execute the agreement under terms similar to those of the 2020/2021 grant program; and Authorize the City to enter into an agreement with the Capital Regional District (CRD), on terms acceptable to the Acting Director of Engineering and Public Works and in the form satisfactory to the City Solicitor, for cost-sharing towards the detailed design of the Kimta Road / E&N Connector project that includes the following general provisions:
 - a. Consent and agreement of the use of Island Corridor Foundation parcels, project representatives, design,

- tendering and award, project management, communications and debt due.
- b. Development of a Project Charter to detail project representatives, design, tendering and award, project management, communications and implementation costs.
 - c. City's total contribution not to exceed \$1.38M.
3. Approve the design for the Richardson Street corridor as per the details of this report and direct staff to complete engineering drawings and prepare construction tender documents;
 4. Approve the design for the Government Street North corridor as per the details of this report and direct staff to complete engineering drawings and prepare construction tender documents;
 5. Approve designating the Dallas Road Project, between Lewis Street and Clover Point, as a temporary multi-use pathway for up to 18 months;
 6. Direct staff to organize a workshop with Council prior to the 2021 Financial Planning process to assess changes to the scope and sequencing of remaining corridors in the network while considering the current budgetary, social and environmental outlooks;
 7. Direct staff to incorporate construction and other costs for the 2020 projects referenced in this report into the 2021 draft Financial Plan.

Mayor Helps advised that the motions would be voted on separately

On number one:

That Council:

1. Approve the design for the Kings-Haultain corridor as per the details of this report and direct staff to complete engineering drawings and prepare construction tender documents;

CARRIED UNANIMOUSLY

On number two:

That Council:

2. Approve the design for the Kimta Road / E&N Connector and direct staff to complete engineering drawings and prepare

Council to follow Committee of the Whole Minutes

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construction tender documents; and Authorize City Staff to apply for funding for the Kimta Road / E&N Connector project through the Province of BC Active Transportation Grant Program. If successful, authorize the City Clerk to execute the agreement under terms similar to those of the 2020/2021 grant program; and Authorize the City to enter into an agreement with the Capital Regional District (CRD), on terms acceptable to the Acting Director of Engineering and Public Works and in the form satisfactory to the City Solicitor, for cost-sharing towards the detailed design of the Kimta Road / E&N Connector project that includes the following general provisions:

- a. Consent and agreement of the use of Island Corridor Foundation parcels, project representatives, design, tendering and award, project management, communications and debt due.
- b. Development of a Project Charter to detail project representatives, design, tendering and award, project management, communications and implementation costs.
- c. City's total contribution not to exceed \$1.38M.

Motion to refer:

Moved By Councillor Loveday

Seconded By Councillor Alto

That this item is referred to the July 9, 2020 evening Council Meeting.

CARRIED UNANIMOUSLY

On number three:

That Council:

3. Approve the design for the Richardson Street corridor as per the details of this report and direct staff to complete engineering drawings and prepare construction tender documents;

FOR (6): Mayor Helps, Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Potts, and Councillor Dubow

OPPOSED (2): Councillor Thornton-Joe, and Councillor Young

CARRIED (6 to 2)

On number four:

That Council:

Council to follow Committee of the Whole Minutes

July 9, 2020

4. Approve the design for the Government Street North corridor as per the details of this report and direct staff to complete engineering drawings and prepare construction tender documents;

CARRIED UNANIMOUSLY

On number 5:

That Council:

5. Approve designating the Dallas Road Project, between Lewis Street and Clover Point, as a temporary multi-use pathway for up to 18 months;

CARRIED UNANIMOUSLY

On number 6:

That Council:

6. Direct staff to organize a workshop with Council prior to the 2021 Financial Planning process to assess changes to the scope and sequencing of remaining corridors in the network while considering the current budgetary, social and environmental outlooks;

CARRIED UNANIMOUSLY

On number 7:

That Council:

7. Direct staff to incorporate construction and other costs for the 2020 projects referenced in this report into the 2021 draft Financial Plan.

CARRIED UNANIMOUSLY

Motion Arising:

Moved By Councillor Loveday
Seconded By Councillor Dubow

That staff report back as part of the 2021 budget process with information regarding implementing of traffic calming on Fernwood Road between Haultain and Kings.

Amendment:

Moved By Councillor Isitt

Seconded By Mayor Helps

That staff report back as part of the 2021 budget process with information regarding implementing of traffic calming on Fernwood Road between Haultain and Kings **and adjacent roads in the 2600 block**

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Alto

Seconded By Councillor Dubow

That staff report back as part of the 2021 budget process with information regarding implementing of traffic calming on Fernwood Road between Haultain and Kings ~~Ryan~~ **and adjacent roads in the 2600 block.**

CARRIED UNANIMOUSLY

On the motion arising as amended:

That staff report back as part of the 2021 budget process with information regarding implementing of traffic calming on Fernwood Road between Haultain and Ryan and adjacent roads in the 2600 block.

CARRIED UNANIMOUSLY

Motion Arising:

Moved By Councillor Loveday

Seconded By Councillor Thornton-Joe

Direct staff to work with Songhees residents, Boom & Batten, and the Victoria International Marina to address parking nuisance and livability concerns.

Amendment:

Moved By Councillor Isitt

Seconded By Councillor Thornton-Joe

Direct staff to work with Songhees residents, Boom & Batten, and the Victoria International Marina to address parking nuisance and livability concerns **on Songhees Road, Paul Kane Place, Cooperage Place, and Kimta Road.**

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Alto

Seconded By Mayor Helps

Direct staff to work with Songhees **neighbourhood** residents, Boom & Batten, and the Victoria International Marina to address parking nuisance and livability concerns on Songhees Road, Paul Kane Place, Cooperage Place, and Kimta Road.

CARRIED UNANIMOUSLY

On the motion arising as amended:

Moved By Councillor Alto

Seconded By Mayor Helps

Direct staff to work with Songhees neighbourhood residents, Boom & Batten, and the Victoria International Marina to address parking nuisance and livability concerns on Songhees Road, Paul Kane Place, Cooperage Place, and Kimta Road.

CARRIED UNANIMOUSLY

E.1.a.h Tax Sale Process - COVID-19 Update

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That Council direct staff to bring forward Tax Sale Deferral Bylaw to the July 9, 2020 Council meeting for introductory readings and adoption.

CARRIED UNANIMOUSLY

F. BYLAWS

F.1 Bylaw for 913-929 Burdett Avenue and 914-924 McClure Street: Rezoning Application No. 00466 and Heritage Alteration Permit with Variances Application No. 00214

Moved By Councillor Alto

Seconded By Councillor Young

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1217) No. 20-022

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

OPPOSED (1): Councillor Isitt

CARRIED (7 to 1)

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

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

1. Housing Agreement (913-929 Burdett and 914-924 McClure) Bylaw (2020) No. 20-023
2. Heritage Revitalization Agreement (923 & 929 Burdett Avenue and 924 McClure Street) Repeal Bylaw (2020) No. 20-024

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

OPPOSED (1): Councillor Isitt

CARRIED (7 to 1)

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, and after the Public Hearing for Rezoning Application No. 00466, if it is approved, consider the following motion:

"That Council authorize the issuance of the Heritage Alteration Permit No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street in accordance with:

1. Plans date stamped October 7, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. increasing the building height from 16.5m to 20.55m;
 - ii. reducing the front yard setback from 10.6m to 8.75m;
 - iii. reducing the rear yard setback from 5.4m to 4.7m;
 - iv. reducing the west yard setback from 3.6m to 3.2m for the principal building and from 3.6m to 3.05m for the Cartreff Residence; and
 - v. reducing the vehicle parking requirement from 59 stalls to 56 stalls.
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff.
4. The Heritage Alteration Permit is subject to the conditions for Mount St. Angela (917-923 Burdett Avenue), the Cartreff Residence (913 Burdett Avenue), and the Temple Residence (924 McClure Street), detailed in Appendix A, Appendix B, and Appendix C attached to this report.
5. The Heritage Alteration Permit lapsing two years from the date of this resolution."

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

OPPOSED (1): Councillor Isitt

Council to follow Committee of the Whole Minutes

July 9, 2020

CARRIED (7 to 1)

At the request of Councillor Dubow, Mayor Helps recalled the vote.

Councillor Dubow requested that the bylaws are voted on separately.

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

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

1. Housing Agreement (913-929 Burdett and 914-924 McClure) Bylaw (2020) No. 20-023

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

OPPOSED (2): Councillor Dubow, Councillor Isitt

CARRIED (6 to 2)

2. Heritage Revitalization Agreement (923 & 929 Burdett Avenue and 924 McClure Street) Repeal Bylaw (2020) No. 20-024

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

OPPOSED (1): Councillor Isitt

CARRIED (7 to 1)

F.2 Bylaw for 1015 Cook Street: Rezoning Application No. 00670 and Development Permit with Variances Application No. 00131

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. 1228) No. 20-066

CARRIED UNANIMOUSLY

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

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

1. Housing Agreement (1015 Cook Street) Bylaw (2020) No. 20-067

CARRIED UNANIMOUSLY

F.3 Bylaw for Tax Sale Deferral

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

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

1. 2020 Tax Sale Deferral Bylaw No. 20-080

CARRIED UNANIMOUSLY

Moved By Councillor Alto

Seconded By Councillor Potts

That the following bylaw **be adopted:**

1. 2020 Tax Sale Deferral Bylaw No. 20-080

CARRIED UNANIMOUSLY

F.4 Bylaw for Land Use Procedures Bylaw Amendment

Moved By Councillor Potts

Seconded By Councillor Loveday

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

1. Land Use Procedures Bylaw, Amendment Bylaw (No. 12) No. 20-076

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

OPPOSED (1): Councillor Isitt

CARRIED (7 to 1)

F.5 Bylaws for Electric Vehicle Ready Requirements for New Construction

Moved By Councillor Isitt

Seconded By Councillor Loveday

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1210) No. 20-001
2. Zoning Bylaw 2018, Amendment Bylaw (No. 5) No. 20-075

CARRIED UNANIMOUSLY

G. CLOSED MEETING

Moved By Councillor Loveday

Seconded By Councillor Dubow

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

Council to follow Committee of the Whole Minutes

July 9, 2020

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

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

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

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

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

Section 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

Section 90(2) A part of a council meeting may be closed to the public if the subject matter being considered relates to one or more of the following:

Section 90(2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party;

CARRIED UNANIMOUSLY

H. APPROVAL OF CLOSED AGENDA

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the closed agenda be approved.

Amendment:

Moved By Councillor Loveday

Seconded By Councillor Dubow

That item L.5 Intergovernmental Relations – Community Charter Section 90(2)(b) is moved to the top of the agenda.

CARRIED UNANIMOUSLY

On the main motion as amended:

CARRIED UNANIMOUSLY

L. NEW BUSINESS

L.5 Intergovernmental Relations - Community Charter Section 90(2)(b)

Council discussed an intergovernmental relations matter.

Council to follow Committee of the Whole Minutes

July 9, 2020

The discussion was recorded and kept confidential.

L.1 Appointments - Community Charter Section 90(1)(a)

Council discussed an appointment matter.

The discussion and motion were recorded and kept confidential.

L.2 Appointments - Community Charter Section 90(1)(a)

Council discussed an appointment matter.

The discussion and motion were recorded and kept confidential.

L.3 Legal Advice/Litigation - Community Charter Section 90(1)(g) & 90(1)(i)

Council discussed a legal advice/litigation matter.

The discussion was recorded and kept confidential.

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

Council discussed an employee relations matter.

The discussion was kept confidential.

N. ADJOURNMENT

Moved By Councillor Alto
Seconded By Councillor Potts

That the Council Meeting be adjourned at 5:12 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



MINUTES - VICTORIA CITY COUNCIL

July 9, 2020, 6:30 P.M.

Council Chambers, City Hall, 1 Centennial Square

The City of Victoria is located on the homelands of the Songhees and Esquimalt People
Due to the COVID-19 Pandemic, public access to City Hall is not permitted. This meeting
may be viewed on the City's webcast at www.victoria.ca.

PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Dubow,
Councillor Isitt, Councillor Thornton-Joe, and Councillor Young

PRESENT Councillor Loveday and Councillor Potts
ELECTRONICALLY:

STAFF PRESENT: J. Jenkyns - City Manager, C. Coates - City Clerk, T. Soulliere -
Director of Parks, Recreation & Facilities, T. Zworski - City Solicitor,
K. Hoese - Director of Sustainable Planning and Community
Development, P. Bellefontaine - Acting Director of Engineering and
Public Works, C. Havelka - Deputy City Clerk, C. Mycroft - Manager
of Executive Operations, M. Angrove - Planner, P. Martin - Council
Secretary

A. APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Moved By Councillor Isitt

Seconded By Councillor Thornton-Joe

That the agenda be approved as amended.

Amendment:

Moved By Councillor Alto

Seconded By Councillor Dubow

That the agenda be amended to add Lynn MacDonald, David & Janet Sime, Jack
Gaston, and John Weir to Section C of the agenda and to add Chuck Salmon, Lynn
Gordon, and Julie Wheaton to Section F of the agenda.

CARRIED UNANIMOUSLY

On the main motion as amended:

CARRIED UNANIMOUSLY

C. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

C.1 Cory Weagant: Homelessness and My Experience in Beacon Hill Park

Shared with Council by video his experience with homelessness and his experience in Beacon Hill Park.

C.2 Lyall Atkinson: Tenters

Outlined by telephone why Council should not allow 24 hour camping in Beacon Hill Park.

C.4 Lynn MacDonald: Angle Parking and Bike Lanes

Outlined by telephone concerns relating to the Bicycle Master Plan for Kimta Road and the proposed angle parking.

C.5 David & Janet Sime: Angle Parking and Bike Lanes

Outlined by telephone concerns relating to the Bicycle Master Plan for Paul Kane Place.

C.6 Jack Gaston: Angle Parking and Bike Lanes

Outlined by telephone concerns relating to the Bicycle Master Plan around Paul Kane Place.

C.7 John Weir: Angle Parking and Bike Lanes

Outlined by telephone concerns relating to the Bicycle Master Plan for Kimta Road and the proposed angle parking.

E. PUBLIC AND STATUTORY HEARINGS

Councillor Young withdrew from the meeting at 7:02 p.m. due to a past non-pecuniary conflict of interest with the following item, as his cousin used to live close to the subject property and had recused himself in the past.

E.1 1302 Finlayson Street: Rezoning Application No. 00687 and Development Permit with Variances Application No. 000546

Zoning Regulation Bylaw, Amendment Bylaw (No. 1224) No. 20-051:

To rezone the land known as 1302 Finlayson Street from the R1-B Zone, Single Family Dwelling District, to the R1-S2 Zone, Restricted Small Lot (Two Storey) District on the north portion of the property extending approximately 17 metres from the northern boundary, and the R1-S17, Finlayson Small Lot (Two Storey) District on the south portion of the property extending approximately 19.4 metres from the southern boundary, in order to subdivide and construct a new single family dwelling to the north of the existing building.

Development Permit Application:

The Council of the City of Victoria will also consider issuing a development permit for the land known as 1302 Finlayson Street, in Development Permit Area 15A: Intensive Residential – Small Lot, for the purposes of approving the exterior design and finishes for the small lot house as well as landscaping.

E.1.a Public Hearing & Consideration of Approval

Michael Angrove (Senior Planner): *Advised that the application is to subdivide the property, retain the existing residential/commercial building and construct a new small lot house on the northern portion of the site.*

Mayor Helps opened the public hearing at 7:06 p.m.

Adrian Brett (Applicant): Provided information regarding the application by video submission.

Council recessed from 7:14 p.m. until 7:19 p.m.

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

Council discussed the following:

- *Why a Heritage Designation was not brought forward with this application.*

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

Moved By Councillor Alto

Seconded By Councillor Potts

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1224) No. 20-051

CARRIED UNANIMOUSLY

Moved By Councillor Alto

Seconded By Councillor Dubow

That the following bylaw **be adopted:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1224) No. 20-051

CARRIED UNANIMOUSLY

Moved By Councillor Alto

Seconded By Councillor Dubow

That Council authorize the issuance of Development Permit with Variances Application No. 000546 for 1302 Finlayson Street, in accordance with:

1. Plans date stamped May 3, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the front yard setback from 6.0m to 2.0m (Lot A)
 - ii. reduce the rear yard setback from 6.0m to 4.63m to the building and to 3.43m to the steps (Lot A)
 - iii. reduce the side yard setback on Finlayson Street from 6.0m to 0.51 m (Lot B)
 - iv. . increase the site coverage from 40% to 47.99% (Lot B).
3. Revised plans, to the satisfaction of the Director of Sustainable Planning and Community Development, that address the asymmetry of the second-floor north facade windows and the width of the exterior railing supports.
4. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

Councillor Young returned to the meeting at 7:23 p.m.

E.2 1023 Tolmie Avenue: Rezoning Application No. 00672 and Development Permit with Variances Application No. 00097

Zoning Regulation Bylaw, Amendment Bylaw (No. 1227) No. 20-064:

To rezone the land known as 1023 Tolmie Avenue from the R1-B Zone, Single Family Dwelling District, to the R1-S1 Zone, Restricted Small Lot (One Storey) District, to subdivide the property and construct a new single family dwelling to the south of the existing building.

Development Permit with Variances Application:

The Council of the City of Victoria will also consider issuing a development permit for the land known as 1023 Tolmie Avenue, in Development Permit Area 15A: Intensive Residential – Small Lot for the purposes of approving the exterior design and finishes for the small lot house as well as landscaping.

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

Michael Angrove (Senior Planner): *Advised that the application is to subdivide the lot into two small lots and construct a new small lot house on the southern portion of the lot.*

Mayor Helps opened the public hearing at 7:27 p.m.

Vincent Portal (Applicant): Provided information regarding the application by telephone presentation.

Doris McLennan (Fifth Street) (Telephone): Expressed concerns with the application due to the size of the proposed building and its close proximity to a neighbouring house.

Matt Garvey (Fifth Street) (Video Submission): Expressed concerns with the application due to the proposed setbacks.

Council recessed from 7:45 p.m. until 7:50 p.m.

Council discussed the following:

- *The reasoning behind the proposed setbacks.*

Mayor Helps closed the public hearing at 7:55 p.m.

Moved By Mayor Helps

Seconded By Councillor Alto

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1227) No. 20-064

Council discussed the following:

- *Consideration of sending the application back to staff, due to concerns relating to the proposed setbacks.*

Motion to refer:

Moved By Councillor Isitt

Seconded By Councillor Dubow

That this matter be referred back to staff to work with the applicant to address the setback on the south of the lot.

Council discussed the following:

- *That further work is needed to have this application be a better fit with the neighbouring properties.*

Amendment:

Moved By Councillor Isitt

Seconded By Councillor Dubow

That the motion be amended as follows:

That this matter be referred back to staff to work with the applicant to address **concerns expressed by nearby residents related to setbacks** ~~the setback on the south of the lot.~~

CARRIED UNANIMOUSLY

On the main motion as amended:

That this matter be referred back to staff to work with the applicant to address concerns expressed by nearby residents related to setbacks.

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

CARRIED (6 to 2)

E.3 750 and 780 Summit Street: Development Permit with Variance Application No. 00136

Development Permit with Variances Application:

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 750 and 780 Summit Avenue in Development Permit Area 7A, Corridors, Douglas Street and Blanshard Street, for purposes of constructing a car storage structure.

E.3.a Opportunity for Public Comment & Consideration of Approval

Michael Angrove (Senior Planner): *Advised that the application is to consider a car storage structure.*

Mayor Helps opened the opportunity for public comment at 8:16 p.m.

Brian Kapuscinski (Applicant): Provided information regarding the application by video submission.

Council recessed from 8:19 p.m. until 8:24 p.m.

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

Council discussed the following:

- *Whether the site will have the capacity for electric vehicles.*

Mayor Helps closed the opportunity for public comment at 8:25 p.m.

Moved By Mayor Helps

Seconded By Councillor Alto

That, subject to the proposed metal panels being reviewed and determined to be to the satisfaction of the Director of Sustainable Planning and Community Development, Council authorize the issuance of Development Permit with Variance Application No. 00136 for 750 and 780 Summit Avenue, in accordance with:

1. Plans date stamped April 14, 2020.

2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - i. No provision of a loading space (Part 7.2, Section 9).
3. Provision of a short-term bike rack (6 spaces) in a location to the satisfaction of the Director of Engineering and Public Works.
4. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

F. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Alto
Seconded By Councillor Dubow

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

F.1 Chuck Salmon: Angle Parking and Bike Lanes

Outlined by telephone concerns relating to the Bicycle Master Plan for Kimta Road and the proposed angle parking.

F.2 Lynn Gordon-Findlay: Kimta Road Bike Path

Outlined by telephone concerns relating to the Bicycle Master Plan for Kimta Road.

F.3 Julie Wheaton: Angle Parking and Bike Lanes

Outlined by telephone concerns relating to the Bicycle Master Plan for Kimta Road and the proposed angle parking.

H. REPORTS OF COMMITTEES

H.1 Committee of the Whole

H.1.a Report from the July 2, 2020 COTW Meeting

H.1.a.a Bicycle Master Plan - 2020 Project Designs and Network Update

Moved By Councillor Alto
Seconded By Mayor Helps

2. Approve the design for the Kimta Road / E&N Connector and direct staff to complete engineering drawings and prepare construction tender documents; and Authorize City Staff to apply for funding for the Kimta Road / E&N Connector project through the Province of BC Active Transportation Grant Program. If successful, authorize the City Clerk to execute the agreement under terms similar to those of the 2020/2021 grant program; and Authorize

the City to enter into an agreement with the Capital Regional District (CRD), on terms acceptable to the Acting Director of Engineering and Public Works and in the form satisfactory to the City Solicitor, for cost-sharing towards the detailed design of the Kimta Road / E&N Connector project that includes the following general provisions:

- a. Consent and agreement of the use of Island Corridor Foundation parcels, project representatives, design, tendering and award, project management, communications and debt due.
- b. Development of a Project Charter to detail project representatives, design, tendering and award, project management, communications and implementation costs.
- c. City's total contribution not to exceed \$1.38M.

Amendment:

Moved By Councillor Young

Seconded By Councillor Loveday

Direct staff not to implement angle parking on Cooperage and Paul Kane Place at this time as part of the Kimta Road bike lane project.

Council discussed the following:

- *The number of spaces that would be lost.*

CARRIED UNANIMOUSLY

On the main motion as amended:

CARRIED UNANIMOUSLY

N. ADJOURNMENT

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the Council meeting adjourn.

TIME: 8:50 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



MINUTES - VICTORIA CITY COUNCIL

July 16, 2020, 11:22 A.M.

COUNCIL CHAMBERS - 1 CENTENNIAL SQUARE, VICTORIA BC
To be held immediately following the Committee of the Whole Meeting

PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Loveday, Councillor Thornton-Joe, Councillor Dubow, Councillor Young

PRESENT ELECTRONICALLY: Councillor Isitt, Councillor Potts

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Director of Finance, C. Coates - City Clerk, P. Bruce - Fire Chief, T. Soulliere - Director of Parks, Recreation & Facilities, J. Jensen - Head of Human Resources, K. Hoese - Director of Sustainable Planning and Community Development, A. Meyer - Assistant Director of Development Services, C. Havelka - Deputy City Clerk, L. Van Den Dolder - Assistant City Solicitor, J. O'Connor - Deputy Director of Finance, C. Mycroft - Manager of Executive Operations, M. Fedyczkowska - Legislation & Policy Analyst, A. James - Head of Strategic Operations, P. Bellefontaine - Acting Director of Engineering & Public Works, S. Perkins - Manager of Bylaw Services, S. Johnson - Manager of Engagement, M. Heiser - Committee Secretary

A. CONVENE COUNCIL MEETING

B. APPROVAL OF AGENDA

Moved By Councillor Alto
Seconded By Councillor Dubow

That the agenda be approved.

CARRIED UNANIMOUSLY

C. READING OF MINUTES

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That the following minutes be adopted:

1. Minutes from the evening meeting held June 25, 2020
2. Minutes from the special meeting held July 6, 2020

CARRIED UNANIMOUSLY

F. REPORTS OF COMMITTEE

F.1 Committee of the Whole

F.1.a Report from the July 9, 2020 COTW Meeting

**F.1.a.a 2920 Prior Street: Rezoning Application No. 00708,
Development Permit with Variances Applications No. 00147 &
No. 00151, and Development Variance Permit No. 00245
(Hillside/Quadra)**

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

Rezoning Application No. 00708

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00708 for 2920 Prior Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Development Permit with Variance Application No. 00147,
Development Permit with Variance Application No. 00151 and
Development Variance Permit No. 00245

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. 00708, if it is approved, consider the following motions:

“That Council authorize the issuance of Development Permit with Variance Application No. 00147 for 2920 Prior Street, in accordance with:

1. Plans date stamped June 1, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance to R1-S2, Restricted Small Lot (Two Storey) Dwelling:
 - ii. Decrease the side yard setback for habitable room window from 2.40m to 1.5m.
3. The Development Permit lapsing two years from the date of this resolution.

And that Council authorize the issuance of Development Permit with Variance Application No. 00151 for 2920 Prior Street, in accordance with:

1. Plans date stamped June 1, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance to Schedule M – Garden Suite

- i. Increase the maximum height from 3.50m to 4.15m.
3. The Development Permit lapsing two years from the date of this resolution.

And that Council authorize the issuance of Development Variance Permit Application No. 00245 for 2920 Prior Street, in accordance with:

1. Plans date stamped June 1, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances for the existing house:
 - ii. Decrease the minimum side yard setback (south) from 2.40m to 0.92m (for the deck only)
 - iii. Decrease the minimum side yard setback for a habitable room window (north) from 2.40m to 1.88m.
3. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY

F.1.a.b 736 Princess Avenue: Rezoning Application No. 00602 and Development Permit with Variance Application No. 00065 (Burnside-Gorge)

Moved By Councillor Loveday
Seconded By Councillor Dubow

Rezoning Application No. 00602

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00602 for 736 Princess 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. Preparation and execution of the appropriate legal agreements executed by the applicant in order to secure the following:
 - i. a housing agreement to ensure the 28 supportive transitional housing units remain rental and affordable (very low income levels) for at least 60 years in accordance with the City's definition of affordability in the Victoria Housing Strategy 2016-2025 (Phase Two: 2019-2022)
 - ii. that all 28 non-market dwelling units are owned by a non-profit or government agency
 - iii. that the applicant provides a minimum of five accessible dwelling units and designed in accordance with CSA B651-12 Accessible Design for the Built Environment standards.

Development Permit with Variance Application No. 00065

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. 00602, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 00065 for 736 Princess Avenue, in accordance with:

1. Plans date stamped June 18, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the required number of residential parking spaces from 14 to 0;
 - ii. reduce the required number of commercial parking spaces from 17 to 8;
 - iii. reduce the required number of visitor parking spaces from 3 to 0;
 - iv. reduce the required number of long-term residential bicycle parking spaces from 28 to 7;
 - v. reduce the required number of short-term residential bicycle parking spaces from six to 0;
3. The applicant identifies the location of the PMT station on the site plan, 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

F.1.a.c 777 Douglas Street: Application for a New Liquor Primary Licence for The Humboldt (Downtown)

Moved By Councillor Loveday

Seconded By Councillor Young

That Council direct staff to provide the following response to the Liquor Licensing Agency:

1. Council, after conducting a review with respect to noise and community impacts, does support the application of The Humboldt located at 777 Douglas Street having hours of operation from 9:00 am to 1:00 am daily with a total occupant load of 46 people. Providing the following comments on the prescribed considerations:
 - a. The impact of noise on the community near the establishment was considered in relation to the request and noise impacts are not expected as the application is required by LCRB administrative process to separate an existing liquor primary licence area from an existing licence. This application to separate portions of a liquor primary licence to allow for separate ownership and operation results in no net increase to licenced capacity or hours.

- b. If the application is approved, the impact on the community is expected to be neutral economically as the approval does not result in a net increase to businesses capacity.
- c. The views of residents were solicited via a mail out to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. The City received seven letters in response to the notification that went to 635 owners and occupants. Four letters stated opposition and three were supportive which included one from the Downtown Residents Association.
- d. Council recommends the license be approved.

CARRIED UNANIMOUSLY

F.1.a.d Electric Vehicle Charging User Fee

Moved By Councillor Young

Seconded By Councillor Alto

- 1. That Council direct staff to bring forward for introductory readings:
 - a. Amendments to the Streets and Traffic Bylaw (Bylaw No. 09-079) for the establishment and regulation of an electric vehicle charging zone, and collection of a fee for EV charging on city streets.
 - b. A new bylaw, City Parkades Electric Vehicle Charging Fees Bylaw (Bylaw no. 20-032) for collection of a fee for EV charging in City parkades and surface parking lots.
- 2. That Council authorize that revenue from fees collected from these bylaws be placed in the Climate Action Reserve Fund to support continued investment in EV charging infrastructure

CARRIED UNANIMOUSLY

F.1.a.e Festival Investment Grants

Moved By Councillor Dubow

Seconded By Councillor Alto

That Council approve the Festival Investment Grant allocations as recommended in Appendix 1 for total cash grants of \$283,749 and in-kind City services grants of up to \$159,450.

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

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

G. BYLAWS

G.1 Bylaw for Land Use Procedures Bylaw Amendment

Moved By Councillor Loveday

Seconded By Councillor Alto

That the following bylaw **be adopted**:

1. Land Use Procedures Bylaw, Amendment Bylaw (No. 12) No. 20-076

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

OPPOSED (1): Councillor Isitt

CARRIED (7 to 1)

G.2 Bylaw for Council Procedures Bylaw Amendment Bylaw

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

1. That Council Procedures Amendment (No. 2) Bylaw No. 20-083 be given first, second and third reading.

Motion arising:

Moved By Councillor Loveday

Seconded By Councillor Alto

That Councillor Thornton-Joe be allowed to speak again on this item.

CARRIED UNANIMOUSLY

On the main motion:

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

OPPOSED (1): Councillor Isitt

CARRIED (7 to 1)

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

2. That Council direct staff to give notice to the public of the proposed amendment pursuant to section 124(3) of the Community Charter.

CARRIED UNANIMOUSLY

H. CLOSED MEETING

Moved By Councillor Loveday
Seconded By Councillor Dubow

MOTION TO CLOSE THE JULY 16, 2020 COUNCIL MEETING TO THE PUBLIC
That Council convene a closed meeting that excludes the public under Section 90 of the Community Charter for the reason that the following agenda items deal with matters specified in Sections 90(1) and/or (2) of the Community Charter, namely:
Section 90(1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

- Section 90(1)(c) labour relations or other employee relations;
- Section 90(1)(f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;
- Section 90(1)(g) litigation or potential litigation affecting the municipality.

CARRIED UNANIMOUSLY

I. APPROVAL OF CLOSED AGENDA

Moved By Councillor Dubow
Seconded By Councillor Alto

That the closed agenda be approved.

CARRIED UNANIMOUSLY

J. READING OF CLOSED MINUTES

J.1 Minutes from the special closed meeting held July 6, 2020

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the minutes from the closed meeting held July 6, 2020 be adopted.

CARRIED UNANIMOUSLY

M. NEW BUSINESS

M.1 Law Enforcement/Litigation – Community Charter Section 90(1)(f) and 90(1)(g)

Council discussed a law enforcement/litigation matter.

The conversation was recorded and kept confidential.

All staff except the City Manager withdrew from the meeting at 12:21 p.m.

M.2 Employee Relations – Community Charter Section 90(1)(c)

Council discussed an employee relations matter.

O. ADJOURNMENT

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the Closed Council Meeting be adjourned at 1:05 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR

“NATIONAL POLYCYSTIC KIDNEY DISEASE AWARENESS DAY”

WHEREAS *Polycystic kidney disease (PKD) causes abnormal cysts to develop and grow in the kidneys and the enlargement of cysts causes kidney function to decline. It equally affects men, women and children – regardless of geography or ethnic origin; and*

WHEREAS *the PKD Foundation of Canada is the only national charitable organization dedicated to fighting PKD, a progressive, life-threatening genetic disease, through programs of research, advocacy, education, support and awareness in order to discover vital treatments and a cure for PKD and improve the lives of all it affects; and*

WHEREAS *in September, walks will take place in several locations to honour friends, family and supporters impacted by PKD to help raise funds for research and improve the quality of life for those afflicted with PKD, including many (Town/City) residents; and*

NOW, THEREFORE *I do hereby proclaim Friday, September 4th, 2020 as*
“NATIONAL POLYCYSTIC KIDNEY DISEASE AWARENESS DAY”
on the HOMELANDS of the Lekwungen speaking SONGHEES AND
ESQUIMALT PEOPLE in the CITY OF VICTORIA, CAPITAL CITY of
the PROVINCE of BRITISH COLUMBIA

IN WITNESS WHEREOF, *I hereunto set my hand this August 6th, Two Thousand and Twenty.*

LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA

Sponsored by:
Keara Johnson
PKD Foundation of Canada

“MITOCHONDRIAL DISEASE AWARENESS WEEK”

- WHEREAS** *Approximately 9000 Canadians have definitive mitochondrial disease; and*
- WHEREAS** *MitoCanada Foundation strives to find a cure for mitochondrial disease through the research we fund; and*
- WHEREAS** *There will be running, and walking, and other events in honour of those who have mitochondrial diseases and can’t run or walk; and*
- WHEREAS** *Mitochondrial disease awareness will be achieved and more people can be educated on a disease that affects many Canadians all over the world.*

NOW, THEREFORE *I do hereby proclaim the week of September 13th – September 19th, 2020 as “MITOCHONDRIAL DISEASE AWARENESS WEEK” on the HOMELANDS of the Lekwungen speaking SONGHEES AND ESQUIMALT PEOPLE in the CITY OF VICTORIA, CAPITAL CITY of the PROVINCE of BRITISH COLUMBIA.*

IN WITNESS WHEREOF, *I hereunto set my hand this August 6th, Two Thousand and Twenty.*

LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA

Sponsored by:
Anthony Nahas
MitoCanada Foundation

“INTERNATIONAL OVERDOSE AWARENESS DAY (IOAD)”

- WHEREAS** *International Overdose Awareness Day (IOAD) is a global event which provides opportunity for people to publicly mourn the loss of loved ones without shame or guilt; and*
- WHEREAS** *International overdose Awareness Day was first declared in Australia in 2001 and has been marked internationally every year in cities across the world ever since; and*
- WHEREAS** *IOAD aims to raise awareness of the overdose crisis and reduce the stigma of overdose death; and*
- WHEREAS** *IOAD aims to raise awareness that the BC Coroners Service reported the number of people lost to drug overdoses in BC in 2019 was 981, about 2.7 a day; and*
- WHEREAS** *IOAD aims to raise awareness that more drug users died in British Columbia in June 2020 than in any one month ever before in the province's history, that there were 175 illicit drug toxicity deaths in BC in June, an average of 5.8 fatalities every day – and that these numbers push BC's total to 728 lives lost to illegal drugs in the first six months of 2020; and*
- WHEREAS** *IOAD decries the lack of collective action that leads to each preventable overdose death – each one a human being, a member of a family and a member of our community, with each loss slashing a wide path of grief; and*
- WHEREAS** *Through IOAD we send a strong message to substance users that they are valued and that the community is working to mitigate harms and overdose; and*
- WHEREAS** *We support those who use substances by urging government and health decision-makers to create evidence based policies and wide access to treatments; and*
- WHEREAS** *We remind the public that drug use and overdose can happen to anyone in any family; and*
- WHEREAS** *Through IOAD we wish to prevent overdose deaths and stimulate discussion in Victoria and world-wide about overdose prevention bring information on services available to our community.*

NOW, THEREFORE I do hereby proclaim Monday, August 31st, 2020 as “**INTERNATIONAL OVERDOSE AWARENESS DAY (IOAD)**” on the **HOMELANDS** of the Lekwungen speaking **SONGHEES AND ESQUIMALT PEOPLE** in the **CITY OF VICTORIA, CAPITAL CITY** of the **PROVINCE** of **BRITISH COLUMBIA**.

IN WITNESS WHEREOF, I hereunto set my hand this August 6th, Two Thousand and Twenty.

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

**Sponsored by:
Moms Stop the Harm**



Downtown Victoria Business Association
20 Centennial Square
Victoria, BC
V8W 1P7
(250)386-2238
info@downtownvictoria.ca

Mayor Lisa Helps & City Council
City of Victoria
1 Centennial Square
Victoria, B.C.
V8W 1P6

July 31, 2020

Dear Mayor and Council,

At our July Board meeting we reviewed the staff report dated July 15th, *Proposed Adjustments to Parking Fees*. While parking and parking fees often elicits robust responses from the public, we noted in the report that volumes have increased to the point where turnover of vehicles is being impacted.

Our members have identified that street parking can be challenging for our businesses if cars are allowed to park all day. Access to their business is negatively impacted. Most of our businesses are located within 5 minutes of one of the cities parkades and serve the public well for longer trips downtown. Street parking works best for those looking to make quick trips to visit a particular shop or restaurant.

Therefore, based on the data in the report, and feedback from our members we have no objection to the recommendations made in the report.

Yours truly,

A handwritten signature in blue ink, appearing to read "Jeff Bray".

Jeff Bray
Executive Director

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

For the Council meeting of August 6, 2020, the Committee recommends the following:

E.1 956 Heywood Avenue - Development Permit with Variances Application No. 00126 (Fairfield)

That, subject to the preparation and execution of the following legal agreements in a form satisfactory to the City Solicitor:

- a. A Housing Agreement to ensure a future strata cannot restrict the rental of units, to the satisfaction of the Director of Sustainable Planning and Community Development; and
- b. A Section 219 Covenant to secure a car-share membership for each unit, to the satisfaction of the Director of Engineering and Public Works.

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 Variances Application No. 00126 for 956 Heywood Avenue, in accordance with:

1. Plans date stamped May 26, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the vehicle parking from 9 stalls to 6 stalls and visitor parking from 1stall to zero stalls;
 - ii. increase the height from 12m to 12.98m (main roof) and 14.81m (roof access);
 - iii. reduce the front setback from 10.50 metres to 6.63 metres;
 - iv. reduce the rear setback from 7.71 metres to 1.52 metres;
 - v. reduce the side setbacks from 7.71 metres to 1.37 metres (building) and 0.93m(window screens);
 - vi. increase the site coverage from 30 percent to 64 percent.
3. Registration of legal agreements on the property's title to secure the car share memberships, to the satisfaction of the Director of Engineering and Public Works.
4. Final plans to be generally in accordance with plans date stamped May 26, 2020.
5. The Development Permit lapsing two years from the date of this resolution.”

E.2 1908, 1916, 1920 Oak Bay Avenue - Rezoning Application No. 00694 and Development Permit with Variance Application No. 000551 (South Jubilee)

Rezoning Application No. 00694

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00694 for 1908, 1916, and 1920 Oak Bay Avenue, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Consult with the community through the South Jubilee CALUC in accordance with the Land Use Procedures Bylaw requirements (which has updated procedures during the COVID-19 pandemic) to seek feedback on the potential of adding a storey for rooftop access for common outdoor amenity space.
2. Revisions to plans to add a rooftop amenity space, if deemed feasible, to the satisfaction of the Director of Sustainable Planning and Community Development.
3. Preparation and execution of legal agreements to:

- a. ensure that a future strata cannot restrict the rental of units to non-owners, to the satisfaction of the Director of Sustainable Planning and Community Development;
- b. secure the following transportation demand management measures, to the satisfaction of the Director of Engineering and Public Works:
 - i. \$25,000 towards the construction of a crosswalk
 - ii. one car share membership per dwelling unit
 - iii. one car share membership per commercial unit
 - iv. one hundred dollars in car share usage credits per membership
 - v. electric vehicle readiness for all underground parking stalls
 - vi. four electric vehicle charging stations
 - vii. 24 electric bike charging stations
 - viii. one bicycle repair station;
- c. secure a Statutory Right-of-Way of 3.35 meters along the Oak Bay Avenue to the satisfaction of the Director of Engineering and Public Works; and
- d. to secure the following, to the satisfaction of the Director of Engineering and Public Works:
 - i. public realm improvements to Oak Bay Avenue and Redfern Street; and
 - ii. removal and disposal of existing storm drain main along the frontage in its current alignment, including excavation, backfill above the spring line of the new pipe, and surface restoration.

Development Permit with Variance Application No. 000551

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. 00694, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variances Application No. 000551 for 1908, 1916, and 1920 Oak Bay Avenue, in accordance with:

1. Plans date stamped July 6, 2020
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the front setback (south) for the upper storeys from 6.00 m to 2.34 m;
 - ii. reduce the rear setback (north) from 6.00 m to 5.32 m;
 - iii. reduce the interior lot line setback (west) from 2.40 m to 0.15 m;
 - iv. reduce the flanking street setback (east) from 2.40 m to 0.72 m;
 - v. reduce the number of commercial vehicle parking spaces from 26 to 10;
 - vi. reduce the number of residential vehicle parking spaces from 44 to 43;
 - vii. increase the distance between entrances and the short term bicycle parking from 15 m to 48.1 m;
 - viii. increase the number of storeys from 4 to 5;
 - ix. increase the height from 14.98 m to 18.00 m.
3. The Development Permit lapsing two years from the date of this resolution.”

E.3 3020 Douglas Street and 584 Burnside Road - Victoria Housing Reserve Fund Application (Burnside)

That Council approve a grant from the Victoria Housing Reserve Fund to the Victoria Cool Aid Society in the amount of \$450,000 to assist in the construction of the 154-unit Crosstown affordable housing project at 3020 Douglas Street and 584 Burnside Road East, subject to the following conditions:

1. The execution of a Housing Fund Grant Agreement in a form satisfactory to the Director of Sustainable Planning and Community Development and the City Solicitor;

- with terms for the eligible use of the grant, reporting requirements, repayment, indemnification, and communication protocols;
2. The applicant fulfills the applicable requirements of the Victoria Housing Reserve Fund Guidelines;
 3. That the passage of this resolution creates no legal rights for the applicant or any other person, or obligation on the part of the City, until and unless all agreements are fully executed by the City; and
 4. \$225,000 shall be payable to the applicant upon execution of the Housing Fund Grant Agreement and the remaining balance of \$225,000 shall be payable to the applicant once the City has issued all required occupancy permits for the project.

F.1 Proposed Adjustments to Parking Fees

That Council:

4. Reinstate regular on-street metered rates and time limits as per map in Appendix A.

F.3 City Hall West HVAC Replacement Operational Impacts – Verbal

That this report be received for information.

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD AUGUST 6, 2020

For the Council meeting of August 6, 2020, the Committee recommends the following:

E.1 1118 Princess Avenue: Development Variance Permit Application No. 000246 (George Jay Elementary School) (Fernwood)

1. 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 Variance Permit Application No. 00246 for 1118 Princess Avenue, in accordance with:
 - a. Plans date stamped July 15, 2020.
 - b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Allow the building to be constructed over a property line
 - ii. Reduce the side yard setback from 1.85m to 0.0m (West - Lot 16)
 - iii. Reduce the side yard setback from 1.85m to 0.0m (East Lot 17).
 - c. The Development Permit lapsing two years from the date of this resolution.”
2. That recommendations be forwarded to the August 6, 2020 daytime Council Meeting so that an opportunity for public comment can be scheduled in September.

E.3 202 Raynor Avenue: Rezoning Application No. 00724 and Heritage Alteration Permit with Variance Application No. 00021 (Victoria West)
Rezoning Application No. 00724

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00724 for 202 Raynor Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Development Permit with Variances Application No. 00137

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. 00724, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 00137 for 202 Raynor Avenue, in accordance with:

1. Plans date stamped June 9, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Reduce the front yard setback from 6.00m to 3.49m.
3. The Development Permit lapsing two years from the date of this resolution.”

Heritage Alteration Permit with Variance Application No. 00021

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. 00724, if it is approved, consider the following motion:

“That Council authorize the issuance of Heritage Alteration Permit with a Variance Application No. 00021 for 202 Raynor Avenue, in accordance with:

1. Plans, date stamped June 9, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - i. To reduce the required rear yard setback from 6 metres to 3 metres.
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

4. Heritage Alteration Permit with Variance lapsing two years from the date of this resolution.”

F.2 Accessibility Framework and Policy

1. That Council endorse the Accessibility Framework and forward the Framework and the following suite of recommendations in September for adoption to allow the AWG more time to consider the framework and comment on this motion.
2. That Council request staff report back with terms of reference for a new accessibility advisory committee, allowing for some continuity of membership, to provide ongoing advice to the City of Victoria as the Accessibility Framework is implemented.
3. That Council approve the Accessibility Policy as an interim policy and direct staff to report back with a strengthened policy including more specificity and guidelines to help determine appropriate courses of action and definitions
4. That Council direct staff to modify the Short-term Action Plan to include measurable outcomes including the year each issue is to be addressed and accomplished
6. That Council direct staff to report back in September with information on adding the AWG’s recommended additions to the Short-Term Action Plan
7. Direct staff to report back on the accessibility lens as it relates to the future equity lens and on potential tools to assist with balancing competing rights and interests.

D.1.a 2020 Budget Update and Review of Deferred Items

That Council, for 2020, direct staff to:

1. Use any unspent expense budgets towards the expected operating budget revenue shortfall and additional pandemic related costs
2. Use funding from initiatives in Appendix A funded by 2019 surplus, that are not initiated by Council today, towards the expected operating budget revenue shortfall and additional pandemic related costs
3. Use funding from any initiatives in Appendix A funded by new property tax revenue, less any amounts expended in 2020, towards the expected operating budget revenue shortfall and additional pandemic related costs
4. Use up to \$11.64 million of the budgeted property tax funding for the capital budget to offset the remaining deficit (adjusted down by any unconditional grant amount received from the Province of BC)
5. (a) That Council reaffirm authorization for the formation of the Equity, Diversity and Inclusion Office.
(b) That Council authorize funding to hire an Equity, Diversity and Inclusion Officer, with particular expertise in Social Planning and sufficient authority within the organization to effectively advance Equity, Diversity and Inclusion.
(c) That Council authorize funding to hire an Accessibility Coordinator within the Equity, Diversity and Inclusion Office, with appropriate expertise and sufficient authority within the organization to effectively advance Accessibility in City infrastructure, facilities, programs and operations.
(d) That Council direct staff to report back at the next Budget meeting in October on additional resource requirements for the Equity, Diversity and Inclusion Office.
6. Direct staff to bring forward items proposed in 2020 to be funded in the 2019 surplus, as supplementary items for Council's consideration in the 2020 budget.
7. That Topaz Park - Southern Park Enhancements be considered in the 2020 budget in the amount of \$3.8 million.
8. That the deferral amount of 400,000 for the parks public washroom be allocated in 2020.

9. That all the remaining items of the 2020 capital projects including consideration of public secure bike parking be included in the 2021 budget.

E.2 1050-1058 Pandora Avenue & 1508-1518 Cook Street: Update Report - Rezoning Application No. 00695, HD Application No. 000188 and Heritage Alteration Permit Application No. 00016 (Wellburn's Site)(North Park) Rezoning Application No. 00695

That 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 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, 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 (110V wall outlets) in the underground parkade, to the satisfaction of the Director of Engineering and Public Works;
 - f. purchase 100 transit passes through BC Transit's EcoPass program to the satisfaction of the Director of Engineering and Public Works;
 - g. permit the proposed mews to access Franklin Green Park for fire exit purposes;
 - h. maintain unrestricted public access to the mews from Cook Street and Franklin Green Park from 8AM-8PM each day;
 - i. provide a community amenity contribution in the amount of \$24,000.00 toward the Tree Reserve Fund for tree planting purposes and enhancing the city's urban forest; and
 - j. provide a community amenity contribution in the amount of \$17,800.00 toward the Local Amenity Reserve Fund for the construction of two accessible asphalt pathways within Franklin Green Park linking Cook Street and the development to the existing pathways in the park and for the purchase and installation of a drinking fountain for the park to the satisfaction of the Director of Parks, Recreation and Facilities.
 - k. design, supply and installation of the 'New Town District' framework along both frontages, including furnishings, materials and pedestrian lights, as laid out in the City's Downtown Public Realm Plan and Streetscape Standards document 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.

3. That staff be directed to work with the applicant to achieve some street trees or form of greenery in the public realm on Cook Street as part of this development.

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. The Plans, date stamped July 15, 2020
 - b. The Conservation Plan for the Parkway Apartments, date stamped July 16, 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 July 15, 2020."

E.4 3197 and 3199 Fifth Street and 1027, 1035, 1045, 1055, 1065 and 1075 Tolmie Avenue: Repeal of Housing Agreement Bylaw No. 14-044 and Discharge of Notice of Housing Agreement from title (Hillside-Quadra)

That Council instruct staff to prepare the necessary documentation to repeal Housing Agreement Bylaw No. 14-044 and discharge the related Notice of Housing Agreement registered under number CA7712239 on title to the following properties: 3197 and 3199 Fifth Street, 1027, 1035, 1045, 1055, 1065 and 1075 Tolmie Avenue, legally known and described, respectively as:

PID: 030-827-108

Legal Description: Lot 3 Section 4 Victoria District Plan EPP89848

PID: 030-827-094

Legal Description: Lot 2 Section 4 Victoria District Plan EPP89848

PID: 030-827-086

Legal Description: Lot 1 Section 4 Victoria District Plan EPP89848

PID: 030-827-116

Legal Description: Lot 4 Section 4 Victoria District Plan EPP89848

PID: 030-827-124

Legal Description: Lot 5 Section 4 Victoria District Plan EPP89848

PID: 030-827-132

Legal Description: Lot 6 Section 4 Victoria District Plan EPP89848

PID: 030-827-141

Legal Description: Lot 7 Section 4 Victoria District Plan EPP89848

PID: 030-827-159

Legal Description: Lot 8 Section 4 Victoria District Plan EPP89848

E.5 1230 Grant Street, 1209, 1218, 1219, 1220 and 1226 North Park Street, 1219 Vining Street, 1235 Caledonia Avenue and 1211 Gladstone Avenue: Update to the Housing Agreement for Rezoning Application No. 00715 (Fernwood)

That Council amend condition #2.a.i in the May 14, 2020 Council resolution for the Rezoning Application No. 00715 for 1230 Grant Street, 1209, 1218, 1219, 1220 and

1226 North Park Street, 1219 Vining Street, 1235 Caledonia Avenue and 1211 Gladstone Avenue so that it reads:

- i. a housing agreement to ensure the residential rental units remain affordable or below-market for sixty (60) years in accordance with the City's definition of affordability and below-market in the Victoria Housing Strategy 2016-2025 (Phase Two: 2019-2022).

F.1 Save-on-Foods Memorial Arena Capital Upgrades

That Council amend the 2020 Financial Plan to allocate \$280,000 for the repair of dehumidifiers and installation of handrails in the Save-On-Foods Memorial Centre, to be funded through the *Multi-Purpose Equipment and Infrastructure Reserve Fund*.

H.1 Council Member Motion: Recognizing the Extraordinary Contribution of Accessibility Working Group Volunteer Members

That Council, by way of this motion, recognize the extraordinary contribution of AWG volunteers and request that the Mayor write letters to AWG members thanking them for their efforts to help the City of Victoria identify and eliminate barriers and make Victoria accessible for all.

H.2 Council Member Motion: Recovery Stimulus Package for BC's Tourism and Hospitality Sector

That City of Victoria endorse the Tourism Industry Association of BC (TIABC)'s Tourism Rescue Proposal and that Council request the Mayor write the Premier of British Columbia, Minister of Tourism, Arts and Culture, and MLAs representing the ridings in the CRD advocating that the Province of British Columbia provide initial investment support of \$680 million (short/medium term) and additional stimulus funding (medium/long term) to help mitigate the unprecedented impacts of COVID-19 on the B.C. tourism and hospitality industry and its workforce.

H.3 Council Member Motion: Coordinated Assessment and Access Policy Group Recommendations

1. That Council requests that the Coordinated Assessment and Access Policy Group adjust its criteria for prioritizing people for housing based on the recently released 2020 Point in Time Count results including continuing to prioritize Indigenous people at the rate at which they are experiencing homelessness, broadening the age priority to reflect the most recent Point in Time Count data and prioritizing people who have lived in the region for one year or more.

H.5 Council Member Motion: Expediting Land Use and Permitting Applications for Schools During Covid19

That Council direct staff to expedite land use and permitting application processes for schools applying to place portables on school properties to accommodate the physical distancing needs of students during Covid19 while providing the regular opportunity for public input through staff bringing as report to a public meeting.



Council Report

For the Meeting of August 6, 2020

To: Council
From: C. Havelka, Deputy City Clerk
Date: July 28, 2020
Subject: 1400 Quadra Street and 851 Johnson Street: Rezoning Application No. 00738

RECOMMENDATION

That the following bylaw be given first and second readings:
1. Zoning Bylaw 2018, Amendment Bylaw (No. 6) No. 20-078

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 20-078.

The issue came before Council on July 9, 2020 where the following resolution was approved:

1400 Quadra Street and 851 Johnson Street - Rezoning Application No. 00738

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00738 to add storefront cannabis retailer as a permitted use at 1400 Quadra Street and remove storefront cannabis retailer as a permitted use at 851 Johnson Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Havelka'.

Christine Havelka
Deputy City Clerk

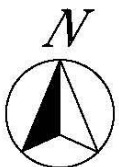
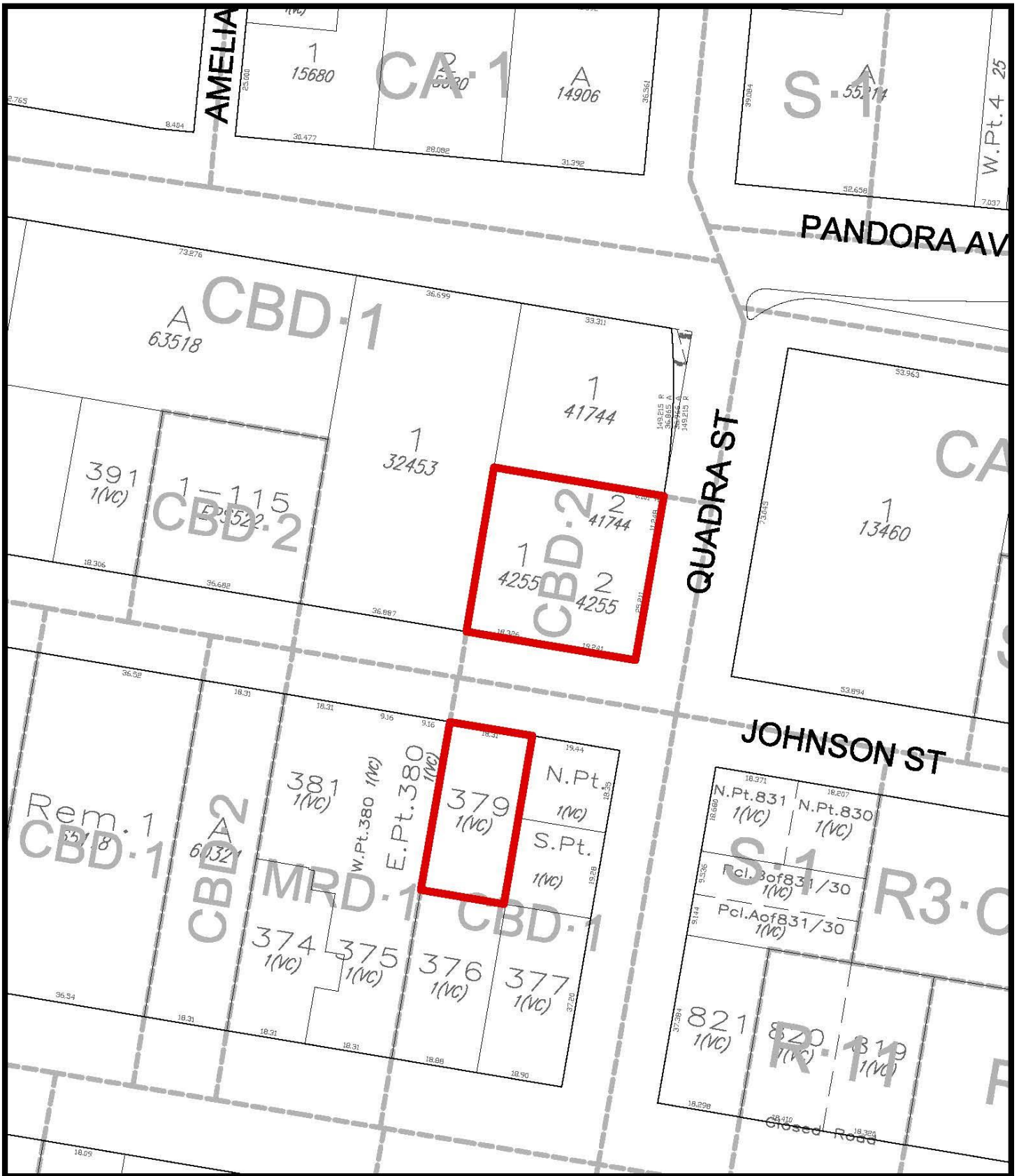
A handwritten signature in black ink, appearing to read 'Debra Kentz'.

Report accepted and recommended by the City Manager: _____

Date: July 30, 2020

List of Attachments:

- Bylaw No. 20-078



1400 Quadra Street and 851 Johnson Street
Rezoning No.00738



Council Report

For the Meeting of August 6, 2020

To: Council **Date:** July 28, 2020
From: C. Havelka, Deputy City Clerk
Subject: 404 Henry Street: Heritage Designation Application No. 000189

RECOMMENDATION

That the following bylaw be given first and second readings:
1. Heritage Designation (404 Henry Street) Bylaw No. 20-074

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 20-074.

The issue came before Council on May 28, 2020 where the following resolution was approved:

404 Henry Street: Heritage Designation Application No. 000189

That Council approve the designation of the property located at 404 Henry Street, 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.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Havelka'.

Christine Havelka
Deputy City Clerk

Report accepted and recommended by the City Manager:

A handwritten signature in black ink, appearing to read 'Debra Kent'.

Date: July 28, 2020

List of Attachments:

- Bylaw No. 20-074

NO. 20-074

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to designate the exterior of the house and the rock formation located at 404 Henry Street to be protected heritage property.

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

1. This Bylaw may be cited as the “HERITAGE DESIGNATION (404 HENRY STREET) BYLAW”.
2. The exterior of the house and the rock formation located at 404 Henry Street, legally described as PID: 008-958-220, Lot B (DD A53135) of Block D, Section 31, Esquimalt District, Plan 549, is designated to be protected heritage property.

READ A FIRST TIME the day of 2020

READ A SECOND TIME the _____ day of _____ 2020

Public Hearing Held On the _____ day of _____ 2020

READ A THIRD TIME the _____ day of _____ 2020

ADOPTED on the _____ day of _____ 2020

CITY CLERK

MAYOR



Council Report

For the Meeting of August 6, 2020

To: Council **Date:** July 28, 2020
From: C. Havelka, Deputy City Clerk
Subject: 2558 Quadra Street: Rezoning Application No. 00707 and Development Permit with Variances Application No. 00141

RECOMMENDATION

That the following bylaw be given first and second readings:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1225) No. 20-054

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

2. Housing Agreement (2558 Quadra Street) Bylaw (2020) No. 20-055

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaws No. 20-054 and No. 20-055.

The issue came before Council on March 12, 2020 where the following resolution was approved:

2558 Quadra Street: Rezoning Application No. 00707 and Development Permit with Variances Application No. 00141

Rezoning Application No. 00707

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00707 for 2558 Quadra Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

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

Development Permit with Variances Application No. 00141

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

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

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

Respectfully submitted,



Christine Havelka
Deputy City Clerk

Report accepted and recommended by the City Manager:



Date:

July 28, 2020

List of Attachments:

- Bylaw No. 20-054
- Bylaw No. 20-055

NO. 20-054

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the C1-QV2 Zone, Quadra Village (2558 Quadra) District, and to rezone land known as 2558 Quadra Street from the C1-QV Zone, Quadra Village District, to the C1-QV2 Zone, Quadra Village (2558 Quadra) District.

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

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT
BYLAW (NO. 1225)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of
Schedule “B” under the caption PART 4 – GENERAL COMMERCIAL ZONES by adding
the following words:
- “4.100 C1-QV2 Zone, Quadra Village (2558 Quadra) District”
- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 4.99
the provisions contained in Schedule 1 of this Bylaw.
- 4 The land known as 2558 Quadra Street, legally described as PID: 005-121-299, Lot A,
Section 4, Victoria District, Plan 11029, and shown hatched on the attached map, is
removed from the C1-QV Zone, Quadra Village District, and placed in the C1-QV2 Zone,
Quadra Village (2558 Quadra) District.

READ A FIRST TIME the _____ day of _____ 2020

READ A SECOND TIME the _____ day of _____ 2020

Public hearing held on the _____ day of _____ 2020

READ A THIRD TIME the _____ day of _____ 2020

ADOPTED on the _____ day of _____ 2020

CITY CLERK

MAYOR

PART 4.100– C1-QV2 ZONE, QUADRA VILLAGE (2558 QUADRA) DISTRICT**4.100.1 Permitted Uses in this Zone**

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

- a. Uses permitted in the C1-QV Zone, Quadra Village District, subject to the regulations set out in Part 4.52 of the Zoning Regulation Bylaw, except as otherwise specified by the regulations of this Part 4.100.

4.100.2 Total Floor Area, Floor Space Ratio

- a. Total floor area (maximum) 2826m²
- b. Floor space ratio (maximum) 2.28:1

4.100.3 Height, Storeys

- a. Principal building height (maximum) 18.15
- b. Storeys (maximum) 5

4.100.4 Vehicle and Bicycle Parking

- a. Vehicle parking for all uses combined (minimum) 30 spaces
- b. Bicycle parking (minimum) Subject to the regulations in Schedule “C”

CITY WEST

KINGS RD

MARK ST

QUADRA ST

STARS SCHOOL

Lot A 11029 (highlighted with a red border)

Other Lots and Features:

- Lot 166, 132
- Lot Aof 164 & 165, 132
- Lot 135, 132
- Lot 136, 132
- Lot 137, 132
- Lot Am. 1, 8153
- Lot Am. A, 8153
- Lot 61, 132
- Lot A 50150
- Lot A 20660
- Lot 1, 19600
- Lot Aof 132, Bk. 10
- Lot 142, 132
- Lot 143, 132
- Lot 144, 132
- Lot 145, 132
- Lot A 49267
- Lot A 30258
- Lot A 54733
- Lot 30710
- Lot 59060
- Lot S. Pt. 11, 240
- Lot N. Pt. 10, 240
- Lot S. Pt. 10, 240
- Lot Pcl. Aof 15 & 1, 240
- Lot S. Pt. 16, 240
- Lot N. Pt. 17, 240
- Lot S. Pt. 1, 240
- Lot 9, 240
- Lot 8, 240
- Lot 7, 240

Zoning Designations: R3-2, C1-QV



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

1 This Bylaw may be cited as the "HOUSING AGREEMENT (2558 QUADRA STREET) BYLAW (2020)".

2 The Director of Sustainable Planning and Community Development is authorized to execute the Housing Agreement:

- (a) substantially in the form attached to this Bylaw as Schedule A;
- (b) between the City and Greater Victoria Housing Society, or other registered owners from time to time of the lands described in subsection (c); and
- (c) that applies to the lands known as 2558 Quadra Street, Victoria, BC, legally described as:
PID: 005-121-299
Lot A, Section 4, Victoria District, Plan 11029.

ADOPTED on the _____ day of _____ 2020

MAYOR

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

BETWEEN:

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

(the "City")

AND:

GREATER VICTORIA HOUSING SOCIETY2326 Government Street
Victoria, BC V8T 5G5

(the "Owner")

AND:

VANCOUVER CITY SAVINGS CREDIT UNION810 - 815 West Hastings Street
Vancouver, B.C. V6C 1B4**BRITISH COLUMBIA HOUSING MANAGEMENT COMMISSION**1701 - 4555 Kingsway
Burnaby, B.C. V5H 4V8**CANADA MORTGAGE AND HOUSING CORPORATION**National Office, 700 Montreal Road
Ottawa, ON K1A 0P7**WHEREAS:**

- A. Capitalized terms used herein will have the respective meanings ascribed to them in section 1.1 of this Agreement, unless the context otherwise clearly requires or they are elsewhere defined herein.
- B. Under section 483 of the *Local Government Act* the City may, by bylaw, enter into a housing agreement with an owner regarding the occupancy of the housing units identified in the agreement, including but not limited to terms and conditions referred to in section 483(2) of the *Local Government Act*.
- C. The Owner is the registered owner in fee simple of lands in the City of Victoria, British Columbia, with a civic address of 2558 Quadra Street, Victoria, B.C. and legally described as:

{00055896;2}

PID: 005-121-299
 Lot A, Section 4, Victoria District, Plan 11029

(collectively, the "**Lands**").

- D. The Owner has applied to the City to rezone the Lands to permit 40 housing units within the Development in accordance with this Agreement.
- E. The City and the Owner wish to enter into this Agreement, as a housing agreement pursuant to section 483 of the *Local Government Act*, to secure the agreement of the Owner that all Dwelling Units within the Development on the Lands will be used and held only as rental housing.

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

1.0 DEFINITIONS

1.1 In this Agreement:

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

"**Development**" means the new 40 unit building consisting of residential housing and related facilities on the Lands;

"**Dwelling Units**" means any or all, as the context may require, of the 40 self-contained residential dwelling units within the Development and includes any dwelling unit that is developed on the Lands in future, whether as part of the Development or otherwise, and "**Dwelling Unit**" means any of such residential dwelling units located on the Lands;

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

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

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

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

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

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

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

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

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

- 2.1** The Owner covenants and agrees that the Dwelling Units shall only be used as rental housing for a term of 60 years beginning on the date the City issues a final occupancy permit for the Development, and for that purpose shall only be occupied by a Non-owner under the terms of a Tenancy Agreement between the Owner and the Non-owner who occupies the Dwelling Unit.

3.0 NO RESTRICTIONS ON RENTALS

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

4.0 REPORTING

- 4.1** The Owner covenants and agrees to provide to the City's Director of Sustainable Planning and Development, within thirty (30) days of the Director's written request, a report in writing confirming that:

- (a) all Dwelling Units are being rented to Non-owners or are vacant, and
- (b) all other requirements of this Agreement are being complied with by the Owner and the Development,

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

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

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5.0 NOTICE TO BE REGISTERED IN LAND TITLE OFFICE

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

6.0 LIABILITY

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

7.0 PRIORITY AGREEMENT

- 7.1** Vancouver City Savings Credit Union, as the registered holder of a charge by way of a mortgage and assignment of rents against the Lands, which said charges are registered in the Land Title Office at Victoria, British Columbia, under numbers CA1899723 and CA1899724, respectively, for and in consideration of the sum of One Dollar (\$1.00) paid by the City (the receipt whereof is hereby acknowledged), agrees with the City that upon filing of a Notice with the Land Title Office that the Lands are subject to this Agreement, pursuant to section 483(5) of the *Local Government Act*, this Agreement shall be an encumbrance upon the Lands in priority to the said charges in the same manner and to the same effect as if Notice had been filed prior to the said charges.
- 7.2** British Columbia Housing Management Commission, as the registered holder of a charge by way of a mortgage against the Lands, which said charge is registered in the Land Title Office at Victoria, British Columbia, under number CA1654565, for and in consideration of the sum of One Dollar (\$1.00) paid by the City (the receipt whereof is hereby acknowledged), agrees with the City that upon filing of a Notice with the Land Title Office that the Lands are subject to this Agreement, pursuant to section 483(5) of the *Local Government Act*, this Agreement shall be an encumbrance upon the Lands in priority to the said charge in the same manner and to the same effect as if Notice had been filed prior to the said charge.
- 7.3** Canada Mortgage and Housing Corporation, as the registered holder of a charge by way of a mortgage against the Lands, which said charge is registered in the Land Title Office at Victoria, British Columbia, under number CA8252849, for and in consideration of the sum of One Dollar (\$1.00) paid by the City (the receipt whereof is hereby acknowledged), agrees with the City that upon filing of a Notice with the Land Title Office that the Lands are subject to this Agreement, pursuant to section 483(5) of the *Local Government Act*,

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this Agreement shall be an encumbrance upon the Lands in priority to the said charge in the same manner and to the same effect as if Notice had been filed prior to the said charge.

8.0 GENERAL PROVISIONS

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

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

in the case of the City, addressed to:

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

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

and in the case of the Owner, addressed to:

Greater Victoria Housing Society
2326 Government Street
Victoria, BC V8T 5G5

Attention: Executive Director
Fax: 250-386-3434 _____
Email: info@greatervichousing.org

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

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

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

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

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- 8.2 TIME.** Time is of the essence of this Agreement.
- 8.3 BINDING EFFECT.** This Agreement will enure to the benefit of and be binding upon the parties hereto and their respective heirs, administrators, executors, successors, and permitted assignees. In accordance with section 483(6) of the *Local Government Act*, this Agreement and all obligations hereunder is binding on all who acquire an interest in the Lands, and the Owner only during the Owner's ownership of any interest in the Lands, and with respect only to that portion of the Lands of which the Owner has an interest.
- 8.4 WAIVER.** The waiver by a party of any failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement is not to be construed as a waiver of any future or continuing failure, whether similar or dissimilar.
- 8.5 HEADINGS.** The division of this Agreement into articles and sections and the insertion of headings are for the convenience of reference only and will not affect the construction or interpretation of this Agreement.
- 8.6 LANGUAGE.** Words importing the singular number only will include the plural and vice versa, words importing the masculine gender will include the feminine and neuter genders and vice versa, and words importing persons will include individuals, partnerships, associations, trusts, unincorporated organizations and corporations and vice versa.
- 8.7 LEGISLATION.** Reference to any enactment includes any regulations, orders or directives made under the authority of that enactment, and is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided.
- 8.8 EQUITABLE REMEDIES.** The Owner acknowledges and agrees that damages would be an inadequate remedy for the City for breach of this Agreement and that the public interest strongly favours specific performance, injunctive relief (mandatory or otherwise), or other equitable relief, as the only adequate remedy for a default under this Agreement.
- 8.9 CUMULATIVE REMEDIES.** No remedy under this Agreement is to be deemed exclusive but will, where possible, be cumulative with all other remedies at law or in equity.
- 8.10 ENTIRE AGREEMENT.** This Agreement when executed will set forth the entire agreement and understanding of the parties as at the date it is made.
- 8.11 FURTHER ASSURANCES.** Each of the parties will do, execute, and deliver, or cause to be done, executed, and delivered all such further acts, documents and things as may be reasonably required from time to time to give effect to this Agreement.
- 8.12 AMENDMENT.** This Agreement may be amended from time to time, by consent of the Owner and a bylaw duly passed by the Council of the City and thereafter if it is signed by the City and the Owner.
- 8.13 LAW APPLICABLE.** This Agreement is to be construed in accordance with and governed by the laws applicable in the Province of British Columbia.
- 8.14 NO DEROGATION FROM STATUTORY AUTHORITY.** Nothing in this Agreement shall:

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- (a) limit, impair, fetter or derogate from the statutory powers of the City all of which powers may be exercised by the City from time to time and at any time to the fullest extent that the City is enabled and no permissive bylaw enacted by the City, or permit, licence or approval, granted, made or issued thereunder, or pursuant to statute, by the City shall estop, limit or impair the City from relying upon and enforcing this Agreement; or
- (b) relieve the Owner from complying with any enactment, including the City's bylaws, or any obligation of the Owner under any other agreement with the City.

8.15 SEVERABILITY. If any section, term or provision of this Agreement is found to be partially or wholly illegal or unenforceable, then such sections or parts will be considered to be separate and severable from this Agreement and the remaining sections or parts of this Agreement, as the case may be, will be unaffected thereby and will remain and be enforceable to the fullest extent permitted by law as though the illegal or unenforceable parts or sections had never been included in this Agreement.

8.16 JOINT AND SEVERAL. The Owner, if more than one, are jointly and severally obligated to perform and observe each and every of the covenants, warranties and agreements herein contained by the Owner to be observed and performed.

8.17 COUNTERPARTS. This Agreement may be executed in counterparts and delivered by emailed PDF file, each of which will have the same effect as if all parties had signed the same document. Each counterpart shall be deemed to be an original. All counterparts shall be construed together and shall constitute one and the same Agreement.

8.18 EFFECTIVE DATE. This Agreement is effective as of the date of the signature of the last party to sign.

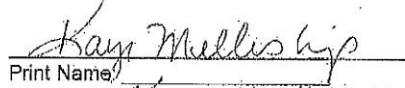
IN WITNESS WHEREOF the parties hereto have set their hands and seals as of the day and year last below written.

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

_____)
Karen Hoese, Director of Sustainable Planning)
and Community Development)

Date signed: _____)

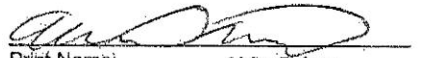
GREATER VICTORIA HOUSING SOCIETY
by its authorized signatory(ies):


Print Name: Kaye Melliship

Print Name: _____

Date signed: July 9, 2020

VANCOUVER CITY SAVINGS CREDIT UNION
by its authorized signatory(ies):


Print Name: Abby Palaez
Loan Security Coordinator
Community Business & Investment

Print Name: _____

Date signed: July 15, 2020

BRITISH COLUMBIA HOUSING MANAGEMENT
COMMISSION
by its authorized signatory(ies):

Print Name: _____

Print Name: _____

Date signed: _____

{00014619:4}

8

GREATER VICTORIA HOUSING SOCIETY

by its authorized signatory(ies):

Kaye Melliship
 Print Name: _____

Kaye Melliship
 Print Name: _____

Date signed: July 9, 2020

VANCOUVER CITY SAVINGS CREDIT UNION

by its authorized signatory(ies):

 Print Name: _____

 Print Name: _____

Date signed: _____

BRITISH COLUMBIA HOUSING MANAGEMENT COMMISSION

by its authorized signatory(ies):

Abbas Barodawalla
 Print Name: Abbas Barodawalla

Sara Goldvine
 Print Name: Sara Goldvine

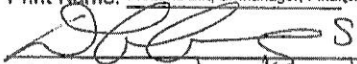
Date signed: July 22, 2020

{00014619:4}

CANADA MORTGAGE AND HOUSING
CORPORATION
by its authorized signatory(ies):



Print Name: Frederic Blit, Sr Manager, Financing Operations



Print Name: Jim Langis, Counsel

Date signed: July 14 2020

COUNCIL PROCEDURES BYLAW

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the procedures to be followed by Council and Council committees.

Under its statutory powers, including section 124 of the *Community Charter*, the Council of The Corporation of the City of Victoria in an open meeting assembled enacts the following provisions:

Contents

Contents

- 1 Title
- 2 Amendment

1 Title

This bylaw may be cited as COUNCIL PROCEDURES BYLAW AMENDMENT (NO. 2) BYLAW No. 20-083

2 Amendment

Council Procedures Bylaw No. 16-011 is hereby amended by:

- a) Adding the following as section 15 (1) (l) (i):

Order of Proceedings and business

15 (1) (l) (i)

Late Items

- b) deleting section 19 (1) in its entirety and replacing it with the following:

Motions generally

- 19 (1) A member of Council must give notice of a motion that is to be introduced at a Council meeting, by depositing a written copy of the motion with the Corporate Administrator:
 - (a) By 11:00 am on the Monday before that meeting to be included as an item of New Business for the meeting; or,
 - (b) After the time noted in section 19(1)(a) of this Bylaw but at least 24 hours before that meeting, and the item will be placed in a sub-category of New Business entitled "Late Items". In order for a motion to be added to the agenda for that meeting as late item by the Corporate Administrator, the report presenting it must include rationale noting the reason for the time sensitivity for the matter to be considered at that meeting.

c) Adding the following as section section 41 (h) (i) :

Order of Proceedings and business at Committee of the Whole meetings

41 (1) (l) (i)

Late Items

READ A FIRST TIME the **16th** day of **July** 2020

READ A SECOND TIME the **16th** day of **July** 2020

READ A THIRD TIME the **16th** day of **July** 2020

ADOPTED on the _____ day of _____ 2020

CITY CLERK

MAYOR