



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.b736 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