



MINUTES - VICTORIA CITY COUNCIL

July 23, 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 Potts, Councillor Thornton-Joe, Councillor Young

PRESENT
ELECTRONICALLY: Councillor Loveday

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Director of Finance, P. Bruce - Fire Chief, T. Soulliere - Director of Parks, Recreation & Facilities, T. Zworski - City Solicitor, K. Hoese - Director of Sustainable Planning and Community Development, P. Bellefontaine - Acting Director, Engineering and Public Works, C. Havelka - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, A. Johnston - Planner, S. Johnson - Manager of Engagement, J. O'Reilly - Senior Heritage Planner, P. Martin - Council Secretary, M. Fedyczkowska - Legislation & Policy Analyst

A. APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Moved By Councillor Alto
Seconded By Councillor Potts

That the agenda be approved as amended.

Amendment:

Moved By Councillor Isitt
Seconded By Councillor Dubow

That the agenda be amended to add Mary Doody Jones to the second Request to Address Council section of the agenda.

CARRIED UNANIMOUSLY

**On the main motion as amended:
CARRIED UNANIMOUSLY**

B. Poetry Reading
The Poet Laureate, John Barton, read a poem called "Emily Carr".

D. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Alto
Seconded By Councillor Dubow

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

D.5 Lisa Gunderson: Motion of UN Decade
Outlined over telephone why Council should support the Council Member Motion regarding International Decade for People of African Descent.

D.6 Dominique Jacobs: In Support of the UN International Decade of People of African Descent
Outlined over telephone why Council should support the Council Member Motion regarding International Decade for People of African Descent.

D.7 Boma Brown: Motion to Recognize and Support the UN Decade for People of African Descent
Outlined over telephone why Council should support the Council Member Motion regarding International Decade for People of African Descent.

F. PUBLIC AND STATUTORY HEARINGS

F.1 2019 Annual Report
The Annual Report provides a summary of the 2019 financial and operational activities for the City of Victoria. The report contains achievements, departmental reports, the audited financial statements as well as other financial and statistical information to assist citizens in understanding the City of Victoria's performance in 2019.

F.1.a Opportunity for Public Comment & Consideration of Approval:

Mayor Helps opened the public hearing at 6:55 p.m.

Council recessed at 6:58 p.m. until 7:04 p.m.

There were no persons present to speak to the 2019 Annual Report.

Mayor Helps closed the public hearing at 7:05 p.m.

Moved By Councillor Isitt
Seconded By Councillor Potts

That Council receive this report for information.

CARRIED UNANIMOUSLY

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

Zoning Regulation Bylaw, Amendment Bylaw (No. 1228) - No. 20-066:

To rezone the land known as 1015 Cook Street from the C-1 Zone, Limited Commercial District, and the R3-A1 Zone, Low Profile Multiple Dwelling District, to the CA-92 Zone, Central Area (1015 Cook) District, to permit a five-storey apartment building with live/work units on the ground floor.

Development Permit Application:

The Council of the City of Victoria will also consider issuing a development permit for the land known as 1015 Cook Street, in Development Permit Area 16, General Form and Character, for the purposes of approving the exterior design and finishes for the apartment building as well as landscaping.

F.2.a Public Hearing & Consideration of Approval

Alec Johnston (Senior Planner): *Advised that the application proposes to increase the density and construct a five-storey residential building with rental dwelling units.*

Mayor Helps opened the public hearing at 7:10 p.m.

Jordan Milne (Applicant) (Telephone): Provided information regarding the application.

Shannon Johnson: The Deputy City Clerk read out a statement on behalf of Shannon, that expressed her support for the application.

Don Sawchuk (Telephone): Expressed support for the application as it will help improve the vibrancy of the neighbourhood.

Kyle Hoffner (Cook Street) (Telephone): Expressed support for the application as the building and space will be good for the neighbourhood.

Marc Foucher (Mirror Street) (Telephone): Expressed support for the application as the design is a home-run for the neighbourhood.

Linda and Sherri Marion (Portage West) (Video): Expressed support for the application due to their happiness in a building developed by the applicant.

Susanna Kim (Cook Street) (Telephone): Expressed support for the application due to the need for new rental homes in the City.

Jaime (Rockland Avenue) (Telephone): Expressed support for the application due to their happiness in a building developed by the applicant.

Heather Lynn (Telephone): Expressed support for the application due to the need for new rental homes in the City as well as the availability of suites to accommodate growing families.

Lydia Beauregard (Telephone): Expressed support for the application in relation to her employment with the applicant as a muralist.

Council recessed at 7:46 p.m. until 7:52 p.m.

Peter Wood (Telephone): Expressed support for the application due to the need for new rental homes in the City and the attention to detail in the building.

Council discussed the following:

- *The breakdown of the different unit types.*

Mayor Helps closed the public hearing at 7:58 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. 1228) No. 20-066

Council discussed the following:

- *The inclusion of sustainable transportation in the purpose-built rental building.*
- *Whether the lack of parking spaces and parking concerns is mitigated by the bicycle parking, walkability score, transit routes, and car share vehicles.*
- *Whether a more modest proposal would have been more appropriate.*

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

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

Moved By Councillor Alto

Seconded By Councillor Dubow

That the following bylaws **be adopted:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1228) No. 20-066
2. Housing Agreement (1015 Cook Street) Bylaw (2020) No. 20-067

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

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

Moved By Councillor Alto
Seconded By Councillor Potts

That Council authorize the issuance of Development Permit with Variance Application No. 00131 for 1015 Cook Street, in accordance with:

1. Plans date stamped December 18, 2019.
2. Revisions to the landscape plan to identify the existing pear tree as "to be retained".
3. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the parking from 16 stalls to three stalls and the visitor parking from three stalls to one stall.
4. The Development Permit lapsing two years from the date of this resolution.

FOR (7): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe
OPPOSED (1): Councillor Young

CARRIED (7 to 1)

F.3 913-929 Burdett Avenue and 914-924 McClure Street (Mt. St. Angela): Rezoning Application No. 00466 and Heritage Alteration Permit Application No. 00214

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

To rezone the land known as 913-929 Burdett Avenue and 914-924 McClure Street from the R-K Zone, Medium Density Attached Dwelling District, and the CD-10 Zone, Mount St. Angela District, to the R-97 Zone, Mount St. Angela Seniors' Housing District, to increase the maximum density and allow for seniors' residence as a permitted use.

Heritage Alteration Permit with Variances:

The Council of the City of Victoria will also consider issuing a Heritage Alteration Permit with Variances for the land known as 913-929 Burdett Avenue and 914-924 McClure Street in Development Permit Area 16: General Form and Character for the purposes of approving the exterior alterations to the heritage designated buildings, the exterior design and finishes of the new construction and the associated landscaping.

F.3.a Public Hearing and Consideration of Approval

Alec Johnston (Senior Planner): *Advised that the application proposes to construct a seniors' residence.*

Mayor Helps opened the public hearing at 8:14 p.m.

Larry Cecco and John Keay (Applicants): Provided information regarding the application.

Catherine Brankston (Burdett Avenue) (Telephone): Expressed concerns with the application due to the size and massing of the building.

Mary Doody Jones (Telephone): Expressed concerns with the application due to the heritage aspects of the site.

Council recessed at 8:39 p.m. until 8:47 p.m.

Council discussed the following:

- *How the proposal respects the heritage aspects of the Mt. St. Angela building.*
- *The potential time line of the development permit application.*

Mayor Helps closed the public hearing at 8:57 p.m.

Moved By Councillor Young

Seconded By Councillor Alto

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

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

Council discussed the following:

- *The appropriate intent and approach of the heritage aspects of the application.*

FOR (7): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, and Councillor Young
OPPOSED (1): Councillor Isitt

CARRIED (7 to 1)

Moved By Councillor Alto

Seconded By Councillor Potts

That the following bylaw **be adopted:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1217) No. 20-022
2. Housing Agreement (913-929 Burdett and 914-924 McClure) Bylaw (2020) No. 20-023
3. Heritage Revitalization Agreement (923 & 929 Burdett Avenue and 924 McClure Street) Repeal Bylaw (2020) No. 20-024

FOR (7): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, and Councillor Young
OPPOSED (1): Councillor Isitt

CARRIED (7 to 1)

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

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 Dubow, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, and Councillor Young
OPPOSED (1): Councillor Isitt

CARRIED (7 to 1)

F.4 Electric Vehicle Ready Requirements for New Construction

Zoning Regulation Bylaw, Amendment Bylaw (No. 1210) No. 20-001:

The proposal is to amend the Zoning Regulation Bylaw:

1. to add and amend definitions associated with off-street parking regulations in Schedule A – Definitions.
2. to replace Schedule C – Off-Street Parking provisions with new off-street parking regulations to establish electric vehicle charging standards for:
 1. 100% of required residential parking spaces
 2. 5% of commercial off-street parking spaces above a certain threshold

Zoning Bylaw 2018, Amendment Bylaw (No. 5) No. 20-075:

Is proposed to amend the Zoning Bylaw 2018:

1. by adding new definitions in Section 2.1 Administrative Definitions
2. amending Section 5.1 Off-Street Parking Regulations to establish electric vehicle charging design standards for:
 1. 100% of required residential parking spaces
 2. 5% of commercial off-street parking spaces above a certain threshold

F.4.a Public Hearing & Consideration of Approval

Robyn Webb (Planner): *Advised that the proposed amendments to the Zoning Regulation Bylaw and Zoning Bylaw 2018 are to establish electric vehicle charging design standards.*

Mayor Helps opened the public hearing at 9:18 p.m.

Council recessed at 9:18 p.m. until 9:24 p.m.

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

Council discussed the following:

- *How the bylaw amendments align with the bylaws passed by the District of Saanich.*

Mayor Helps closed the public hearing at 9:29 p.m.

Moved By Councillor Isitt
Seconded By Councillor Dubow

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1210) No. 20-001

CARRIED UNANIMOUSLY

Moved By Councillor Isitt
Seconded By Councillor Potts

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

1. Zoning Bylaw 2018, Amendment Bylaw (No. 5) No. 20-075

CARRIED UNANIMOUSLY

Moved By Councillor Dubow
Seconded By Councillor Isitt

That the following bylaws **be adopted:**

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

CARRIED UNANIMOUSLY

Moved By Councillor Alto
Seconded By Councillor Dubow

That Council endorse the Electric Vehicle Charging Infrastructure Technical Bulletin (2020).

CARRIED UNANIMOUSLY

G. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Alto
Seconded By Councillor Dubow

That the following speaker be permitted to address Council.

CARRIED UNANIMOUSLY

G.1 Mary Doody Jones: Covid-19 is Changing Living Patterns and Affecting Development

Outlined over telephone why development should change as a result of the Covid-19 Pandemic.

D.8 Silvia Mangué Alene: UN Declaration of the International Decade for People of African Descent

Outlined over telephone why Council should support the Council Member Motion regarding International Decade for People of African Descent.

I. REPORTS OF COMMITTEES

I.1 Committee of the Whole

I.1.a

Report from the July 16, 2020 COTW Meeting

I.1.a.a Council Member Motion: International Decade for People of African Descent

Moved By Councillor Dubow
Seconded By Councillor Isitt

Therefore, be it resolved as follows:

1. That the City of Victoria joins the government of Canada, the province of Ontario, the cities of Toronto and Ottawa, in acknowledging the International Decade for People of African Descent for the purpose of promoting respect, protection and fulfillment of all human rights and fundamental freedoms of people of African descent, as recognized in the Universal Declaration on Human Rights.

That Council directs staff to report back at the Period 2 2020 Update on the resource implications of reporting back as part of the 2021 budget on how to implement the International Decade of People of African Descent from 2021-2024 including:

2. i) Raising awareness in the general public about the heritage and culture of people of African descent and around the International Decade of People of African Descent's broader goals and actions in Victoria.
ii) Delivering anti-racism including anti-black racism training to prevent systematic racism in city policy, bylaws, programs and services.

3. Creating an advisory committee of people of African descent to work with and advise staff between 2021-2024 on the implementation of the International Decade for People of African Descent and commitment to People of African descent.
4. Developing a capacity building grant program for Black-led organizations, black business owners, and institutions supporting and working with people of African descent.
5. Tracking and demonstrating progress with respect to City hiring practices at all levels to reflect the diversity of the community.
6. Creating internship opportunities for people of African descent to diversify the city's workforce.

CARRIED UNANIMOUSLY

O. CLOSED MEETING

Moved By Councillor Alto
Seconded By Councillor Dubow

That the agenda be amended to add a closed item, "Legal Advice/Intergovernmental Relations".

CARRIED UNANIMOUSLY

Moved By Councillor Potts
Seconded By Councillor Dubow

MOTION TO CLOSE THE JULY 23, 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)(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 must 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

P. UNFINISHED BUSINESS

P.1 Legal Advice/Intergovernmental Relations - Community Charter Sections 90(1)(i) & 90(2)(b)

Council discussed legal advice and an intergovernmental relations matter.

The discussion was recorded and kept confidential.

Q. ADJOURNMENT

Moved By Councillor Alto
Seconded By Councillor Potts

That the Council meeting adjourn.
TIME: 10:11 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR