



REVISED AGENDA - VICTORIA CITY COUNCIL

Thursday, November 25, 2021

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

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E.1.a.e.	1737 Rockland Avenue: Rezoning Application No. 00755	

E.1.b. Report from the November 25, 2021 COTW Meeting

Placeholder for time-sensitive motions

F. BYLAWS

F.1. Bylaw for Vining Street and North Park Street Road Closure and Dedication Removal 50

- **Adoption of**
 - Vining Street and North Park Street Road Closure and Dedication Removal Bylaw, 2021 No. 21-067

The purpose of this Bylaw is to close to traffic certain portions of two public highways known as Vining Street and North Park Street and remove the dedication of such highways.

F.2. Bylaw for 941 Fullerton Avenue: Rezoning Application No. 00769 53

A report recommending:

- **1st and 2nd readings of:**
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1266) No. 21-110

This application is ready to proceed to Public Hearing and proposes to rezone from the R1-S2 Zone, Restricted Small Lot (Two Storey) District, to a site-specific zone to legalize the existing secondary suite.

F.3. Bylaws and Update Report for 749-767 Douglas Street: Rezoning Application No. 00746, Development Permit with Variances Application No. 000155 and associated Official Community Plan Amendment 58

A report recommending:

- **1st and 2nd readings of:**
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1264) No. 21-105
 - Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 38) No. 21-106

That Council direct staff to make the necessary amendments to the Downtown Core Area Plan

(2011) to remove View 5: Olympic Mountains from Douglas Street.

This application is ready to proceed to Public Hearing and proposed to rezone from the CA-4 Zone, Central Area Commercial Office District to a site-specific zone to increase the density from 3:1 to 5.2:1 floor space ratio (FSR) for an office building with ground floor commercial uses.

***F.4. Bylaw for Sanitary Sewer and Stormwater Utilities**

69

- **Adoption of**
 - Sanitary Sewer and Stormwater Utilities Bylaw, Amendment Bylaw (No.9) Bylaw (2021) No. 21-088

The purpose of this Bylaw is to increase the stormwater user fee factor rates, CRD sewer consumption charge payable, connection fees, dye tests fees, and special fees and considerations payable under the *Sanitary Sewer and Stormwater Utilities Bylaw 14-071*.

***F.5. Bylaw for Solid Waste Utilities**

78

- **Adoption of**
 - Solid Waste Bylaw, Amendment Bylaw (No. 11) Bylaw (2021) No. 21-089

The purpose of this Bylaw is to amend the *Solid Waste Bylaw No.12-086* to increase the fees for the collection of solid waste.

***F.6. Bylaw for Waterworks Utilities**

80

- **Adoption of**
 - Waterworks Bylaw, Amendment Bylaw (No. 16) Bylaw (2021) No. 21-090

The purpose of this Bylaw is to increase the connection fees, special fees and consumption charges payable under the *Waterworks Bylaw No. 07-030*.

G. CLOSED MEETING

MOTION TO CLOSE THE NOVEMBER 25, 2021 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;

H. APPROVAL OF CLOSED AGENDA

I. READING OF CLOSED MINUTES

J. UNFINISHED BUSINESS

K. CORRESPONDENCE

L. NEW BUSINESS

L.1. Land - Community Charter Section 90(1)(e)

L.2. Employee Relations - Community Charter Section 90(1)(c)

M. CONSIDERATION TO RISE & REPORT

N. ADJOURNMENT



MINUTES - VICTORIA CITY COUNCIL

October 14, 2021, 11:38 A.M.

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

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

PRESENT ELECTRONICALLY: Councillor Dubow, Councillor Isitt

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Director of Finance, C. Kingsley - City Clerk, T. Zworski - City Solicitor, T. Soulliere - Director of Parks, Recreation & Facilities, K. Hoese - Director of Sustainable Planning and Community Development, D. Atkinson - Acting Fire Chief, A. Meyer - Assistant Director of Development Services, C. Havelka - Deputy City Clerk, L. Van Den Dolder - Assistant City Solicitor, K. Moore - Head of Business and Community Relations, C. Mycroft - Manager of Executive Operations, D. Newman – Assistant Director of Facilities and Construction Management, S. Webb – Manager of Sustainable Transportation and Development, R. Kenny – Assistant Director of Transportation, G. Milne – Head of Strategic Operations, M. Angrove - Planner, P. Bellefontaine - Director of Engineering & Public Works, G. Diamond – Committee Secretary

B. APPROVAL OF AGENDA

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the agenda be approved.

Amendment:

Moved By Councillor Thornton-Joe

Seconded By Councillor Loveday

That the Letter from the Regional District of Mount Waddington be added to the agenda.

CARRIED UNANIMOUSLY

On the main motion as amended:

CARRIED UNANIMOUSLY

D. CLOSED MEETING

D.1 MOTION TO CLOSE THE OCTOBER 14, 2021 CTFCOTW MEETING TO THE PUBLIC

Moved By Councillor Loveday
Seconded By Councillor Andrew

MOTION TO CLOSE THE OCTOBER 14, 2021 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.

CARRIED UNANIMOUSLY

M.1 Legal Advice – Community Charter Section 90(1)(i)

Council discussed a legal matter.

The discussion was recorded and kept confidential.

E. OPEN MEETING

The open meeting reconvened at 12:34 p.m.

Council recessed at 12:35 p.m. and reconvened at 1:20 p.m.

F. UNFINISHED BUSINESS

F.1 Reconsideration of a portion of Council Motion on Rental Business Licensing Bylaw

Council received a request by the Mayor for reconsideration of a matter that was heard at the September 16, 2021 Council meeting.

Councillor Isitt withdrew from the meeting at 1:22 p.m. due to a non-pecuniary conflict of interest with the following item as he is articling with an author of the report.

Council discussed the following:

- *That no renovictions have occurred since the province brought in the new legislation*
- *The current costs of rent in the City of Victoria*
- *That the lack of a current legal framework makes drafting a bylaw difficult*

Original motion:

That Council direct the Director of Sustainable Planning and Community Development to:

1. Monitor the implementation of the provincial legislative updates and report back to Council in the fall of 2022 on its efficacy and whether future City initiatives to further enhance protections for tenants are needed;
2. Facilitate public awareness and access to information regarding RTA requirements on repair and renovations of rental housing;
3. Undertake tenant capacity-building and outreach activities regarding RTA requirements on repair and renovations of rental housing.

Amendment to add new 1 and 2:

Moved By Mayor Helps

Seconded By Councillor Young

1. **That Council direct staff to report back with an updated bylaw to augment and fill the gaps in the Provincial legislation, with an aim of providing displaced tenants with assistance during renovations and preserving affordability when the renovated unit is ready for occupation.**
2. **And that Council direct staff to send the drafted bylaw to the Renters Advisory Committee.**

That Council direct the Director of Sustainable Planning and Community Development to:

3. Monitor the implementation of the provincial legislative updates and report back to Council in the fall of 2022 on its efficacy and whether future City initiatives to further enhance protections for tenants are needed;
4. Facilitate public awareness and access to information regarding RTA requirements on repair and renovations of rental housing;
5. Undertake tenant capacity-building and outreach activities regarding RTA requirements on repair and renovations of rental housing.

Amendment to the amendment:

Moved By Mayor Helps

Seconded By Councillor Alto

1. That Council suspend development of a Rental Business Licensing Bylaw given changes to the provincial Residential Tenancy Act (RTA) designed to prevent evictions carried out to renovate or repair a rental unit that came into effect on July 1, 2021. **And report back to Council in one year on the effectiveness of the provincial legislation in preventing evictions.**

2. That Council advocate to the Province to allow local governments to have the authority to require tenant protections such as the application of the City's Tenant Assistance Policy at the issuance of Building Permits and Development Permits where tenant relocation is required.

That Council direct the Director of Sustainable Planning and Community Development to:

3. Monitor the implementation of the provincial legislative updates and report back to Council in the fall of 2022 on its efficacy and whether future City initiatives to further enhance protections for tenants are needed;
4. Facilitate public awareness and access to information regarding RTA requirements on repair and renovations of rental housing;
5. Undertake tenant capacity-building and outreach activities regarding RTA requirements on repair and renovations of rental housing.

FOR (2): Councillor Andrew, Councillor Young

OPPOSED (6): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe

DEFEATED (2 to 6)

Amendment to the amendment:

1. That Council suspend development of a Rental Business Licensing Bylaw given changes to the provincial Residential Tenancy Act (RTA) designed to prevent evictions carried out to renovate or repair a rental unit that came into effect on July 1, 2021. **And report back to Council in three months on the effectiveness of the provincial legislation in preventing evictions.**
2. That Council advocate to the Province to allow local governments to have the authority to require tenant protections such as the application of the City's Tenant Assistance Policy at the issuance of Building Permits and Development Permits where tenant relocation is required.

That Council direct the Director of Sustainable Planning and Community Development to:

3. Monitor the implementation of the provincial legislative updates and report back to Council in the fall of 2022 on its efficacy and whether future City initiatives to further enhance protections for tenants are needed;
4. Facilitate public awareness and access to information regarding RTA requirements on repair and renovations of rental housing;
5. Undertake tenant capacity-building and outreach activities regarding RTA requirements on repair and renovations of rental housing.

CARRIED UNANIMOUSLY

Moved By Councillor Alto

Seconded By Councillor Potts

That Councillor Loveday be permitted to speak again

CARRIED UNANIMOUSLY

Moved By Councillor Potts
Seconded By Councillor Alto

That Councillor Dubow be permitted to speak again

CARRIED UNANIMOUSLY

Moved By Councillor Alto
Seconded By Councillor Loveday

That Councillor Potts be permitted to speak again

CARRIED UNANIMOUSLY

On the amendment:

1. That Council suspend development of a Rental Business Licensing Bylaw given changes to the provincial Residential Tenancy Act (RTA) designed to prevent evictions carried out to renovate or repair a rental unit that came into effect on July 1, 2021. And report back to Council in three months on the effectiveness of the provincial legislation in preventing evictions.
2. That Council advocate to the Province to allow local governments to have the authority to require tenant protections such as the application of the City's Tenant Assistance Policy at the issuance of Building Permits and Development Permits where tenant relocation is required.

That Council direct the Director of Sustainable Planning and Community Development to:

3. Monitor the implementation of the provincial legislative updates and report back to Council in the fall of 2022 on its efficacy and whether future City initiatives to further enhance protections for tenants are needed;
4. Facilitate public awareness and access to information regarding RTA requirements on repair and renovations of rental housing;
5. Undertake tenant capacity-building and outreach activities regarding RTA requirements on repair and renovations of rental housing.

FOR (5): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Thornton-Joe, Councillor Young

OPPOSED (3): Councillor Dubow, Councillor Loveday, Councillor Potts

CARRIED (5 to 3)

Amendment to add number 6:

Moved By Councillor Loveday
Seconded By Councillor Dubow

6. That Council direct staff to report back with an approach within municipal regulatory authority to fill gaps in the provincial regulatory approach.

FOR (5): Councillor Alto, Councillor Dubow, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe

OPPOSED (3): Mayor Helps, Councillor Andrew, Councillor Young

CARRIED (5 to 3)

Amendment to add number 7:

Moved By Councillor Potts

Seconded By Mayor Helps

7. That this matter be referred to the Renters' Advisory Committee.

CARRIED UNANIMOUSLY

On the number 1:

FOR (6): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Potts, Councillor Thornton-Joe, Councillor Young

OPPOSED (2): Councillor Dubow, Councillor Loveday

CARRIED (6 to 2)

On the number 2:

CARRIED UNANIMOUSLY

On the number 3:

CARRIED UNANIMOUSLY

On the number 4:

CARRIED UNANIMOUSLY

On the number 5:

CARRIED UNANIMOUSLY

On the number 6:

FOR (3): Councillor Dubow, Councillor Loveday, Councillor Potts

OPPOSED (5): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Thornton-Joe, Councillor Young

DEFEATED (5 to 3)

On the number 7:

CARRIED UNANIMOUSLY

G. PROCLAMATIONS

G.1 "Economic Abuse Awareness Day" - November 26, 2021

Council recessed at 2:31 p.m. and reconvened at 2:35 p.m.

Councillor Isitt returned to the meeting at 2:35 p.m.

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That the following proclamation be endorsed:

1. "Economic Abuse Awareness Day" - November 26th, 2021

CARRIED UNANIMOUSLY

G.2 "Respiratory Therapy Week" - October 24 - October 30, 2021

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That the following proclamation be endorsed:

1. "Respiratory Therapy Week" - October 24 to October 30, 2021

CARRIED UNANIMOUSLY

G.3 "Small Business Month" - October 2021

Moved By Councillor Andrew

Seconded By Councillor Thornton-Joe

That the following proclamation be endorsed:

1. "Small Business Month" - October 2021

CARRIED UNANIMOUSLY

H. REPORTS OF COMMITTEE

H.1 Committee of the Whole

H.1.a Report from the October 14, 2021 COTW Meeting

H.1.a.a Build Back Victoria Update

Moved By Councillor Andrew

Seconded By Councillor Alto

That Council receive this report for information and:

1. That Council direct the City Solicitor to bring forward amendments to the Business Recovery from Pandemic Bylaw

(#20-072) to extend its validity to October 31, 2022 with new applications connected to a liquor licence only be considered until October 31, 2021, and all existing Build Back Victoria permit holders be rolled over until October 31, 2022.

2. Direct the Director of Engineering & Public Works, Director of Sustainable Planning and Community Development, and City Solicitor to bring forward interim changes to the Sidewalk Café Regulation Bylaw (#16-038) to incorporate lessons learned from Build Back Victoria.
3. Direct staff to prepare resource considerations to introduce a pilot and establish an on-going Mobile Vending Business Licence and associated permit program as part of the 2023 Financial Planning Process
4. That council direct staff to include work to streamline the application process for sidewalk applications as a part of this project while providing for proper consideration of accessibility.
5. That the Sidewalk Café bylaw be renamed the Patio bylaw.
6. That the City write to the province requesting an extension of their program to October 2022 to align with their program

CARRIED UNANIMOUSLY

H.1.a.ab Letter from the Regional District of Mount Waddington

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That the City of Victoria endorses a regional contribution to the Lytton Fire Relief efforts and requests that the Mayor write to the CRD to ask that a contribution to the Lytton Fire Relief be considered in the CRD 2022 budget and report back at the October 28, 2021 COTW meeting on the decision of the CRD.

CARRIED UNANIMOUSLY

I. BYLAWS

I.1 Bylaws and Update Report for 1230 Grant Street, 1209, 1218, 1219, 1220 and 1226 North Park Street, 1219 Vining Street, 1235 Caledonia Avenue and 1211 Gladstone Avenue: Rezoning Application No. 00715, Associated OCP Amendment, and DP No. 000567

Mayor Helps withdrew from the meeting at 2:38 p.m. due to a pecuniary conflict of interest as she lives near the property in question.

Councillor Potts assumed the Chair at 2:39 p.m.

Moved By Councillor Alto

Seconded By Councillor Loveday

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1234) No. 21-064
2. Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 36) No. 21-065

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

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

1. Housing Agreement (1230 Grant Street, 1209-1215, 1218, 1219, 1220 and 1226 North Park Street, 1219 Vining Street, 1235 Caledonia Avenue and 1211 Gladstone Avenue) Bylaw (2021) No. 21-066
2. Vining Street and North Park Street Road Closure and Dedication Removal Bylaw, 2021 No. 21-067

CARRIED UNANIMOUSLY

Moved By Councillor Alto

Seconded By Councillor Loveday

That Council direct staff to deliver notice of its intention to the following operators or utilities or transmission or distribution facilities or works that Council considers will be affected by the closure: Telus, BC Hydro, Shaw, and Fortis.

CARRIED UNANIMOUSLY

Moved By Councillor Loveday

Seconded By Councillor Alto

Development Permit Application No. 000567

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 Application No. 000567 for 1230 Grant Street, 1209-1215, 1218, 1219, 1220 and 1226 North Park Street, 1219 Vining Street, 1235 Caledonia Avenue and 1211 Gladstone Avenue, in accordance with:

1. Plans date stamped May 28, 2021.
2. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY

I.2 Bylaw for Permissive Tax Exemption

Mayor helps returned to the meeting at 2:46 p.m.

Moved By Councillor Alto

Seconded By Councillor Andrew

That the following bylaw **be adopted**:

1. Tax Exemption (Permissive) Bylaw, 2022 No. 21-079

CARRIED UNANIMOUSLY

I.3 Bylaw for Business Recovery from Pandemic Bylaw

Moved By Councillor Isitt

Seconded By Councillor Dubow

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

- Business Recovery from Pandemic Bylaw Amendment Bylaw (No.2) No. 21-095

Amendment:

Moved By Councillor Isitt

Seconded By Councillor Loveday

To amend the bylaw by deleting section 2 and replacing it with the following:

2. The Business Recovery from Pandemic Bylaw No. 20-072 is amended

- (a) in section 3 by adding the following as a new subsection (3):

“(3) This Bylaw applies only if an application for

- (a) a permit or authorization under this Bylaw that relates to a business activity that requiring a liquor licence is received by the City no later than October 31, 2021; or
- (b) a permit or authorization under this Bylaw relates to a business activity that does not require a liquor licence.”,

- (b) by adding the following as a new section 3A immediately after section 3:

“Extension of Existing Permits

3A A permit or authorization issued under sections 4 or 5 of this Bylaw that was valid and in effect on October 14, 2021 is hereby extended until October 31, 2022 on the same terms and conditions as before.”

- (c) in section 13(2) by deleting “October 31, 2021” and replacing it with “October 31, 2022”,

CARRIED UNANIMOUSLY

Moved By Councillor Alto
Seconded By Councillor Isitt

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

- Business Recovery from Pandemic Bylaw Amendment Bylaw (No.2) No. 21-095

CARRIED UNANIMOUSLY

J. NEW BUSINESS

J.1 Short Term Rental Business License Appeal for 408 Superior Street

Council received a report dated September 14, 2021 from the City Clerk regarding an appeal of the License Inspector's denial of a business license for the short-term rental unit at 408 Superior Street.

Councillor Potts withdrew from the meeting at 2:51 p.m. due to a non-pecuniary conflict of interest as she lives in close proximity to the property in question.

Mayor Helps provided a background on the Short Term Rental Business License Appeal process.

The City Clerk introduced the appeal and the recommended motion.

Council deliberated the appeal based on the evidence provided by the appellant and information provided by the License Inspector.

Motion:

Moved By Councillor Isitt
Seconded By Councillor Young

That the decision of the Licence Inspector to deny a business license for the shorter term rental unit at 408 Superior Street be upheld.

FOR (3): Mayor Helps, Councillor Isitt, Councillor Young

OPPOSED (5): Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Loveday, Councillor Thornton-Joe

DEFEATED (5 to 3)

K. CLOSED MEETING

Moved By Councillor Loveday
Seconded By Councillor Potts

MOTION TO CLOSE THE OCTOBER 14, 2021 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)(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)(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)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

CARRIED UNANIMOUSLY

L. APPROVAL OF CLOSED AGENDA

Moved By Councillor Potts

Seconded By Councillor Alto

That the closed agenda be approved.

Amendment:

Consent Agenda:

- M.1 - Minutes from the closed meeting held September 23, 2021
- P.2. - Land - Community Charter Section 90(1)(e)

CARRIED UNANIMOUSLY

On the main motion as amended:

CARRIED UNANIMOUSLY

M. CONSENT AGENDA

Moved By Councillor Potts

Seconded By Councillor Alto

That the following items be approved without further debate

CARRIED UNANIMOUSLY

M.1 Minutes from the closed meeting held September 23, 2021

Moved By Councillor Potts
Seconded By Councillor Alto

That the minutes from the closed meeting held September 23, 2021 be approved.

CARRIED UNANIMOUSLY

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

Council discussed a land use matter.

The discussion was recorded and kept confidential.

P. NEW BUSINESS

P.1. Appointment - Community Charter Section 90(1)(a)

Council discussed an appointment matter.

The discussion was recorded and kept confidential.

P.3. Land - Community Charter Section 90(1)(e)

Council discussed a land use matter.

The discussion was recorded and kept confidential.

P.4. Legal Advice - Community Charter Section 90(1)(i)

Council discussed a legal matter.

The discussion was recorded and kept confidential.

R. ADJOURNMENT

Moved By Councillor Alto
Seconded By Councillor Andrew

That the Closed Council meeting be adjourned at 3:49 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



MINUTES - VICTORIA CITY COUNCIL

October 28, 2021, 6:30 P.M.

Council Chambers, City Hall, 1 Centennial Square

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

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

STAFF PRESENT: J. Jenkyns - City Manager, T. Soulliere - Director of Parks, Recreation & Facilities, T. Zworski - City Solicitor, P. Bellefontaine - Director of Engineering & Public Works, K. Hoese - Director of Sustainable Planning and Community Development, C. Havelka - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, L. Taylor - Senior Planner, C. Kingsley - City Clerk, G Milne – Head of Strategic Operations, P. Rantucci – Head of Strategic Real Estate, M. Heiser - Council Secretary

A. APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Moved By Councillor Isitt

Seconded By Councillor Andrew

That the agenda be approved as amended.

Mayor Helps recused herself at 6:32 p.m. as she lives closed to the following proposed application.

Councillor Potts assumed the chair.

Councillor Isitt requested that staff advise Council on the notification specifics for the following Public Hearing:

- 1230 Grant Street, 1209, 1218, 1219, 1220 and 1226 North Park Street, 1219 Vining Street, 1235 Caledonia Avenue and 1211 Gladstone Avenue: Rezoning Application No. 00715, Associated OCP Amendment, and Development Permit Application No. 000567

The City Solicitor advised Council and the public on the notifications issued for the Hearing and statutory requirements.

Mayor helps returned to the meeting at 6:37 P.M. and assumed the chair.

On the motion:

CARRIED UNANIMOUSLY

B. POETRY

The Youth Poet Laureate, James Summer, read a poem titled *Thoughts as I lie in Bed*.

D. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

D.1 Logan Ford: Art Spaces Funding

Outlined why Council should consider short and long term solutions for the disappearance of crucially important art spaces in Victoria.

D.2 Suzanne Jennings: City of Victoria Will Push Province to Allow Mobility Scooters and Motorized Wheelchairs to Use Bike Lanes

Outlined why Council should consider consulting the Accessible Advisory Committee with regards to the proposed motion to allow mobility scooters and motorized wheelchairs to use bike lanes.

F. PUBLIC AND STATUTORY HEARINGS

F.1 903 Collinson Street: Development Variance Permit Application No. 00273

Development Variance Permit Application No. 00273

The City of Victoria will be considering the issuance of a Development Variance Permit for the land known as 903 Collinson Street for the purpose of varying certain requirements of the *Zoning Regulation Bylaw*, Schedule C, namely to reduce the minimum distance from the parking stall to a street from 1.0m to 0.34m.

The proposal is to relocate the driveway from Quadra Street to Collinson Street to create safer access and egress for vehicular access to the property and to improve the pedestrian environment.

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

Leanne Taylor (Planner): Advised that the application is to relocate the driveway from Quadra Street to Collinson Street.

Mayor Helps opened the opportunity for public comment at 6:50 p.m.

Council recessed from 6:51 p.m. until 6:56 p.m. to provide an opportunity for members of the public to call to speak live.

No persons called in to speak to the proposed application.

Mayor Helps closed the opportunity for public comment at 6:57 p.m.

Moved By Councillor Andrew
Seconded By Councillor Alto

That Council authorize the issuance of Development Variance Permit Application No. 00273 for 903 Collinson Street in accordance with:

1. Plans date stamped August 5, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, Schedule C, except for the following variance:
 - a. Reduce the minimum distance from the parking stall to a street from 1.0m to 0.34m.
3. The Development Variance Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

Mayor Helps recused herself at 6:57 p.m. as she lives closed to the following proposed application.

Councillor Potts assumed the chair.

F.2 1230 Grant Street, 1209, 1218, 1219, 1220 and 1226 North Park Street, 1219 Vining Street, 1235 Caledonia Avenue and 1211 Gladstone Avenue: Rezoning Application No. 00715, Associated OCP Amendment, and Development Permit Application No. 000567

Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 36) - No. 21-065:
To include all of the land known as 1230 Grant Street, 1209-1215, 1218, 1219, 1220 and 1226 North Park Street, 1219 Vining Street, 1235 Caledonia Avenue and 1211 Gladstone Avenue in the Urban Residential Urban Place Designation.

Zoning Regulation Bylaw, Amendment Bylaw (No. 1234) - No. 21-064:
To rezone the land known as 1230 Grant Street, 1209-1215, 1218, 1219, 1220 and 1226 North Park Street, 1219 Vining Street, 1235 Caledonia Avenue and 1211 Gladstone Avenue from the R-K Zone, Medium Density Attached Dwelling District, and R-2 Zone, Two-Family Dwelling District, to the CD-17 Zone, Gladstone Comprehensive Development District, to permit five multi-unit residential buildings ranging in heights from three to five storeys with approximately 158 affordable and below-market rental dwelling units.

Development Permit Application No. 000567

The Council of the City of Victoria will also consider issuing a development permit for the land known as 1230 Grant Street, 1209-1215, 1218, 1219, 1220 and 1226

North Park Street, 1219 Vining Street, 1235 Caledonia Avenue and 1211 Gladstone Avenue, in Development Permit Area 16: General Form and Character, for the purposes of approving the exterior design and finishes for five multi-unit residential buildings as well as landscaping.

F.2.a Public Hearing & Consideration of Approval

Leanne Taylor (Planner): Advised that the application is for a residential development consisting of two multi-unit residential buildings and three townhouse blocks ranging in heights from approximately three to five storeys, and an amendment to the Official Community Plan.

Mayor Helps opened the public hearing at 7:02 p.m.

David Screech, Kimberly Lemmon, Rob Whetter, and Tamara Bonnemaïson (Applicants): Provided information regarding the application.

Grace Lore (Fernwood): Expressed support for the application due to the need for affordable housing and additional amenity space.

Marika Albert (Vancouver): Expressed support for the application due to the addition of affordable housing.

Brett Gaylor (Chambers Street): Expressed concerns for the application due to parking variances and the potential removal of a mural.

Lynn Beak (Fernwood): Expressed support for the application due to the increase in affordable housing in an urban neighbourhood and a range in unit sizes.

Stephen Dorsey (Friends of Vic High): Expressed concerns for the application due to the changes proposed for the track area of Vic High.

Gus Niketas (Fairfield): Expressed concerns for the application due to the sale of the land from the School District.

David Maxwell (Fernwood): Expressed concerns for the application due to the concerns with communication and development sizing.

Sarah Lou (Fernwood): Expressed concerns for the application due to the proposed changes to the Vic High field.

Kevin Helmeck (Fernwood): Expressed concerns for the application due to the loss of school property and track.

Council recessed at 7:57 p.m. and reconvened at 8:02 p.m.

Kori Doty (Johnson Street): Expressed support for the application due to the increase in affordable housing stock.

Alyx MacAdams and Amy Dorais (Sayward Street): Expressed support for the application due to the improvement to the current subject properties and addition of family housing units.

Fernwood Neighbourhood Resource Group (Gladstone Avenue): Expressed support for the application due to the addition of secure and affordable housing.

Esther Callo (Vining Street): Expressed concerns for the application due to public engagement and the proposed changes to the high school's track and field area.

Kathleen Hadley (Fairfield Road): Expressed concerns for the application due to the proposed changes to the high school's track and field area.

Corey Kowal (Grant Street): Expressed concerns for the application due to the loss of land for students in order to build the dwellings.

Paloma Callo (Vining Street): Expressed concerns for the application due to the loss of sports space for students in order to build the housing.

Gordon White (Fairfield Road): Expressed support for the application but also raised traffic flow concerns.

Margaret Hantiuk (Balmoral Road): Expressed concerns for the application due to the proposed changes to the high school's track and field area.

Alison James (Fernwood): Expressed support for the application due to the increase in housing and community diversity.

Alison Carmichael (BC Confederation of Parent Advisory Councils): Expressed concerns with the application due to the loss of educational land from students.

Council recessed from 8:48 p.m. until 8:53 p.m. to provide an opportunity for members of the public to call to speak live.

No further persons called in to speak to the proposed application.

Mayor Helps closed the public hearing at 8:53 p.m.

Council discussed the following:

- *Easement along the west side of the project*
- *Applicant's authority to proceed with land exchange*
- *Parking restrictions and availability on Vining Street*
- *Specifics on sports fields in use*
- *Multi-bedroom units proposed in development*

Moved By Councillor Isitt

Seconded By Councillor Loveday

That the following bylaws **be given third readings:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1234) No. 21-064
2. Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 36) No. 21-065

Council discussed the following:

- *Expansion of decommodified housing*
- *Repurposing of road's rights-of-way*
- *Historic significance of the neighbouring high school*
- *Loss of field and sport space*

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

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

Moved By Councillor Alto

Seconded By Councillor Isitt

That the following bylaws **be adopted:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1234) No. 21-064
2. Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 36) No. 21-065
3. Housing Agreement (1230 Grant Street, 1209-1215, 1218, 1219, 1220 and 1226 North Park Street, 1219 Vining Street, 1235 Caledonia Avenue and 1211 Gladstone Avenue) Bylaw (2021) No. 21-066

CARRIED UNANIMOUSLY

Acting Mayor Potts recalled the vote on the motion as requested by Councillor Young.

Moved By Councillor Alto

Seconded By Councillor Dubow

That the following bylaws **be adopted**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1234) No. 21-064
2. Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 36) No. 21-065

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

CARRIED (7 to 1)

Moved By Councillor Dubow

Seconded By Councillor Isitt

That the following bylaw **be adopted**:

1. Housing Agreement (1230 Grant Street, 1209-1215, 1218, 1219, 1220 and 1226 North Park Street, 1219 Vining Street, 1235 Caledonia Avenue and 1211 Gladstone Avenue) Bylaw (2021) No. 21-066

CARRIED UNANIMOUSLY

Moved By Councillor Alto

Seconded By Councillor Isitt

Development Permit Application No. 000567

That Council authorize the issuance of Development Permit Application No. 000567 for 1230 Grant Street, 1209-1215, 1218, 1219, 1220 and 1226 North Park Street, 1219 Vining Street, 1235 Caledonia Avenue and 1211 Gladstone Avenue, in accordance with:

1. Plans date stamped May 28, 2021.
2. The Development Permit lapsing two years from the date of this resolution.

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

CARRIED (7 to 1)

Motion Arising:

Moved By Councillor Isitt

Seconded By Councillor Loveday

That Council requests that the applicant and the City engage impacted neighbours on adjoining parcels to establish proactive lines of communications and mitigate construction impacts to the extent possible.

CARRIED UNANIMOUSLY

O. **ADJOURNMENT**

Moved By Councillor Alto
Seconded By Councillor Dubow

That the Council meeting adjourn.
TIME: 9:55 P.M.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



MINUTES - VICTORIA CITY COUNCIL

November 4, 2021, 6:30 P.M.

Council Chambers, City Hall, 1 Centennial Square

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

PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Young

PRESENT ELECTRONICALLY Councillor Thornton-Joe

STAFF PRESENT: S. Thompson - Deputy City Manager / Director of Finance, T. Soulliere - Director of Parks, Recreation & Facilities, T. Zworski - City Solicitor, A. Meyer - Assistant Director of Development Services, C. Havelka - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, C. Kingsley - City Clerk, R. Kenny – Assistant Director of Transportation, P. Rantucci – Head of Strategic Real Estate, G. Milne – Head of Strategic Operations, K. Hoese, Director of Sustainable Planning and Community Development, J. O'Reilly – Senior Heritage Planner, B. Eisenhauer – Head of Engagement, M. Heiser - Committee Secretary

A. MUSIC

The Victoria Conservatory of Music presents the Young Artists Collegium Program End of Year Chamber Music Showcase 2021, featuring the VCM's Preparatory and Intermediate Orchestras, under the direction of Tatiana Kostour.

B. APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Moved By Councillor Loveday
Seconded By Councillor Andrew

That the agenda be approved as amended.

CARRIED UNANIMOUSLY

F. PUBLIC AND STATUTORY HEARINGS

F.1 235 Russell Street: Development Permit with Variance Application No. 00163

Development Permit with Variances Application No. 00163

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 235 Russell Street, in Development Permit Area 13 – Core Songhees, for purposes of constructing a new four-storey industrial warehouse building.

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

Miko Betanzo (Planner): Advised that the application is to allow the construction of a new warehouse. The variance is related to the parking and loading zone and short term bicycle requirements.

Mayor Helps opened the opportunity for public comment at 6:35 p.m.

Charles Kierulf (Applicant): Provided information regarding the application.

Council recessed from 6:42 p.m. p.m. until 6:47 p.m. to provide an opportunity for members of the public to call to speak live.

No persons called in to speak to the proposed application.

Mayor Helps closed the opportunity for public comment at 6:48 p.m.

Moved By Councillor Loveday
Seconded By Councillor Andrew

That Council authorize the issuance of Development Permit with Variance Application No. 00163 for 235 Russell Street, in accordance with:

1. Plans date stamped July 13, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the number of loading stalls from 1 to nil
 - ii. reduce the number of vehicle parking stalls from 20 to 14
 - iii. increase the distance between the main entrance and the short term bicycle stalls from 15m to 19.13m.
3. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

F.2 737 Belton Avenue: Development Permit with Variance Application No.00162

Development Permit with Variances Application No. 00162

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 737 Belton Avenue, in Development Permit Area 15A, Intensive Residential - Small Lot, for purposes of constructing a new single family dwelling on a small lot.

F.2.a Opportunity for Public Comment & Consideration of Approval:

Miko Betanzo (Planner): Advised that the application is to construct a new single family dwelling on a small lot. The variances are related to reducing the front and rear yard setbacks and increasing the site coverage.

Mayor Helps opened the opportunity for public comment at 6:50 p.m.

Denise Kors (Applicant): Provided information regarding the application.

Rene Gauthier (Dunedin Street): Expressed concerns for the application due to specifics of the proposal relating to landscaping and privacy in close proximity to their property.

Council recessed from 7:02 p.m. until 7:07 p.m. to provide an opportunity for members of the public to call to speak live.

No further persons called in to speak to the proposed application.

Council discussed the following:

- *Landscaping details*
- *Privacy aspects of the proposed application*

Mayor Helps closed the opportunity for public comment at 7:09 p.m.

Moved By Councillor Young

Seconded By Councillor Alto

That Council authorize the issuance of Development Permit with Variance Application No. 00162 for 737 Belton Avenue, in accordance with:

1. Plans date stamped June 8, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the front yard setback from 6.0m to 4.0m to the building face and from 6.0m to 0.58m to the stairs
 - ii. permit vertical supports on a porch roof that projects into the front yard setback
 - iii. reduce the rear yard setback from 6.0m to 3.34m
 - iv. increase the site coverage from 40% to 40.16%.
3. Revised Arborist Report, Tree Management Plan and landscape plan to the satisfaction of the Director of Parks, Recreation and Facilities.
4. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

F.3 3150 Somerset Street: Rezoning Application No. 00763 and Development Permit Application No. 000592

Zoning Regulation Bylaw, Amendment Bylaw (No. 1261) - No. 21-087:

To rezone the land known as 3150 Somerset Street from the R1-B Zone, Single Family Dwelling District, to the R-2 Zone, Two Family Dwelling District, to demolish the existing duplex, subdivide the property and construct two new duplexes.

Development Permit Application

The Council of the City of Victoria will also consider issuing a development permit for the land known as 3150 Somerset Street, in Development Permit Area 15D: Intensive Residential - Duplex for the purposes of approving the exterior design and finishes for the two duplexes as well as landscaping.

F.3.a Public Hearing & Consideration of Approval

Miko Betanzo (Planner): Advised that the application is to demolish the existing legally non-conforming duplex, subdivide the property, and construct two new duplexes.

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

Rus Collins (Applicant): Provided information regarding the application.

Council recessed from 7:18 p.m. until 7:23 p.m. to provide an opportunity for members of the public to call to speak live.

No persons called in to speak to the proposed application.

Council discussed the following:

- *Tree removal and retention*
- *New tree selection*

Mayor Helps closed the public hearing at 7:29 p.m.

Moved By Councillor Alto

Seconded By Councillor Loveday

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1261) No. 21-087

CARRIED UNANIMOUSLY

Motion Arising:

Moved By Councillor Isitt

Seconded By Councillor Loveday

That Council direct staff to pursue the planting of at least two Garry Oaks as replacement trees.

CARRIED UNANIMOUSLY

Moved By Councillor Alto

Seconded By Councillor Loveday

That the following bylaw **be adopted**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1261) No. 21-087

CARRIED UNANIMOUSLY

Moved By Councillor Alto

Seconded By Councillor Loveday

Development Permit Application No. 000592

That Council authorizes the issuance of Development Permit Application No. 000592 for 3150 Somerset Street, in accordance with:

1. Plans date stamped April 6, 2021.
2. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

F.4 780-798 Fort Street: and 1106-1126 Blanshard Street: Rezoning Application No. 00745, Development Permit with Variances Application No. 00580, and Heritage Designation Application No. 000196

Zoning Bylaw 2018, Amendment Bylaw (No. 11) - No. 21-083:

To rezone the land known as 780/84 and 794-798 Fort Street and 1106-1108 and 1114-1126 Blanshard Street within the CBD-1 Zone to increase the density and to add site-specific regulations.

Development Permit with Variances Application

The Council of the City of Victoria will also consider issuing a development permit for the land known as 780/84 and 794-798 Fort Street and 1106-1108 and 1114-1126 Blanshard Street, in Development Permit Area 2 (HC), Core Business, for the purposes of approving the exterior design and finishes for a new Hotel and existing Heritage Building as well as landscaping and the following variances:

1. increase the building height from 60 metres to 66 metres for Development Area A (PID: 006-027-113, Lot 1, District Lots 28 and 66, Victoria City, Plan 4755; and PID: 006-027-156, Lot 2, District Lots 28 and 66, Victoria City, Plan 4755)
2. reduce the west side yard setback from 6 metres to 2.65 metres, for portions of the building 17.5 metres above average grade for Development Area A (PID: 006-027-113, Lot 1, District Lots 28 and 66, Victoria City, Plan 4755, and PID: 006-027-156, Lot 2, District Lots 28 and 66, Victoria City, Plan 4755).

Heritage Designation Application

Under the provisions of the *Local Government Act*, the City of Victoria intends to designate the building located at 1114-1126 Blanshard Street, legally described

as: 004-738-497, Lot 61, Victoria City, as protected heritage property, under Heritage Designation Bylaw No. 21-085 (1114-1126 Blanshard Street).

F.4.a Public Hearing & Consideration of Approval

Miko Betanzo (Planner): Advised that the application is to increase the density on 780-798 Fort Street and 1106-1126 Blanshard Street to allow for a 20-storey hotel with office and ground floor commercial uses.

Mayor Helps opened the public hearing at 7:33 p.m.

David Fullbrook (Applicant): Provided information regarding the application.

Ian Sutherland (Victoria Downtown Residents Association): Expressed concerns for the application due to the proposed height, density, and lack of consideration for neighbouring properties.

Paul Nursey (Destination Greater Victoria): Expressed support for the application due to the need for hotel rooms and preservation of heritage aspects.

Jeff Bray (Downtown Victoria Business Association): Expressed support for the application due to the addition of hotel rooms and the intended transformation of the Fort and Blanshard Street corner.

Wendy Bowkett (Chinatown, Victoria): Expressed concerns for the application due to the diversion from core planning documents and lack of proposed seismic upgrades.

Council recessed from 8:10 p.m. until 8:15 p.m. to provide an opportunity for members of the public to call to speak live.

JC Scott (Fan Tan Alley): Expressed concerns for the application due to the proposed height.

No further persons called in to speak to the application.

Council discussed the following:

- *Height relationship between a neighbouring cathedral and the proposed building.*
- *Semi-public atrium specifics*
- *Proposed seismic upgrading*
- *Concerns of project height*
- *Protection for tenants*
- *Displaced commercial tenant*
- *Need for hotel rooms in the City*

Mayor Helps closed the public hearing at 8:42 p.m.

Moved By Mayor Helps
Seconded By Councillor Young

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

1. Zoning Bylaw 2018, Amendment Bylaw (No .11) No. 21-083
2. Heritage Designation (1114-1126 Blanshard Street) Bylaw No. 21-085

FOR (8): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe and Councillor Young

OPPOSED (1): Councillor Isitt

CARRIED (8 to 1)

Moved By Councillor Alto
Seconded By Councillor Andrew

That the following bylaw **be adopted:**

1. Zoning Bylaw 2018, Amendment Bylaw (No .11) No. 21-083

FOR (8): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe and Councillor Young

OPPOSED (1): Councillor Isitt

CARRIED (8 to 1)

Moved By Councillor Alto
Seconded By Councillor Andrew

That the following bylaws **be adopted:**

1. Heritage Designation (1114-1126 Blanshard Street) Bylaw No. 21-085
2. Housing Agreement (1114 Blanshard Street) Bylaw (2021) No. 21-084

CARRIED UNANIMOUSLY

Moved By Councillor Alto
Seconded By Councillor Andrew

Development Permit with Variances Application No. 000580

That Council authorize the issuance of Development Permit with Variances Application No. 000580 for 780-798 Fort Street & 1106- 1126 Blanshard Street, in accordance with:

1. Plans date stamped November 18, 2020 with minor plan revisions to address Advisory Design Panel comments, to the satisfaction of the Director of Sustainable Planning and Community Development.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. increase the building height from 60 metres to 66 metres for Development Area A

- ii. reduce the west side yard setback from 6 metres to 2.65 metres, for portions of the building 17.5 metres above average grade for Development Area A.
3. The Development Permit lapsing two years from the date of this resolution.

FOR (8): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe and Councillor Young
OPPOSED (1): Councillor Isitt

CARRIED (8 to 1)

Moved By Councillor Loveday
Seconded By Councillor Alto

Heritage Designation Application No. 000196

That Council approve the designation of the property located at 1114-1126 Blanshard Street, in accordance with the Conservation Plan prepared by Donald Luxton and Associates Inc. dated March 2021, pursuant to Section 611 of the Local Government Act, as a Municipal Heritage Site.

CARRIED UNANIMOUSLY

Council recessed at 9:16 p.m. and reconvened at 9:22 p.m.

I. REPORTS OF COMMITTEES

I.1 Report from the October 21, 2021 COTW Meeting

I.1.a 2022-2026 Draft Financial Plan

Moved By Councillor Alto
Seconded By Councillor Potts

That Council receive this report for information and give further consideration upon conclusion of budget presentations and discussion.

CARRIED UNANIMOUSLY

I.1.b Victoria Welcoming City Strategy and Action Plan

Moved By Councillor Dubow
Seconded By Councillor Andrew

That Council:

1. Endorse the Victoria Welcoming City Strategy and Action Plan; and
2. Direct staff to work with the community to develop community-driven implementation plans.

CARRIED UNANIMOUSLY

I.1.c Council Member Motion: Welcoming City Implementation Advisory Committee

Moved By Councillor Dubow

Seconded By Councillor Andrew

That Council:

1. Adopt the Welcoming City Implementation Advisory Committee Terms of Reference.
2. Invite all existing task force members to continue as members of the Implementation Advisory Committee and direct staff to begin a selection process to fill any gaps remaining.

CARRIED UNANIMOUSLY

I.1.d Council Member Motion: Accessibility in Bike Lanes

Moved By Councillor Isitt

Seconded By Councillor Loveday

That Council direct staff to:

1. Engage the Provincial government on moving forward with permitted use of electric-powered wheelchairs and mobility scooters in bike lanes in the City of Victoria.
2. Provide a verbal update by Q1 2022 on next steps for moving forward with this accessibility action.

Amendment:

Moved By Councillor Isitt

Seconded By Councillor Loveday

That Council direct staff to:

1. Engage the Provincial government and **the Accessibility Advisory Committee** on moving forward with permitted use of electric-powered wheelchairs and mobility scooters in bike lanes in the City of Victoria.
2. Provide a verbal update by Q1 2022 on next steps for moving forward with this accessibility action.

CARRIED UNANIMOUSLY

Main motion as amended:

That Council direct staff to:

3. Engage the Provincial government and the Accessibility Advisory Committee on moving forward with permitted use of electric-powered wheelchairs and mobility scooters in bike lanes in the City of Victoria.

4. Provide a verbal update by Q1 2022 on next steps for moving forward with this accessibility action.

CARRIED UNANIMOUSLY

Council recessed at 9:24 p.m. and reconvened at 10:45 p.m.

I.2 Report from the Special COTW Meetings of October 25, October 26, November 1, and November 2

Moved By Councillor Andrew

Seconded By Councillor Isitt

Additional Resource Requests – Appendix A

That these items be included as supplemental requests to be considered by the public as part of the budget engagement process:

1. Managing Growth and New Development

- b. Urban Forest Positions - Permit Applications (2 FTEs) \$210,000 ongoing

2. Supporting Affordable Housing

- a. Ongoing Implementation of Victoria Housing Strategy – Planning Assistant (1 FTE) \$90,000
- b. Ongoing Implementation of Victoria Housing Strategy – Project Support – Vic Housing Strategy Implementation \$250,000

3. Supporting Arts and Economic Development

- a. Victoria 3.0 – Economic Development Position (1 FTE) \$120,000
- b. Art and Innovation District Plan – Arts and Innovation District Master Plan Consulting \$240,000

4. Supporting Youth Initiatives

- a. Youth Project Coordinator \$80,000

5. Supporting Road Safety

- a. Vision Zero Implementation – (1 FTE) \$118,000 ongoing
- b. Vision Zero Implementation – Development and Action Plan \$100,000

7. Supporting Climate Leadership

- a. Zero Waste (2 FTEs) \$219,000

8. Supporting Enhanced Public Spaces

- a. Street Activities and Operations – (1 FTE) \$107,000
- b. Street Activities and Operations – Consulting - \$100,000

13. Support for Advisory Committees, Working Groups and Task Forces

- a. Committee Administrator (1 FTE) \$95,000

14. Supporting Newcomer Sport and Recreation

- a. Newcomer Sport and Recreation (.5 FTE) \$40,000
- b. Newcomer Sport and Recreation – Consulting \$30,000

Additional Resource Requests – Appendix B - New Strategic Plan Objectives and Actions for 2022 Reconciliation and Indigenous Relations

21. That Council engage the public on an expenditure of up to \$100,000 in 2022 on an Indigenous relations function and/or Indigenous Elders in residence.

Affordable Housing

22. That Council include items 4 (Allow moveable tiny homes in all backyards that currently allow garden suites at rents of no more than \$500 per month) and item 6 (Allow tiny homes and garden suites on lots that already have secondary suites or duplexes) in the public consultation.

23. That staff report back on what elements of the \$250,000 supplemental request from planning would address affordability, policies that will be worked on or completed in 2022 to address affordability, and all affordable housing strategic plan items that were removed from the plan or deferred to 2021, 2022, 2023, or beyond.

Strong, Livable Neighbourhoods

24. That Council direct staff to include this as part of the 2022 budget (Review the Ship Point Improvement Plan and consider funding options)

25. Direct staff to include this as part of the 2023 budget and include any outputs from the 2019 neighbourhood engagement held at City Hall (Review CALUC process including clear terms of reference for increasing diversity (youth, renters, etc.), capacity building, and a transparent and democratic process for selecting members).

Additional Resource Requests – Appendix C –Report Backs

26. Cultural Infrastructure Grant Program

That the Cultural Infrastructure Grant Program \$250,000 be included as a supplemental request to be considered by the public as part of the budget engagement process.

27. Food and Pollinatory Growing Initiatives

That \$25,000 for Get Growing Victoria be included as a supplemental request to be considered by the public as part of the budget engagement process.

28. Food Forest and Allotment Gardens

That Food Forest and Allotment Gardens at \$90,000 be included as a supplemental request to be considered by the public as part of the budget engagement process.

Tenant Support

29. That the Tenant Support \$15,000 be included as a supplemental request to be considered by the public as part of the budget engagement process.

30. Direct staff to explore and report back on the budget implications of providing a tool kit and interactive training for different languages to build capacity and understanding the right to housing in the city of Victoria and education and outreach related to existing city policies and bylaws such as the rental standard of maintenance bylaw as well as related tenant rights including recent changes to Provincial 'renoviction' requirements for landlord and tenants.

31. Building Deconstruction

That the Building Deconstruction \$90,000 be included as a supplemental request to be considered by the public as part of the budget engagement process.

33. Senior's Action Plan

That the Barrier-Free Housing and Universal Design initiative be included as a supplemental request to be considered by the public as part of the budget engagement process.

Anti-Racism Training

35. That Council direct staff to report back as part of the 2023 budget on a comprehensive approach to anti-racism and anti-discrimination training.

36. Internship Program

Staff report on the financial implications of developing an internship program.

Crossing Guards

38. That Council direct staff to reassess all crossing locations in proximity to all public schools, not just all those historically served, to determine recommended locations for crossing guard services, guided by both a technical warrant system, staff judgement and perspective of school communities and include the amount needed to fund these positions in the 2023 budget.

Our Place Extended Hours and Storage of Belongings

39. That Our Place Extended Hours and Storage of Belongings \$100,000 be included as a supplemental request to be considered by the public as part of the budget engagement process, and that Council request that the provincial government provide adequate funding to Our Place for these proposed service levels.

41. That \$140,000 for the staff position to address homelessness be included as a supplemental request to be considered by the public as part of the budget engagement process.

42. New Assessed Revenue Policy Update

That this item be sent to the budget follow up meetings in January 2022.

43. Bowker Creek Daylighting

That this matter be referred to the COTW meeting when the storm water management plan is presented to Council and the 2023 Financial Plan.

FOR (8): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe
OPPOSED (1): Councillor Young

CARRIED (8 to 1)

Moved By Councillor Andrew
Seconded By Councillor Young

15. Supporting Bylaw Services

- a. Bylaw Support \$1,070,000

45. VicPD 2022 Budget

That the below additional resources requests by VicPD be included as a supplemental request to be considered by the public as part of the budget engagement process:

Additional resources

- Co-Responder Team 446,233
 - Records Specialist (DEMS) 81,118
 - Business Intelligence Analyst 123,511
 - Front Desk Alternative to Sworn Officers 112,613
 - Cultural Liaison Officer 98,745
 - Assertive Community Treatment Officer 98,745
 - Cyber Crime Sergeant 127,560
- \$ 1,088,525 at 86.33% = \$939,724.

46. Supporting Bylaw Services

That the two additional police officers at \$276,000 be included for Victoria as a supplemental request to be considered by the public as part of the budget engagement process.

FOR (7): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young
OPPOSED (2): Councillor Dubow, Councillor Isitt

CARRIED (7 to 2)

Moved By Councillor Andrew
Seconded By Councillor Isitt

1. Managing Growth and New Development

- a. Development Services Planner (1 FTE) \$118,000 ongoing

9. Supporting Parks and Public Spaces

- a. Sheltering Support \$1,133,000 (8.4 FTEs)

10. Supporting Food and Pollinator Growing Initiatives

- a. Get Growing Victoria Grant Program \$27,000

11. Investing in Infrastructure

- a. Transportation Electrical Designer (1 FTE) \$107,000

12. Improving Customer Service and Accessibility

- a. Website Replacement

Motions Arising

16. Mayor and Council request an additional \$2.266 million from the Province through the Strengthening Communities unallocated funds to cover the costs of Parks and Public Space shelter and related clean up in 2022 and 2023 until the Province's Complex Care program is fully operational in our region. (NB At the time of Provincial announcement of funding there was \$24 million of the \$100 million indicated as unspent).

17. That Council direct staff report back with an update and proposed outcomes of the Coalition to End Homelessness newly hired peer-support staff as it relates to the proposed bylaw budget increases

18. Council Member Motion: Advocacy for Mental Health and Support Services

That the Mayor write, on behalf of Council, to the Minister of Municipal Affairs, the Minister of Mental Health and Addictions, the Minister of Public Safety, the Minister of Housing, and the Victoria-Beacon Hill, Oak Bay-Gordon Head, and Victoria-Swan Lake MLAs asking the Province:

1. What measures is the Province taking to address the areas within provincial jurisdiction of health, social work, mental health response and addictions (including preventions) in the City of Victoria and the capital region?
2. What provincial health measures will be in place in the next 12 months in the City of Victoria and the capital region?
3. What investments can the City of Victoria make through the 2022 budget to support the Province in the rapid implementation of measures to address the opioid epidemic, the mental health emergency and the intersecting housing crisis?

Additional Resource Requests – Appendix B - New Strategic Plan Objectives and Actions for 2022 Reconciliation and Indigenous Relations

19. That Council direct staff to report back on the financial, human and other resource implications and impacts to include resources sufficient to further operationalize the Indigenous Relations Function in 2022.

20. That \$16,000 for reconciliation training for staff be included as a supplemental request to be considered by the public as part of the budget engagement process

32. Child Care

That Child Care \$5,000 be included as a supplemental request to be considered by the public as part of the budget engagement process.

Anti-Racism Training

34. That Anti-Racism Training \$32,000 be included as a supplemental request to be considered by the public as part of the budget engagement process.

Crossing Guards

37. That Crossing Guards up to \$62,000 be included as a supplemental request to be considered by the public as part of the budget engagement process.

Our Place Extended Hours and Storage of Belongings

40. That \$100,000 ongoing funding for the Aboriginal Coalition to End Homelessness be included as a supplemental request to be considered by the public as part of the budget engagement process

44. Topaz Park Improvements

That staff report as part of the budget process on the current degree of accessibility of the two Topaz Park washrooms.

Motions Arising

47. That the following motion be referred to the 2023 Financial Planning process: That Council direct staff to report on the implications of undertaking a review of leash optional areas and other aspects of dogs in parks in 2023.

48. That staff report on the implications of indexing the reserve fund contributions to the rate of inflation.

49. That included in the public engagement for the 2022 budget is an allocation of \$45,000 to support the cost of three Reconciliation dialogues.

50. That Council direct staff to report on the cost implications of delineating the Dallas Road leash optional area with a split rail fence to improve accessibility and safety for pedestrian users of the pathway closest to the water.

51. Report back on the implications of a one-time (pilot) base operating staff grants of \$156,040 with \$78,020 to be allocated to each of the North Park Neighbourhood Association and Downtown Residents Association to replace the \$20,000 community coordinator grant for the period of the pilot reflecting the role of the associations in the development of the new community centre.

52. That Council engage the public on increasing the per capita grant to neighbourhood associations with community centres to the level provided to neighbourhoods without community centres.

53. That Council engage the public on extending fare free transit to holders of the LIFE pass.

CARRIED UNANIMOUSLY

I.3 Report from the November 4, 2021 COTW meeting:

H.5.2 Council Member Motion: New Assessed Revenue and Lekwungen Land Acknowledgement

Moved By Councillor Isitt

Seconded By Councillor Alto

1. That

Council engage the public on a proposed community reconciliation levy based on:

"15% of New Assessed Revenue be allocated each year to the Songhees and Esquimalt Nations, as an unconditional ongoing grant that increases, in order to demonstrate the City's commitment to reconciliation and to acknowledge the Lekwungen lands in a meaningful way"

be included as a supplemental request to be considered by the public as part of the budget engagement process and direct staff to report back with information on new assessed revenue in the past twenty years as it relates to this proposal.

FOR (8): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Isitt, Councillor Dubow, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe

OPPOSED (1): Councillor Young

CARRIED (8 to 1)

H.5.4 RAP and Recreation Fee Bylaw

Moved By Councillor Potts

Seconded By Councillor Alto

Staff to report back on the implications an associated budget to the motion passed by council July 8th, 2021 to amend the Recreation Fee Bylaw No.06-056 to allow community groups to book Royal Athletic Park at low or no cost and/or a re-envisioning of how RAP can be opened for public use following findings of the 1996 Local Area Plan and the example of community based recreation programs held by city staff and the North Park Neighbourhood Association in 2020 and 2021.

Report back on the implications of awarding a grant of up to \$12,637.66 to the North Park Neighbourhood Association to fund the cost of hosting programs at Royal Athletic Park in 2022 i.e. monthly markets, quarterly Multicultural Festival, and free all ages programming at RAP while the re-envisioning process and bylaw amendments are in progress.

CARRIED UNANIMOUSLY

H.5.5 Safety Initiative Reimbursement Program

Moved By Councillor Alto

Seconded By Councillor Andrew

That Council engage the public and direct staff to report back on the implications of allocating up to \$65,000 from 2021 surplus for a one-time program operated in partnership with a local business improvement association to help support the security of Victoria's businesses or residential dwellings with small grants for up to a 50% reimbursement for safety or security initiatives.

FOR (5): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Thornton-Joe
OPPOSED (4): Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Young

CARRIED (5 to 4)

H.5.6 Engagement regarding Grant to End Violence BC Prevention Training Program

Moved By Councillor Potts
Seconded By Councillor Isitt

That Council includes as part of public engagement on the 2022 budget a \$50,000 grant to End Violence BC for a prevention training program, geared towards the hospitality industry and late-night venues, to deliver on council's strategic priority of addressing sexualized violence in our community.

CARRIED UNANIMOUSLY

H.5.7 Funding for the Sanctuary Youth Drop-In

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That up to \$32,344 to fund the Sanctuary Youth Drop In for an additional 3 hours on days that they are currently open and to provide funds for a day shelter in the event of extreme weather be drawn from the 2021 contingency budget included as a supplemental request to be considered by the public as part of the budget engagement.

CARRIED UNANIMOUSLY

Motion to extend:

Moved By Councillor Andrew
Seconded By Councillor Isitt

That the Council meeting be extended to 11:15 p.m.

CARRIED UNANIMOUSLY

H.5.8 Staff Recommendations

Moved By Councillor Alto
Seconded By Councillor Andrew

1. Direct staff to bring forward the Five-year Financial Plan Bylaw, 2022 to the November 4, 2021 daytime Council meeting for consideration of first reading.

2. Direct staff to bring forward bylaws outlining sewer utility, stormwater utility and water utility user fee increases for 2022 to the November 18, 2021 daytime Council meeting for consideration of first, second and third readings.
3. Upon completion of public consultation, direct staff to bring forward direct-award grants and other grants as outlined in this report for consideration of approval
4. Upon completion of public consultation, consider funding additional grant requests, supplementary requests, resource requirements for financial plan motion report backs and 2022 Strategic Plan action items, as determined by Council

FOR (8): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young

OPPOSED (1): Councillor Isitt

CARRIED (8 to 1)

I.3 Report from the November 4, 2021 COTW Meeting

I.3.a Appointment of Animal Control Officer: Brandon Whitters

Moved By Councillor Andrew

Seconded By Councillor Loveday

1. That Brandon Whitters be appointed as
 - a. "Animal Control Officer" pursuant to section 49(1) of the Community Charter, and
 - b. That his appointment be rescinded upon termination of his employment by Victoria Animal Control Services Ltd.

CARRIED UNANIMOUSLY

I.3.b Appointment of Animal Control Officer: Ben Watson

Moved By Councillor Isitt

Seconded By Councillor Dubow

1. That Ben Watson be appointed as
 - a. "Animal Control Officer" pursuant to section 49(1) of the Community Charter, and
 - b. That his appointment be rescinded upon termination of his employment by Victoria Animal Control Services Ltd.

CARRIED UNANIMOUSLY

I.3.c Council Member Motion: Attendance at the FCM board meeting, Ottawa, Nov. 24 to Nov. 25, 2021

Moved By Councillor Isitt
Seconded By Councillor Loveday

That Council authorize the attendance and associated costs for Councillor Dubow to attend the Federation of Canadian Municipalities, (FCM) board meeting to be held in Ottawa, November 24, 2021 to November 25, 2021.

CARRIED UNANIMOUSLY

H.5.1 Council Member Motion: Funding a Facility Programming Study for Oaklands Community Center

Moved By Councillor Loveday
Seconded By Councillor Alto

That Council direct staff to report back with implications of funding the Oaklands Community Association to conduct a facility programming study to determine the future needs of the community center, to help envision the renewal or redevelopment of the Oaklands Community Center.

CARRIED UNANIMOUSLY

K. BYLAWS

K.1 Bylaw for Five year Financial Plan, 2022

Moved By Mayor Helps
Seconded By Councillor Andrew

That the following Bylaw **be given first reading**:

1. Five Year Financial Plan Bylaw, 2022 No. 21-098

FOR (8): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young
OPPOSED (1): Councillor Isitt

CARRIED (8 to 1)

L. CORRESPONDENCE

L.1 Letter from the Attorney General and Minister Responsible for Housing

Council received a letter dated October 26, 2021 from the Attorney General and Minister Responsible for Housing regarding the acquisition of housing stock.

Moved By Councillor Isitt
Seconded By Councillor Alto

That the letter be received for information.

CARRIED UNANIMOUSLY

L.2 Letter from the Minister of Municipal Affairs

Council received a letter dated October 29, 2021 from the Minister of Municipal Affairs regarding the CleanBC Roadmap to 2030.

Moved By Councillor Alto
Seconded By Councillor Dubow

That the letter be received for information.

CARRIED UNANIMOUSLY

O. ADJOURNMENT

Moved By Councillor Loveday
Seconded By Councillor Alto

That the Council meeting adjourn.
TIME:11:05 P.M.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD OCTOBER 28 , 2021

For the Council meeting of November 25, 2021, the Committee recommends the following:

D.1 DVBA Budget Presentation

That Council receive the report for information.

D.2. Governance Review: External Stakeholder Selection Criteria / Presentation

That Council:

1. Approve the proposed public stakeholder group selection criteria, including the Songhees Nation, Esquimalt Nation, Victoria Friendship Centre and the Victoria Labour Council as part of the stakeholder group and that the Victoria Foundation replace the United Way.
2. Delegate selection of the focus group participants to MNP.

D.3 Triannual Report

That Council receive this report for information

F. LAND USE MATTERS

F.1 903, 911 & 1045 Yates Street, 910 View Street and 1205 & 1209 Quadra Street: Update Report for Rezoning Application No. 00730 and associated Official Community Plan Amendment and Development Permit with Variances Application No. 00150 (Harris Green)

Rezoning No. 00730

That Council instruct staff to prepare the necessary Official Community Plan (OCP) Amendment Bylaw in accordance with Section 475 of the Local Government Act and the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00730 for 903, 911 and 1045 Yates Street, 910 View Street and 1205 and 1209 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. Minor plan revisions as detailed in concurrent Development Permit with Variances Application No. 00150.
2. Incorporation of the following additional design guidelines within the “900-Block Yates and 1045 Yates Urban Design Manual” to the satisfaction of the Director of Sustainable Planning and Community Development:
 - a. to ensure the design of the roof top mechanical structures contribute positively to the urban skyline in terms of visually interesting shapes and high-quality materials

- b. to limit the number of towers to no more than three on the 900 block of Yates Street
 - c. to incorporate a minimum 2.5m setback from the fifth floor of the podium on Vancouver Street
 - d. to include the requirement for a mini-plaza no less than 100m² on the corner of Yates Street and Cook Street finished with high quality, durable materials
 - e. to provide specific reference to the requirement for wind mitigation interventions at the corner of Yates and Quadra Streets and other affected areas as identified in the updated Wind Study
 - f. to include the requirement for public art within the main plaza
 - g. to include standards for interim landscaping
 - h. to include the requirement for the plaza to be mostly park-like green space with clear standards for evaluating future Development Permits against
 - i. to include the requirement for an acoustic study for all rooftop mechanical equipment as part of all Development Permits (current and future).
- 3. Updates to the Pedestrian Wind Study to reflect the proposal in relation to building heights, to the satisfaction of the Director of Sustainable Planning and Community Development.
- 4. Updates to the Tenant Assistant Plan including further details related to information and communication with existing tenants to the satisfaction of the Director of Sustainable Planning and Community Development.
- 5. Confirmation from BC Hydro that the relocating of services underground is not supported to the satisfaction of the Director of Sustainable Planning and Community Development.
- 6. Secure in the new zone in exchange for bonus density the irrevocable offer of a community space of approximately 930m² to be leased to the City for no base rent for the use of community and arts groups generally in accordance with the terms set out in Schedule B (Attachment E) and amended as follows to the satisfaction of the Head of Real Estate, the Director of Sustainable Planning and Community Development and the City Solicitor.
 - a. that the community space to be provided within 10 years of the completion of Phase 2
 - b. the duration of the lease being a 10-year term with four 5-year renewals for a total period of 30 years
 - c. the terms of the lease to be registered on title
 - d. provision to allow the City to sub-lease the space to third party operators and/or non-profit community groups
 - e. the community space having a minimum active frontage of 12m accessed directly off the central plaza.
- 7. Preparation of the following legal agreements, executed by the applicant, in a form satisfactory to the City Solicitor, to:
 - a. Secure the rental units for all phases in perpetuity to the satisfaction of the Director of Sustainable Planning and Community Development.
 - b. Secure the provision of no less than 85 two-bedroom, 2 two-bedroom plus den and 75 three-bedroom units and 7 townhouse units and a minimum of 40 units within Phase 1 as affordable in perpetuity and allocated to median income households (or lower) as defined in the

- Victoria Housing Strategy to the satisfaction of the Director of Sustainable Planning and Community Development.
- c. Secure the provision of no less than 300 two-bedroom or larger units and a minimum of 40 units within Phase 2 and 3 combined being affordable in perpetuity and allocated to median income households (or lower) as defined in the Victoria Housing Strategy to the satisfaction of the Director of Sustainable Planning and Community Development.
 - d. Secure the affordable studio units across all phases as being a minimum size of 290 ft² (27m²) to the satisfaction of the Director of Sustainable Planning and Community Development.
 - e. Restrict strata titling of the buildings in all phases, to the satisfaction of the Director of Sustainable Planning and Community Development.
 - f. Secure in perpetuity in the new zone in exchange for bonus density the provision and maintenance of a public plaza no less than 1600m² (minimum value to be verified by a Quantity Surveyor or other registered professional) centrally located on the 900 block between Yates and View Streets, which shall be mostly park like and shall incorporate a high quality public art installation valued at no less than \$350,000, all of which will be provided within 10 years of the completion of Phase 2, to the satisfaction of the Director of Sustainable Planning and Community Development.
 - g. Secure the provision of a daycare of approximately 450m², in Phase 1, for a minimum period of 10 years to the satisfaction of the Director of Sustainable Planning and Community Development.
 - h. Secure the provision of a minimum of four Energized Electric Vehicle Outlets (charging stations) plus a minimum of 90 stalls (subject to consultation with BC Hydro) with the necessary infrastructure to be converted to Energised Electric Vehicle Outlets in the future (EV Ready), and an equivalent provision for subsequent phases to be determined to the satisfaction of the Director of Engineering and Public Works to the satisfaction of the Director of Sustainable Planning and Community Development.
 - i. Secure Statutory Rights of Way (SRW)s for unobstructed public access over the central plaza on the 900 block (no less than 1600m² in size) and the mini-plaza at the intersection of Cook and Yates Street (no-less than 100m² in size) and a SRW of 0.9 metres along the Quadra Street frontage; terms and conditions to the satisfaction of the Director of Engineering and Public Works and the Director of Planning and Sustainable Development.
 - j. Secure TDM measures for Phase 1 including two shared vehicle parking stalls, two shared vehicles, 113 car share memberships, and long term, end of trip facilities, and an equivalent provision for subsequent phases to be determined to the satisfaction of the Director of Engineering and Public Works and the Director of Planning and Sustainable Development.
 - k. Secure the design, supply and installation of the City's Downtown Public Realm Plan and Streetscape Standards (DPRP) across all phases, specifically the 'New Town District', including furnishings, materials, sidewalk scoring patterns, basalt banding and decorative heritage pedestrian lights, within the public plaza as well as along the

Quadra Street, Yates Street, Vancouver Street, Cook Street and View Street frontages, to the satisfaction of the Director of Engineering and Public Works.

- l. Secure the detailed design, supply, and installation of a new traffic signal associated with Phase 1, with all associated hardware (poles, bases, junction boxes, conduits, loops, etc.) and software, at the intersection of Cook Street and View Street and in cooperation with adjacent concurrent developments, to the satisfaction of the Director of Engineering and Public Works.
- m. Secure required traffic signal upgrades associated with Phase 1 at the Yates Street and Cook Street intersection and required hardware (poles, bases, junction boxes, conduits, loops, etc.) and software upgrades to adjacent existing traffic signals that may be required as a result of lane configuration changes, as determined by City Engineering staff, to the satisfaction of the Director of Engineering and Public Works.
- n. Secure upgrades to the existing mid-block crosswalk associated with Phase 2, as necessary on the 900 block of Yates Street, to the satisfaction of the Director of Engineering and Public Works.
- o. Secure the design and installation of the two-way protected bike lane associated with Phase 2 on Yates Street as detailed on the conceptual plans included in the Rezoning Booklet date stamped June 15, 2021.
- p. Secure the provision of soil cells across all phases to achieve recommended soil volumes for all new street trees along the municipal frontage of Yates and View Streets, to the satisfaction of the Director of Parks, Recreation and Facilities.
- q. Secure City of Victoria standard tree guards across all phases for all street trees in grates to the satisfaction of the Director of Parks, Recreation and Facilities.
- r. Secure the provision and installation of the proposed boulevard rain gardens associated with Phase 1 on Yates Street and View Street, to the satisfaction of the Director of Engineering and Public Works and the Director of Parks, Recreation and Facilities.
- s. Secure the design, provision and installation of a stormwater management infiltration system across all phases along the municipal frontages of Quadra Street, Yates Street, Vancouver Street, Cook Street and View Street for treatment of road water runoff, to the satisfaction of the Director of Engineering and Public Works.
- t. Secure requirement of a geotechnical report prior to application for a Building Permit including the implementation of recommendations from a qualified geotechnical engineer for City property surrounding the development site, to the satisfaction of the Director of Engineering and Public Works and the Director of Parks, Recreation and Facilities.
- u. Secure no less than 5% of the total units (across all phases of the development) as being accessible in perpetuity, which shall achieve at a minimum accessible entrances, accessible bathrooms and accessible kitchens, all with associated fixtures and fittings as detailed in the letter from the applicant dated October 28, 2021 and meeting an overall standard of accessibility to be identified by and to

be to the satisfaction of the Direction of Sustainable Planning and Community Development.

8. That Council determine, pursuant to section 475(1) of the Local Government Act that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.
 - a. That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the Local Government Act with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties have been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.
 - b. That Council specifically consider whether consultation is required under Section 475(2)(b) of the Local Government Act and determine that no referrals are necessary with the Capital Regional District Board, Councils of Oak Bay, Esquimalt and Saanich, the Songhees and Esquimalt First Nations, the School District Board and the provincial and federal governments and their agencies due to the nature of the proposed amendment.
 - c. That Council give first reading to the Official Community Plan Amendment Bylaw.
 - d. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2017-2021 Financial Plan, the Capital Regional District Liquid Waste Management Plan and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
 - e. That Council give second reading to the Official Community Plan Amendment Bylaw.
 - f. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.
9. That Council authorize the following encroachment agreements, to be executed at the time of the building permit approval, if the other necessary approvals are granted:
 - a. excavation encroachments in the City property during construction for the parkade walls, at the fee of \$750 plus \$25 for each square metre of excavation face supported with anchor rods or shoring, with form and contents satisfactory to the City's solicitor and the Director of Engineering and Public Works.
 - b. anchor-pinning in the City right-of-way, with form and contents satisfactory to the City Solicitor and the Director of Engineering and Public Works.

Recommendation For Development Permit with Variances No. 00150

That, subject to minor plan revisions to address the following:

- a. Further consideration of the design of the roof top structures including a reduction in height(with variance updated accordingly) and enhancements to the form and finishes to ensure consistency with the guidelines to the satisfaction of the Director of Sustainable Planning and Community Development.
- b. Incorporation of 2m guardrails on the roof terrace and any other wind mitigation measures that are recommended in the updated Pedestrian Wind Study to the satisfaction of the Director of Sustainable Planning and Community Development.
- c. Further consideration of the design of the public seating area at the intersection of Yates and Cook Street to ensure this space contributes positively to a vibrant streetscape experience to the satisfaction of the Director of Sustainable Planning and Community Development.
- d. Clarification of the window treatment along Yates and Cook Streets to ensure the proportion of clear glazing creates an active street edge and is consistent with the guidelines to the satisfaction of the Director of Sustainable Planning and Community Development.
- e. Further consideration to enhance the appearance of the west elevation and that practical maintenance can be achieved for the climbing vine system to the satisfaction of the Director of Sustainable Planning and Community Development.
- f. Clarification of the design of the garage doors on View Street to the satisfaction of the Director of Sustainable Planning and Community Development.
- g. Corrections to the paving patterns and street furnishings consistent with the Downtown Public Realm and Streetscape Plan to the satisfaction of the Director of Engineering and Public Works.
- h. Clarification of the details on the preliminary Utilities Plan to the satisfaction of the Director of Engineering and Public Works.
- i. Submission of an updated and corrected preliminary Electrical Plan to the satisfaction of the Director of Engineering and Public Works.
- j. Corrections to the road and curb alignment and lane configuration on View Street with associated updates to the traffic simulation models, to the satisfaction of the Director of Engineering and Public Works.
- k. Incorporation of additional building setback from the property line along Cook Street to ensure a minimum distance to any protrusion (including balconies) is no less than 1 m and greater than 1 m wherever possible to the satisfaction of the Director of Parks, Recreation and Facilities.
- l. Corrections to the landscape plan (or other relevant plan) to show all proposed trees to be removed and retained as well as proposed soil volumes for all new trees in beds and grates along

Yates and View Streets to the satisfaction of the Director of Parks, Recreation and Facilities.

- m. Confirmation of whether CREST would be required to occupy equipment on the roof level for a new communication transmission site, to the satisfaction of the Fire Chief.
- n. Corrections to plans to ensure the compliance with the BC Building Code.

And 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. 00730, if it is approved, consider the following motion:

“That subject to receipt of a letter from the Ministry of Environment confirming that the landowner has met the requirements of Section 557(2) of the Local Government Act with respect to contaminated sites that Council authorize the issuance of Development Permit with Variances Application No. 00150 for 1045 Yates Street in accordance with:

- 1. Plans date stamped June 15, 2021.
- 2. Development meeting all Zoning Regulation Bylaw requirements except for the following variances:
 - i. Increase the maximum number of storeys from 20 to 21
 - ii. Increase the maximum height from 60m to 68.51m
 - iii. Increase the maximum height allowed for rooftop structure from 5.0m to 9.46m
 - iv. Reduce the required number of residential vehicle parking stalls from 282 stalls to 273 stalls
 - v. Reduce the required number of residential visitor vehicle parking stalls from 52 to 39
 - vi. Reduce the required number of commercial parking stalls from 60 to 43
 - vii. Reduce the required number of daycare parking stalls from 5 to 3
 - viii. allow for 28 short term bicycle stalls to be located further than 15m of a public entrance.
- 3. Final plans to be generally in accordance with plans date stamped June 15, 2021.
- 4. The Development Permit lapsing two years from the date of this resolution.”

That the applicant provide a shadow study of the proposed green spaces when this matter returns to Council.

That Council direct staff to engage the applicant on providing displaced residential tenants in any phase of the project with a similar rental unit at their current rent levels in either a geographically proximate location, or in a previously constructed phase of this project.

F.2 1737 Rockland Avenue: Rezoning Application No. 00755 and Development Permit with Variances Application No. 000585 (Rockland)

That this matter be referred to staff to work with the applicant to achieve greater consistency in relation to setbacks, building height, privacy of the new buildings, and to maximize the retention of trees.

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to close to traffic certain portions of two public highways known as Vining Street and North Park Street and remove the dedication of such highways.

In accordance with sections 40(3), 40(4) and 94 of the *Community Charter*, the Council of the Corporation of the City of Victoria may, by bylaw, close all or part of a highway that is vested in the municipality to some or all types of traffic and may remove the dedication of a highway that has been or is being closed.

Contents

1. Title
2. Highway closures
3. Removal of highway dedications
4. Effective date

Under its statutory powers, including sections 40(1)(a) and 40(2) of the *Community Charter*, the Council of the Corporation of the City of Victoria, enacts the following provisions:

Title

1. This Bylaw may be cited as the "Vining Street and North Park Street Road Closure and Dedication Removal Bylaw, 2021".

Highway Closures

2. The following portions of public highway marked "Closed Road" on the Reference Plans EPP88785 and EPP114517 prepared by Glen A. Quarmby BCLS, dated June 18, 2020, a reduced copy of which is attached hereto as Schedule "A", are closed to traffic:
 - a) the 278.1 square metre portion of public highway known as Vining Street;
 - b) the 556.0 square metre portion of public highway known as North Park Street; and
 - c) the 133.6 square metre portion of public highway know as North Park Street.

Dedication Removal

3. The highway dedication of those parts of Vining Street and North Park Street described in section 2 and shown in Schedule A is hereby cancelled and removed.

Effective Date

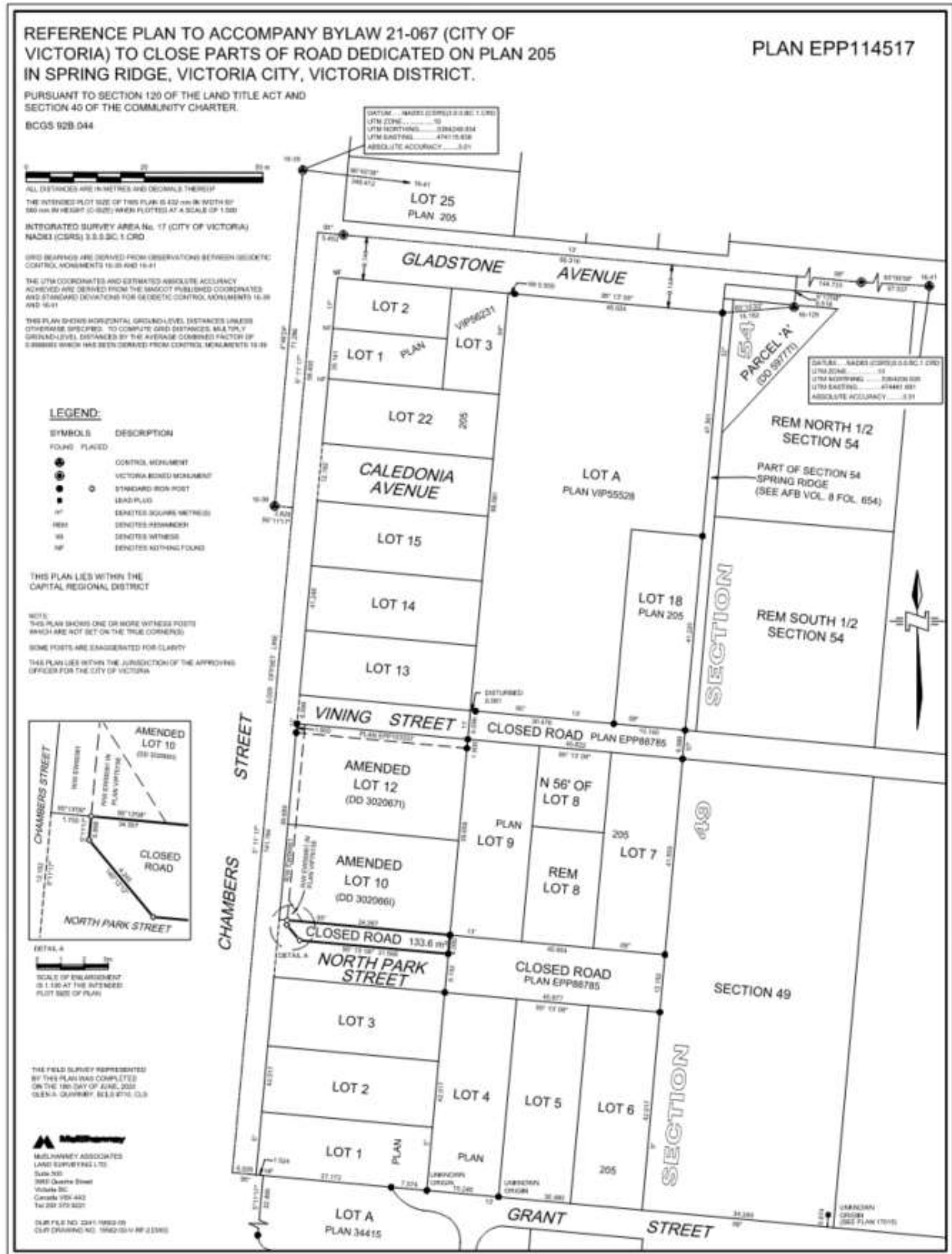
4. This Bylaw comes into force on adoption.

READ A FIRST TIME the	14 th day of	October 2021
READ A SECOND TIME the	14 th day of	October 2021
READ A THIRD TIME the	14 th day of	October 2021
ADOPTED the	day of	2021

CITY CLERK

MAYOR

Schedule A



REFERENCE PLAN TO ACCOMPANY BYLAW 21-067 (CITY OF VICTORIA) TO CLOSE PARTS OF ROAD DEDICATED ON PLAN 205 IN SPRING RIDGE, VICTORIA CITY, VICTORIA DISTRICT.

PLAN EPP88785

PURSUANT TO SECTION 120 OF THE LAND TITLE ACT AND SECTION 40 OF THE COMMUNITY CHARTER.

BCGS 92B 044



ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF
THE INTENDED PLOT SIZE OF THIS PLAN IS 432 m x 160 m WITHIN BY 340 m x 160 m HEIGHT (5.502) WHEN PLOTTED AT A SCALE OF 1:500

INTEGRATED SURVEY AREA No. 17 (CITY OF VICTORIA)
NAD83 (CSRS) 3.3 S.S.B.C. 1.0 RD

GRID BEARINGS ARE DERIVED FROM OBSERVATIONS BETWEEN GEODETIC CONTROL MONUMENTS 10-38 AND 10-41

THE UTM COORDINATES AND ESTIMATED ABSOLUTE ACCURACY ACHIEVED ARE DERIVED FROM THE MAGNETIC PUBLISHED COORDINATES AND STANDARD DEVIATIONS FOR GEODETIC CONTROL MONUMENTS 10-38 AND 10-41

THIS PLAN SHOWS HORIZONTAL GROUND LEVEL DISTANCES UNLESS OTHERWISE SPECIFIED. NO COMPLETE GRID DISTANCES. MAXIMUM GROUND-LEVEL DISTANCES BY THE AVERAGE COMBINED FACTOR OF 3.99999 WHICH HAS BEEN DERIVED FROM CONTROL MONUMENTS 10-38

LEGEND:

SYMBOLS	DESCRIPTION
FOUND PLACED	
●	CONTROL MONUMENT
●	VICTORIA-BASED MONUMENT
●	STANDARD IRON POST
●	LEAD PLUG
●	EMBEDDED SQUARE METRE/INCH
●	EMBEDDED SQUARE METRE/INCH
●	EMBEDDED WITNESS
●	EMBEDDED NOTHING FOUND

THIS PLAN LIES WITHIN THE CAPITAL REGIONAL DISTRICT

NOTE: THIS PLAN SHOWS ONE OR MORE WITNESS POSTS WHICH ARE NOT SET ON THE TRUE CORNERS

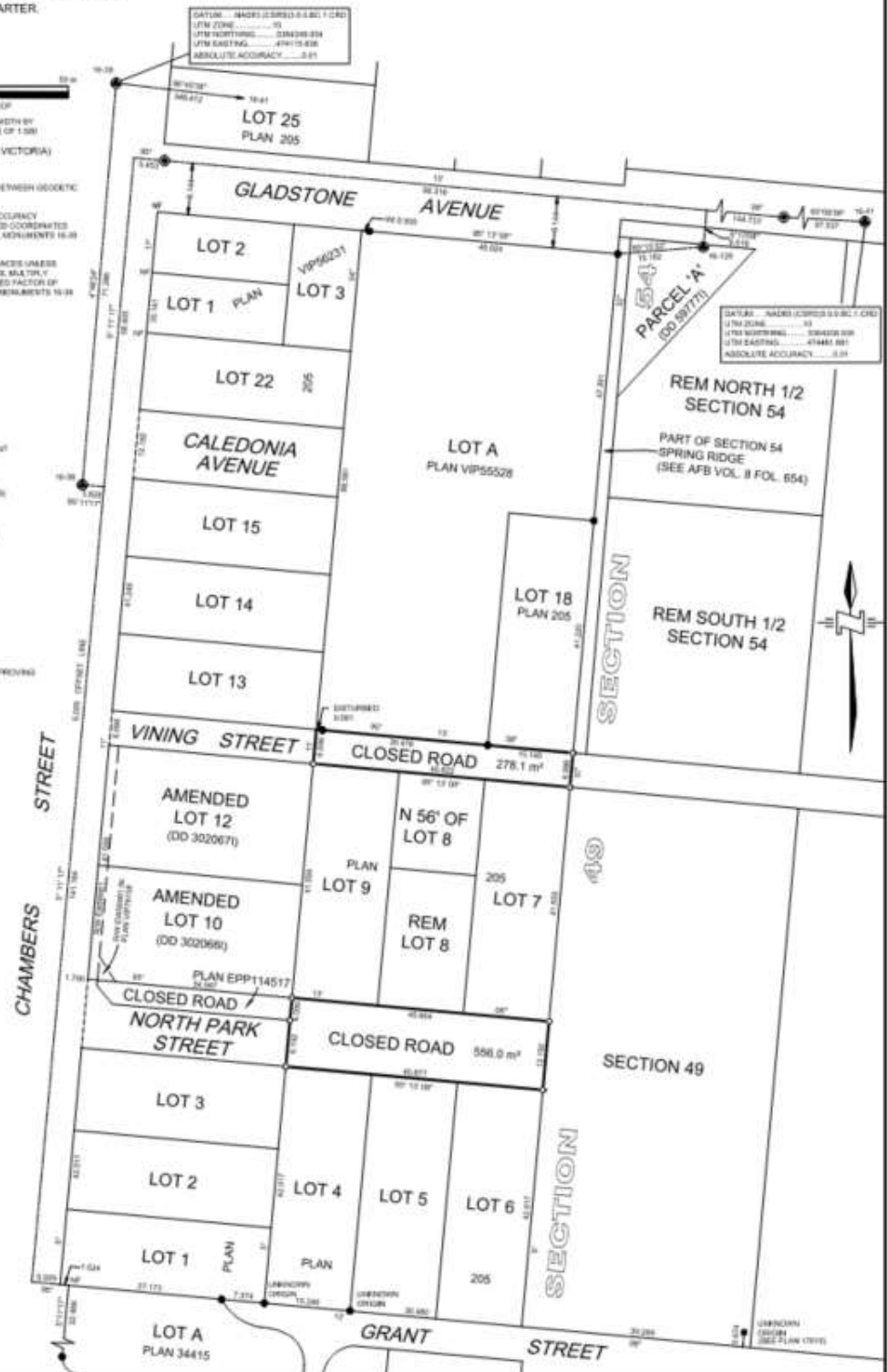
SOME POSTS ARE ENLARGED FOR CLARITY

THIS PLAN LIES WITHIN THE JURISDICTION OF THE APPROVING OFFICER FOR THE CITY OF VICTORIA

THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS COMPLETED ON THE 18th DAY OF JUNE, 2023
GLEN A. QUAINBY, BCLS 0710 133

MULHARNEY ASSOCIATES
LAND SURVEYING LTD
Suite 202
3660 Quatre Street
Victoria BC
Canada V8S 4A2
Tel: 250-375-5221

COURT FILE NO. 2021-10962-01
COURT DRAWING NO. 1990-024-01-RP-1-0000





Council Report

For the Meeting of November 25, 2021

To: Council **Date:** November 18, 2021
From: C. Kingsley, City Clerk
Subject: 941 Fullerton Avenue: Rezoning Application No. 00769

RECOMMENDATION

That the following bylaw be given first and second readings:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1266) No. 21-110

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 21-110.

The issue came before Council on October 28, 2021 where the following resolution was approved:

941 Fullerton Avenue: Rezoning Application No. 00769

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00769 for 941 Fullerton Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Respectfully submitted,

Curt Kingsley
City Clerk

Report accepted and recommended by the City Manager

List of Attachments:

- Bylaw No. 21-110

A BYLAW OF THE CITY OF VICTORIA

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

- | | | |
|----------------------------|--------|------|
| READ A FIRST TIME the | day of | 2021 |
| READ A SECOND TIME the | day of | 2021 |
| Public hearing held on the | day of | 2021 |
| READ A THIRD TIME the | day of | 2021 |
| ADOPTED on the | day of | 2021 |

MAYOR



PART 1.154 – R1-S31 ZONE, RESTRICTED SMALL LOT WITH SECONDARY SUITE (FULLERTON STREET) DISTRICT

1.154.1 Permitted Uses in this Zone

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

- a. Uses permitted in the R1-S2 Zone, Restricted Small Lot (Two Storey) District, subject to the regulations set out in Part 1.23 of the Zoning Regulation Bylaw
- b. The uses set out in paragraphs (c) to (h) are permitted in buildings constructed prior to January 1, 1950 and are subject to the regulations set out in this Part 1.154 of the Zoning Regulation Bylaw
- c. Single family dwelling
- d. No more than one secondary suite
- e. A maximum of two garage sales in any calendar year
- f. Public Building
- g. Home occupation subject to the regulations in Schedule “D”
- h. Accessory Buildings subject to the regulations in Schedule “F”

1.154.2 Lot Area

- | | |
|-------------------------------|------------------------------|
| a. <u>Lot area</u> (minimum) | 260m ² |
| b. <u>Lot</u> width (minimum) | 10m average <u>lot</u> width |

1.154.3 Floor Area, Floor Space Ratio

- | | |
|---------------------------------------|-------------------|
| a. <u>Total floor area</u> (maximum) | 190m ² |
| b. <u>Floor space ratio</u> (maximum) | 0.60:1 |

1.154.4 Height, Storeys

- | | |
|---|------|
| a. Principal <u>building height</u> (maximum) | 7.5m |
| b. <u>Storeys</u> (maximum) | 2 |

PART 1.154 – R1-S31 ZONE, RESTRICTED SMALL LOT WITH SECONDARY SUITE (FULLERTON STREET) DISTRICT

1.154.5 Setbacks, Projections

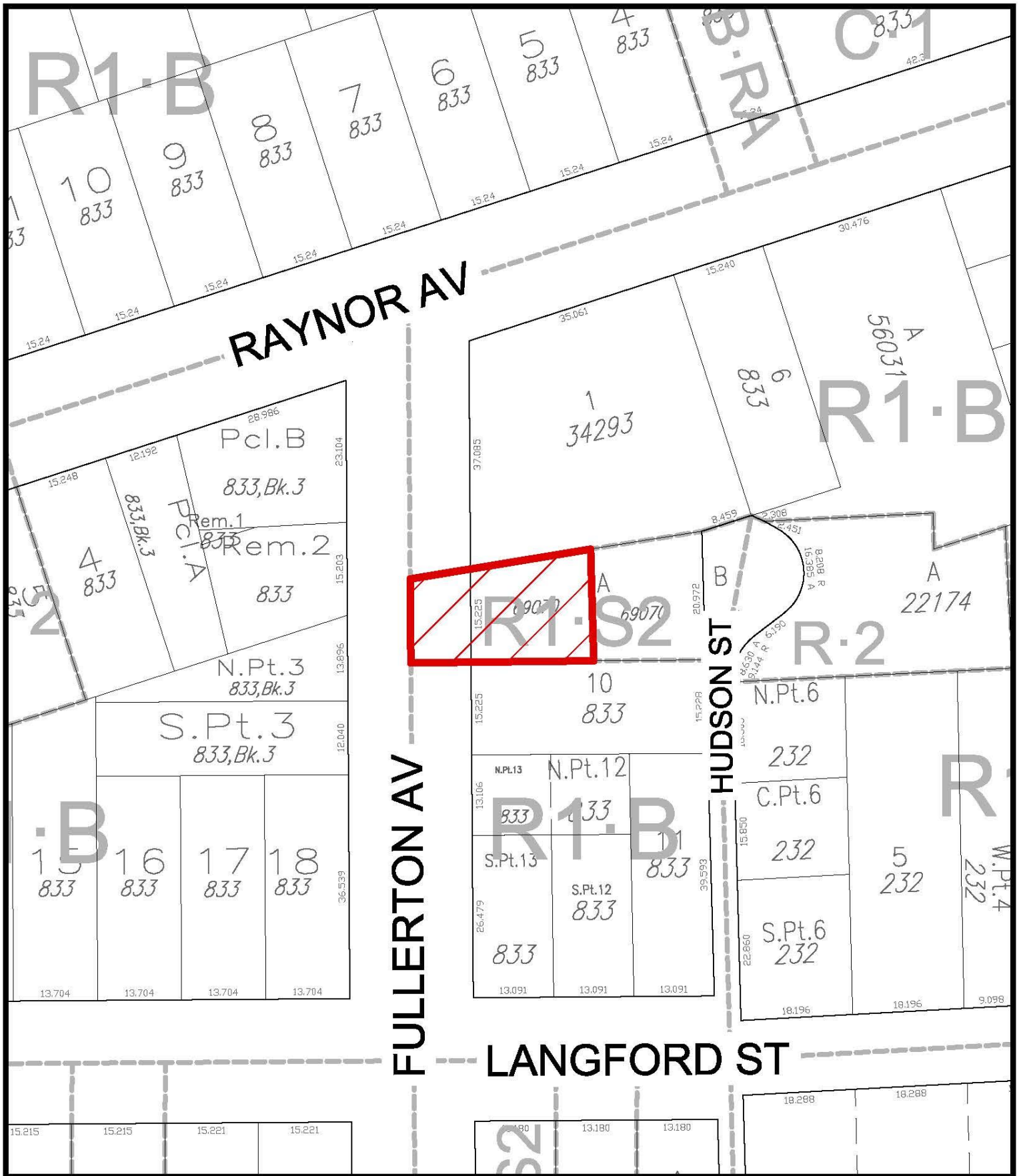
- | | |
|--|-------|
| a. <u>Front yard setback</u> (minimum) | 3.53 |
| Except for the following maximum projections into the setback: | |
| • Stairs | 1.11m |
| • Porch | 1.21m |
| b. <u>Rear yard setback</u> (minimum) | 2.83m |
| c. <u>Side yard setback</u> (minimum) | 1.79m |

1.154.6 Site Coverage, Open Site Space

- | | |
|-----------------------------------|-----|
| a. <u>Site Coverage</u> (maximum) | 47% |
|-----------------------------------|-----|

1.154.7 Parking

Subject to the regulations in Schedule "C"



941 Fullerton Avenue
Rezoning No.00769





Council Report

For the Meeting of November 25, 2021

To: Council **Date:** November 17, 2021

From: Karen Hoes, Director, Sustainable Planning and Community Development

Subject: **Update Report for Rezoning Application No. 00746 for 749-767 Douglas Street, associated Official Community Plan Amendment and Development Permit with Variances Application No. 00155**

RECOMMENDATION

That the following bylaws be given first and second readings:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1264) No. 21-105
2. Official Community Plan Amendment Bylaw (No. 38) No. 21-106.

That Council direct staff to make the necessary amendments to the Downtown Core Area Plan (2011) to remove View 5: Olympic Mountains from Douglas Street.

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Zoning Regulation Bylaw Amendment No. 21-105 and Official Community Plan Bylaw Amendment No. 21-106. This application came before Council, following the Official Community Plan Amendment notification period, at a Committee of the Whole meeting on September 9, 2021, and was ratified at a Council meeting on September 23, 2021 where the following resolution was carried:

Rezoning Application No. 00746

"That subject to minor plan amendments to illustrate the landscaping approach for the Humboldt Street Plaza and to update the seating, ramping and curb alignment changes on the Douglas Street frontage, that Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the Local Government Act and the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No.00746 for 749-767 Douglas Street, 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. Preparation of legal agreements, executed by the applicant, in a form to the satisfaction of the City Solicitor to secure:
 - i. statutory right-of-way along Humboldt Street to accommodate public vehicle turn-

- around movements;
 - ii. off-site public furniture maintenance agreement to secure the ongoing maintenance of unique street furniture over a period of ten years;
 - iii. statutory right-of-way along Douglas Street to include seating and weather protection of a sufficient size and area to accommodate anticipated transit demand on this future rapid bus corridor and station and 5.5m clear pedestrian passage;
 - iv. statutory right-of-way to secure the through block access path proposed along the east property boundary;
 - v. public realm improvements as indicated on the plans dated June 17, 2021 (including tree grates, soil cells, and revised Douglas Street frontage and Humboldt Plaza landscaping);
 - vi. sustainability and active transportation features identified in the staff report and as committed to by the applicant, including provision of a minimum of 94 BC Transit EcoPasses for a three-year period;
 - vii. commitment to achieve Step Code 3 of the British Columbia Building Code.
 - viii. commitment to ensuring public access to the building lobby.
2. That Council give first reading to the Official Community Plan Amendment Bylaw.
 3. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2017-2021 Financial Plan, the Capital Regional District Liquid Waste Management Plan and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
 4. That Council give second reading to the Official Community Plan Amendment Bylaw.
 5. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.
 6. That Council authorize the Mayor and City Clerk to execute encroachment agreements, to be executed at the time of the building permit approval, if the other necessary approvals are granted, in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works for anchor-pinning in the City Right-Of-Way.
 7. That the north facing sign be lowered to mitigate intrusion into the Douglas Street view corridor.
 8. That the applicant continue to work to address potential bird collisions.
 9. That the applicant consider recognition of the history of the site, including the former steam laundry and the ethno-cultural history of the facility on the subject parcel.”

Development Permit with Variances Application No. 00155

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. 00746, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 00155 for 749-767 Douglas Street, in accordance with:

1. Plans date stamped June 17, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - a. Reduce the interior southwest setback from 4.5m to 0m;
 - b. Reduce the interior southeast side yard setback from 4.5m to 4.0m;
 - c. Increase the height to 53m;
 - d. Relax the requirement for a 1:5 setback ratio from Douglas St. and Humboldt St.
 - e. Reduce the required number of vehicle parking stalls from 205 to 116.

3. The Development Permit lapsing two years from the date of this resolution.”

Pre-Conditions

Regarding the pre-conditions that Council set in relation to this application, staff can report that all conditions and agreements have been executed and the application is ready for Council’s consideration of introductory readings.

The applicant has provided a letter (attached) that addresses the following items from the above Council motion:

8. That the applicant continues to work to address potential bird collisions.
9. That the applicant considers recognition of the history of the site, including the former steam laundry and the ethno-cultural history of the facility on the subject parcel.

Downtown Core Area Plan (2011)

As noted at the Committee of the Whole meeting of September 9, 2021, and following the OCP notification and public consultation on the impacts of this proposal on the Douglas Street view corridor, despite the reorientation of the building, the proposal still significantly infringes into the protected view of the Olympic Mountains. The subject property is located within Development Permit Area 9 (HC) Inner Harbour, and the DP guidelines require special attention to the view corridor policies that are contained within the Downtown Core Area Plan (DCAP). The applicable view corridor that is impacted by this development is View 5 which pertains to developments along Douglas St. As such, the DCAP requires an amendment to remove this view.

Within the recommendation in this report, wording is included to remove reference to View 5: Olympic Mountains from Douglas Street” from the Downtown Core Area Plan (2011) (DCAP).

CONCLUSIONS

The applicant has responded to the pre-conditions that Council set in relation to this proposal, and the required legal agreements will be executed prior to the introductory bylaw readings. As such, this application is now ready to advance to a public hearing.

Respectfully submitted,

Miko Betanzo
Senior Planner – Urban Design
Development Services Division

Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager.

List of Attachments

- Applicant’s letter dated November 17, 2021
- Zoning Regulation Bylaw, Amendment Bylaw (No. 1264) No. 21-105
- Official Community Plan Amendment Bylaw (No. 38) No. 21-106

From: Chris Quigley
Sent: November 17, 2021 12:50 PM
To: Miko Betanzo
Subject: Re: Resubmitted drawings for 767 Douglas (TELUS Ocean)

Hi Miko,

On the drawings, they are complete but require sealing from the architect. Elena is confident this can happen today but may be around 5.30pm. I trust this can work for you.

On the conditions, please see a response below:

- **That the applicant continue to work to address potential bird collisions.**

The design team has ensured that best practices of bird-friendly design are integrated into the project. These design features will ensure the continued health of our ecosystems and local bird populations. A key design strategy is the use of fritted/patterned window glass which is visible to birds only and will warn birds of a potential obstacle. In addition, the building operator will continue to refine the placement of interior and exterior planting to also assist the bird perception of obstacles. As the lighting plan is being finalised, this will give strong consideration of the best practice measures to avoid the confusion of migratory birds. Since Committee of the Whole we have continued to explore this matter and are confident in stating that the proposed measures exceed the best practices established in other cities where bird friendly policy guidelines are in place.

- **That the applicant consider recognition of the history of the site, including the former steam laundry and the ethno-cultural history of the facility on the subject parcel**

The history of the site and the use of the land has been a consideration of the applicant team. To support this the applicant is working with Carey Newman, a multi-disciplinary Indigenous artist, master carver, filmmaker, author and public speaker. As Telus Ocean will be built on the shores of xws3yq'am, a gathering place of Lekwungen people, the applicant is working with Carey to explore how the memory of xws3yq'am can be incorporated into the project. The content of the design will be developed from conversations with Lekwungen knowledge keepers and community members.

Chris

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the CA-OV Zone, Olympic View District, and to rezone land known as 749-767 Douglas Street from the CA-4 Zone, Central Area Commercial District, to the CA-OV Zone, Olympic View 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. 1264)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of
Schedule “B” under the caption PART 6 – Central Area Zones by adding the following
words:

“6.106 CA-OV, Olympic View District”

- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 6.105
the provisions contained in Schedule 1 of this Bylaw.
- 4 The land known as 749-767 Douglas Street, legally described as PID: 001-121-987; Lot 1
of Lots 207, 209, 210, 228, and 1270B, Victoria City, Plan 31886 and shown hatched on
the attached map, is removed from the CA-4 Zone, Central Area Commercial District, and
placed in the CA-OV Zone, Olympic View District.

READ A FIRST TIME the _____ day of _____ 2021

READ A SECOND TIME the _____ day of _____ 2021

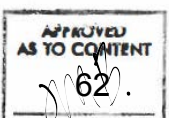
Public hearing held on the _____ day of _____ 2021

READ A THIRD TIME the _____ day of _____ 2021

ADOPTED on the _____ day of _____ 2021

CITY CLERK

MAYOR



PART 6.106 – CA-OV ZONE, OLYMPIC VIEW DISTRICT**6.106.1 Definitions**

In this Zone:

- a) “Rooftop Structure” includes antennas, elevator penthouses, elevator landings, stair access and landings, mechanical equipment, chimneys, ventilation systems, solar heating panels, green roof systems and similar structures that project above a roof, are non-habitable and which may be enclosed or unenclosed.
- b) “Projections above maximum building height” means rooftop structures may project above the maximum height to the extent indicated in the zone.

6.106.2 Permitted Uses in this Zone

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

- a. Office
- b. Public Building
- c. Cultural Facility
- d. Drinking Establishment
- e. Financial Service
- f. Restaurant
- g. Hotel
- h. Personal Service
- i. Retail Liquor Sale
- j. Retail Trade
- k. Small-scale Commercial Urban Agriculture
- l. Utility

6.106.3 Location and Siting of Uses

- a. No first storey office use is permitted within 6m of the wall of any building that abuts a street or pedestrian walkway.
- b. Areas used for the storage of garbage or recyclable materials must be enclosed within a building.

6.106.4 Floor Space Ratio (maximum)

- a. Floor space ratio (maximum) 3:1
- b. Floor space ratio (maximum) where the community amenities have been provided pursuant to part 6.106.8 5.2:1

6.106.5 Height

- a. Building height (maximum) 43m
- b. Projections above maximum building height (maximum)
 - i. Parapets 1.0m
 - ii. Rooftop Structures 5.0m

PART 6.106 – CA-OV ZONE, OLYMPIC VIEW DISTRICT**6.106.6 Setbacks**

- | | |
|---------------------------------|------|
| a. Interior Southeast (minimum) | 4.5m |
| b. Interior Southwest (minimum) | 4.5m |

Setback Plane (minimum)

- | | |
|--|----------------------------|
| c. <u>Buildings</u> abutting Douglas and Humboldt Street, for any <u>building</u> portion above 20.0m in <u>height</u> : | 5:1 (Angle of Inclination) |
|--|----------------------------|

6.106.7 Vehicle and Bicycle Parking

- | | |
|-------------------------------------|---|
| a. <u>Vehicle parking</u> (minimum) | Subject to the regulations in Schedule "C" |
| b. Bicycle parking (minimum) | Subject to the regulations in Schedule "C" except as otherwise specified in this Part |
| Bicycle parking spaces (long term) | 100 |
| Bicycle parking spaces (short term) | 42 |

6.106.8 Community Amenities

As a condition of additional density pursuant to section 6.106.4, the following amenities must be provided:

- a) statutory right-of-way along Humboldt Street to accommodate public vehicle turn-around movements;
- b) statutory right-of-way along Douglas Street to include sidewalk and seating of a sufficient size and area to accommodate anticipated transit demand on this future rapid bus corridor and station and 5.5m clear pedestrian passage;
- c) provision of transit shelter areas on Douglas St. to include bench seating to accommodate a minimum of 64 people seated and overhead weather protection over 63% of the seating area that extends beyond the seating by 1.5m;
- d) statutory right-of-way to secure pedestrian through-block access path along the east property boundary;
- e) provision of a minimum of 94 BC Transit EcoPasses per year for a three-year period;
- f) commitment to achieve Step Code 3 of the British Columbia Building Code.



A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the Official Community Plan to change the urban place designation for 749-767 Douglas Street from Core Inner Harbour / Legislative to Core Business.

Under its statutory powers, including Division 4 of the *Local Government Act*, the Council of the Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

- 1 This Bylaw may be cited as the “OFFICIAL COMMUNITY PLAN BYLAW, 2012,
AMENDMENT BYLAW (NO. 38)”.
- 2 Bylaw No. 12-013, the Official Community Plan Bylaw, 2012, is amended as follows:
- (a) in connection with the land known as 749-767 Douglas Street by changing its urban place designation from Core Inner Harbour / Legislative to Core Business;
 - (b) repealing Map 2 of section 6 and replacing it with the Map 2 attached to this bylaw as Schedule “A”;
 - (c) repealing Map 20 of section 21 and replacing with the Map 20 attached to this bylaw as Schedule “B”.

READ A FIRST TIME the day of 2021

READ A SECOND TIME the _____ day of _____ 2021

Public hearing held on the _____ day of _____ 2021

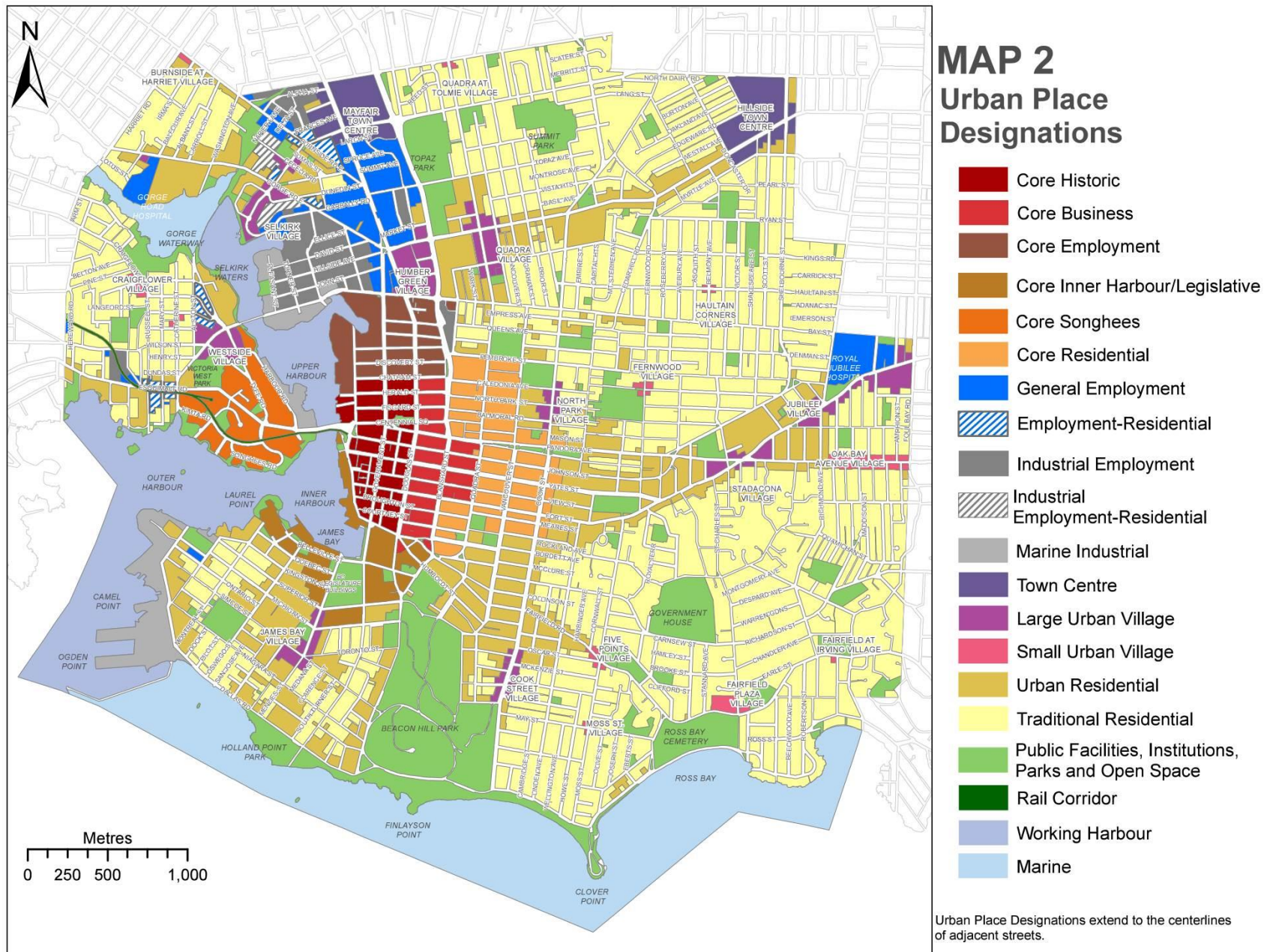
READ A THIRD TIME the _____ day of _____ 2021

ADOPTED on the _____ day of _____ 2021

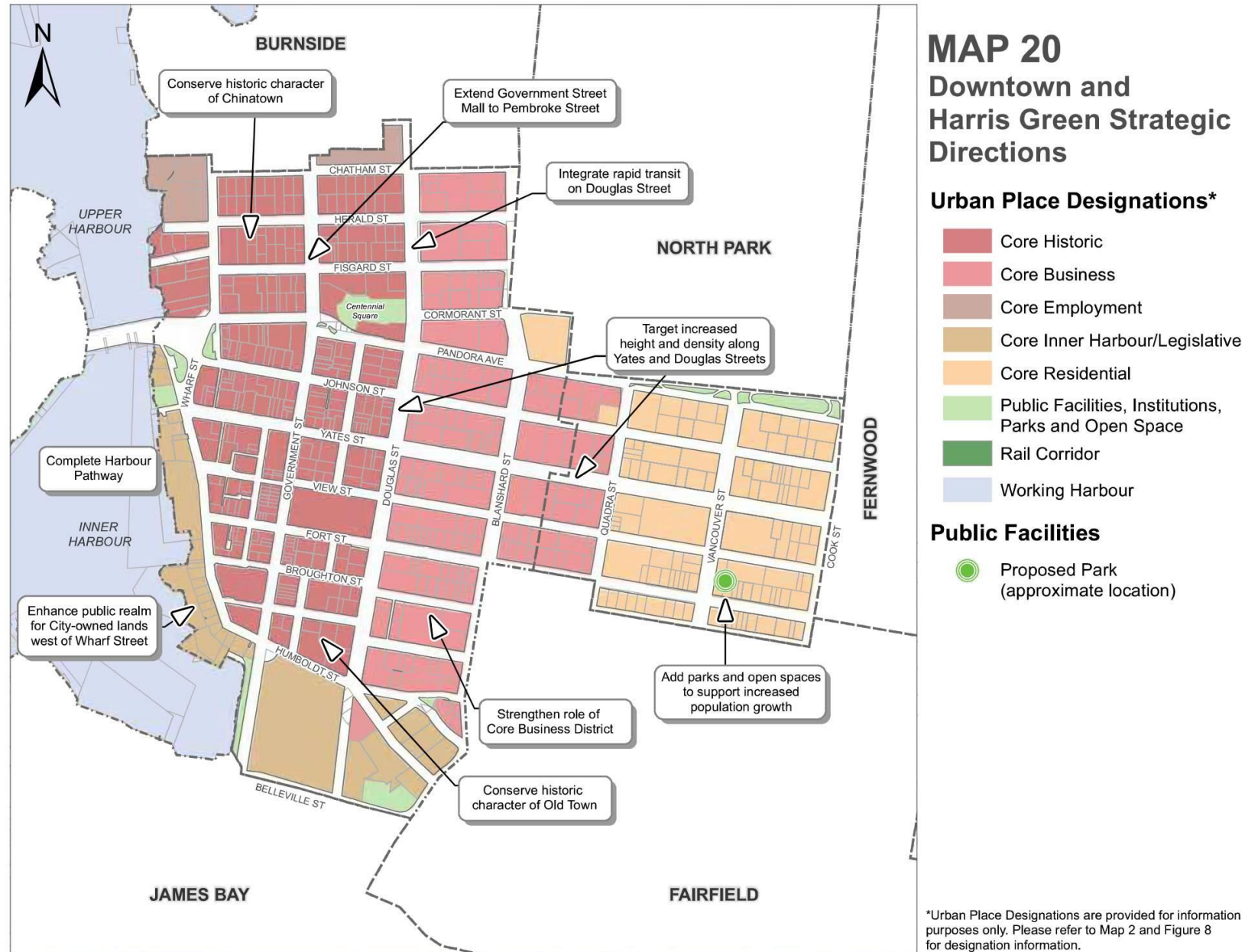
CITY CLERK

MAYOR





SECTION 21: NEIGHBOURHOOD DIRECTIONS



SANITARY SEWER AND STORMWATER UTILITIES BYLAW, AMENDMENT BYLAW (NO. 9)

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to increase the stormwater user fee factor rates, CRD sewer consumption charge payable, connection fees, dye tests fees, and special fees and considerations payable under the *Sanitary Sewer and Stormwater Utilities Bylaw 14-071*.

Contents

- 1 Title
- 2 Section 27A
- 3 Schedule “A”
- 4 Effective date

Under its statutory powers, including section 194 of the *Community Charter*, the Council of the City of Victoria enacts the following provisions:

Title

- 1 This Bylaw may be cited as the "SANITARY SEWER AND STORMWATER UTILITIES BYLAW, AMENDMENT BYLAW NO. 9)".

Section 27A

- 2 Section 27A to the Sanitary Sewer and Stormwater Utilities Bylaw 14-071 is amended by repealing the existing Section 27A and replacing it with the updated Section 27A to this bylaw amendment.

Schedule “A”

- 3 Schedule “A” to the Sanitary Sewer and Stormwater Utilities Bylaw 14-071 is amended by repealing the existing Schedule “A” and replacing it with the updated Schedule “A” to this bylaw amendment.

Effective date

- 4 This Bylaw comes into force on January 1, 2022.

READ A FIRST TIME the	18 th	day of	November	2021
READ A SECOND TIME the	18 th	day of	November	2021
READ A THIRD TIME the	18 th	day of	November	2021
ADOPTED on the		day of		2021

CITY CLERK

MAYOR

27A. CRD Sewer Consumption Charge

- (1) Pursuant to the powers of the City under the Additional Powers Regulation, B.C. Reg. 236/2002, a rate of \$4.23 for the months of June through September and a rate of \$6.04 for all other months multiplied by the number of units of water used at the owner's premises must be paid by each owner in respect of a portion of the annual operating costs and debt costs of the Capital Regional District Liquid Waste Management Core Area and Western Communities Service that are payable by the City.

SCHEDULE "A"
FEES AND CHARGES

1. Sanitary Sewer Use Charge

1 The sanitary sewer use charge for each unit of water used for the months of June through September is \$1.67 and for all other months is \$2.38.

2. Sanitary Sewer Service and Stormwater Service Connection Fees

1 – 100 mm	\$8800
2 – 100 mm (in same trench)	\$11800
1 – 150 mm	at cost
2 – 150 mm (in same trench)	at cost
1 – 200 mm	at cost
1 – 150 / 1 - 200 mm (in same trench)	at cost
1 – 150 / 1 – 100 mm (in same trench)	at cost
1 – 250 mm	at cost
2 – 200 mm	at cost

3. Hub Connection Fees

\$1000 / hub connection

4. Dye Tests

\$200 for one visit to a single location or site, to a maximum of one hour

5. Sewer Service Connection Test for Reuse or Abandonment

4 service connections or fewer	\$250/visit/site
Each additional service connection	\$100/visit/site

6. Sewer Service Connection Rehabilitation

1 – 100 mm	\$ 3500
1 – 150 mm	\$ 4000

7. Sealing a Discontinued Sewer Service Connection

\$1000 per service

8. Special Fees and Considerations

All connection fees are for an application for a service connection to a single property unless otherwise stated. Service connection configurations not covered in this Schedule are subject to the Director's approval, and will be charged for "at cost".

Service connection fees under section 3 of this Schedule A include rock removal up to a

depth of 1.0 m. All additional rock removal costs shall be paid by the applicant at cost.

At cost service connections must pay for all rock removal on an at cost basis. The estimated cost of rock removal shall be determined at the time rock is encountered. These costs must be paid by the applicant prior to the City continuing the installation.

All service connections larger than 100 mm, and all connections installed on Arterial Roads or within the Downtown Core: at cost

All service connections that are requested to be installed outside normal working hours, where approved by the Director will be billed for at cost.

If the applicant is performing their own restoration on their property frontage in the area of a new service installation, at their cost, the Director will allow a rebate of \$200 per service trench.

9. Contaminated Soil

Where the removal of contaminated soil is required it shall be done at cost.

10. Archaeological Site

Costs associated with working in vicinity of an archaeological site shall be done at cost.

11. Administrative Charges

Where work is performed at cost an administrative charge of 18% must be calculated and added to the "at cost" total.

12. Stormwater User Fees

The stormwater user fee payable by an owner shall be determined by applying and totaling the four factors in the Stormwater User Fee Calculation Table below.

Stormwater User Fee Calculation Table

STORMWATER USER FEE CALCULATION TABLE

1.A IMPERVIOUS SURFACES FACTOR

	Fee (per sq meter)
	\$0.6854

2.A STREET/SIDEWALK CLEANING FACTOR

	Fee (per meter)
Local	\$1.81
Collector	\$3.84
Arterial	\$4.35
Downtown	\$43.60

2.B INTENSITY CODE FACTOR

	Fee (per property)
Low Density Residential	\$0.00
Multi Family Residential	\$81.79
Civic/Institutional	\$72.98
Commercial/Industrial	\$148.38

2.C CODES OF PRACTICE FACTOR

	Fee (per property)
Required to register under Stormwater Code of Practice Schedule E	\$169.70

11. Rainwater Management Credit Program

(a) Educational Programs

Except for a property that is used as a school, in order to qualify for a rainwater management credit an educational program for a Civic/Institutional or Commercial/Industrial property must relate to, describe and inform either the owner's employees or members of the public about a stormwater management facility that has been approved under the Rainwater Management Credit Program, that is located on the property, and that is functional and in good working condition. A qualifying educational program may include or consist of signs, brochures, or other graphic or printed information that is located in a prominent location on the property.

For a property that is used as a school, in order to qualify for a rainwater management credit an educational program must be included in the regular curriculum and form part of the regular teaching program for the school.

(b) Calculation of Credits

Where the owner of premises applies for participation in the rainwater management credit program, and the application is approved by the Director, a percentage credit for each approved credit type will be applied to the stormwater user fee in the amount(s) set out in the following tables.

Rainwater Management Credit Table – Low Density Residential Properties

Rainwater Best Management Practice (BMP)	Minimum Size	Min. Roof Area (m ²) directed to BMP	Ongoing Credit
Cistern	1200L	25	10%
Infiltration Chamber		25	10%
Rain Garden		25	10%
Bioswale		25	10%
Permeable paving - no infiltration trench/piping	10 m ²		10%
Permeable paving - infiltration trench/piping		25	10%

Rainwater Management Credit Table – Multi-Family Residential, Civic/Institutional and Commercial/Industrial Properties

	Minimum Impervious Area Treated (%)	Credit (%)
Infiltration Chamber / Rain Garden / Bioswale/ Permeable Pavement / Cisterns Plumbed for Indoors / Intensive Green Roofs	10	4
	15	7
	20	9
	25	11
	30	13
	35	16
	40	18
	45	20
	50	22
	55	24
	60	27
	65	29
	70	31
	75	33
	80	36
	85	38
	90	40
	Minimum Impervious Area Treated (%)	Credit (%)
Cisterns- Hand Use	10	2
	15	3
	20	4
	25	6
	30	7
	35	8
	40	9
	45	10
	50	11
	55	12
	60	13
	65	14
	70	16
	75	17
	80	18
	85	19
	90	20

	Minimum Impervious Area Treated (%)	Credit (%)
Cisterns - Irrigation System/ Extensive Green Roof	10	3
	15	5
	20	7
	25	8
	30	10
	35	12
	40	13
	45	15
	50	17
	55	18
	60	20
	65	22
	70	23
	75	25
	80	27
	85	28
	90	30

(c) **BMP (Design and Construction Requirements) Table**

The following table sets out additional requirements for the design and construction of stormwater retention and water quality facilities.

BMP	DIY Build	Tier A Contractor Build	Tier B, C & D Contractor Build
Rain Barrel	1	1	N/A
Cisterns - at grade	1	1	2
Cisterns - below grade	3	3	3
Cisterns - above grade	3	3	3
Rain Gardens	1	1	2
Bio Swales	1	1	2
Green Roof	N/A	3	3
Permeable Paving without Infiltration Trench/piping	1	1	2
Permeable Paving with Infiltration Trench/piping	2	1	3
Infiltration Chamber	3	3	3

1 Design and construction must follow City standards and specifications.
Design and construction must follow City standards and specifications.

2 Must be designed and installed under the supervision of a Qualified Designer.

3 Design and construction must follow City standards and specifications.
Must be designed and installed under the supervision of a Qualified Professional.
Green Roofs must be designed by and installed under the supervision of a Qualified Professional who is a professional architect or structural engineer

Inspections as required at specified intervals.

DIY Build - Owner is responsible for construction methods and adhering to design.
Failure to do so may result in rejection at owner's expense. City assumes no responsibility for rejection or liability for damages.

In the table above:

- (a) "Tier A", "Tier B", "Tier C" and "Tier D" mean, respectively, properties that are classified under section 28(4) of this bylaw as Low Density Residential, Multi-Family Residential, Civic/Industrial and Commercial/Industrial.
- (b) "DIY Build" means that the owner of Low Density Residential property constructs or installs the stormwater retention and water quality facility themselves, without the assistance of a contractor.

SOLID WASTE BYLAW, AMENDMENT BYLAW (NO. 11)

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the *Solid Waste Bylaw No.12-086* to increase the fees for the collection of solid waste.

Contents

- 1 Title
- 2 Schedule “A”
- 3 Effective date

Under its statutory powers, including section 194 of the *Community Charter* and the *Local Government Act Additional Powers Regulation*, the Council of the City of Victoria in an open meeting assembled enacts the following provisions:

Title

- 1 This Bylaw may be cited as the "SOLID WASTE BYLAW, AMENDMENT BYLAW (NO. 11)".

Schedule “A”

- 2 Bylaw No. 12-086, the Solid Waste Bylaw, is amended by repealing Schedule “A” and replacing it with the updated Schedule “A” to this bylaw amendment.

Effective date

- 3 This Bylaw comes into force on January 1, 2022.

READ A FIRST TIME the	18th	day of	November	2021
READ A SECOND TIME the	18th	day of	November	2021
READ A THIRD TIME the	18th	day of	November	2021
ADOPTED on the		day of		2020

CITY CLERK

MAYOR

Schedule 1**Schedule “A”****Solid Waste Bylaw**

The fees for the collection of solid waste from each residential unit by size of bin under Section 16 are:

Size	Annual Fee
80 Litre Bin	\$200.46
120 Litre Bin	\$230.37
180 Litre Bin	\$275.22

WATERWORKS BYLAW, AMENDMENT BYLAW (NO. 16)

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to increase the connection fees, special fees and consumption charges payable under the *Waterworks Bylaw No. 07-030*.

Contents

- 1 Title
- 2 Schedule “A”
- 3 Effective date

Under its statutory powers, including section 194 of the *Community Charter* and the *Local Government Act Additional Powers Regulation*, the Council of the City of Victoria in an open meeting assembled enacts the following provisions:

Title

- 1 This Bylaw may be cited as the "WATERWORKS BYLAW, AMENDMENT BYLAW (NO. 16)".

Schedule “A”

- 2 Schedule “A” to the Waterworks Bylaw No. 07-030 is amended by repealing the existing Schedule “A” and replacing it with the updated Schedule “A” to this bylaw amendment.

Effective date

- 3 This Bylaw comes into force on January 1, 2022.

READ A FIRST TIME the	18th	day of	November	2021
READ A SECOND TIME the	18th	day of	November	2021
READ A THIRD TIME the	18th	day of	November	2021
ADOPTED on the		day of		2021

CITY CLERK

MAYOR

Schedule A**Fees**1. Connection fee for any water service, other than a fire line:

<u>Size of Connection or Meter</u>	<u>Connection Charge</u>
18 mm	\$ 6,300.00
25 mm	6,500.00
40 mm	at cost
50 mm	at cost
75 mm	at cost
100 mm	at cost
150 mm	at cost
200 mm and greater	at cost
For duplexes only, 2-18mm (in the same trench)	at cost
For duplexes only, 2-25 mm (in the same trench)	at cost
Cap water service, 12mm to 25 mm	at cost
Cap water service, 40mm and greater	at cost

Special fees:

- (a) To upgrade a meter, outlet pipe, and accessories under s. 8(4) of the Waterworks Bylaw: \$500.00
- (b) Service pipe installations on Arterial Roads or within the Downtown Area: an additional at cost per trench.
- (c) Service Pipe that is requested to be installed outside normal working hours, where approved by the Director: at cost.
- (d) Temporary water connection: \$400.00.
- (e) Fire hydrant connection fee: \$100.00 per fire hydrant per day.
- (f) New fire hydrants that are installed at the request of an applicant: at cost.

2. Connection fee for a fire line:

<u>Size of Connection or Meter</u>	<u>Connection Charge</u>
100 mm	at cost
150 mm	at cost
200 mm and greater	at cost

3. Consumption charge

Consumption charge for each unit of water used: \$4.52

4. Service charge(a) 4-month service charge:

<u>Size of Connection</u>	<u>Service Charge</u>
12 mm	\$34.57
18 mm	\$39.23
25 mm	\$57.50
40 mm	\$71.88
50 mm	\$114.60
75 mm	\$215.52
100 mm	\$344.43
150 mm	\$644.18
200 mm	\$1,431.05

5. Fire Hydrant charge

(a) Esquimalt: \$4.00 monthly for each hydrant

(b) Non-municipal purposes: \$4.00 monthly for each hydrant.

6. Administrative Charges

Where work is performed "at cost" an administrative charge of 18% must be calculated and added to the "at cost" total.

7. Water Meter Activation/Deactivation Fee

To have an authorized person attend at a water meter pursuant to section 7A (5): \$40.