



MINUTES – VICTORIA CITY COUNCIL

MEETING OF THURSDAY, JULY 9, 2015, AT 7 P.M.

PLACE OF MEETING:

Council Chambers, City Hall

PRESENT:

Mayor Helps in the Chair, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Madoff, Thornton-Joe and Young

STAFF PRESENT:

J. Johnson, City Manager; B. Dellebuur, Acting Assistant Director, Transportation and Parking Services; J. Hawkins, Council Secretary; J. Jenkyns, Deputy City Manager; J. MacDougall, Assistant Director, Parks; A. Meyer, Assistant Director, Sustainable Planning and Community Development; C. Mycroft, Executive Assistant to the City Manager; J. O'Connor, Manager, Financial Planning; C. Royle, Deputy Fire Chief; T. Soulliere, Director, Parks and Recreation; J. Tinney, Director, Sustainable Planning and Community Development; C. Wain, Senior Planner-Urban Design; R. Woodland, Corporate Administrator

POETRY READING

Yvonne Blomer, Poet Laureate read a poem entitled: “*Conduit.*”

Zoe Duhaime, Youth Poet Laureate sang a poem entitled: “*Save me from the Darkness*”

APPROVAL OF AGENDA

The Corporate Administrator outlined changes to the agenda.

It was moved by Councillor Alto, seconded by Councillor Lucas, that the agenda be approved as amended.

Members of Council requested that the following members of the public be added to Requests to Address Council: Giselle Rumka, Jaime McKay, Surfrider Foundation, and Scott Cran, Abstract Developments.

Councillor Isitt asked if the hearing for 1555 Jubilee is properly on the agenda.

Robert Woodland (Corporate Administrator): Advised that all the requirements have been met for the hearing for 1555 Jubilee Avenue.

Councillor Isitt asked about the requirement for holding a CALUC meeting.

Alison Meyer (Assistant Director, Sustainable Planning and Community Development): Applications with variances are referred to the Community Association for a 30-day comment period, which was done. No response was received when the report was presented to Committee or for this hearing. The requirement for a CALUC meeting is only for rezoning applications.

Carried Unanimously

MINUTES

It was moved by Councillor Coleman, seconded by Councillor Loveday, that the Regular Council meeting minutes of June 25, 2015, be approved.

Carried Unanimously

PROCLAMATION

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that the following Proclamations be endorsed:

1. “Etsy Maker Cities Week” July 13th – 20th, 2015

Councillor Young withdrew from Council Chambers at 7:16 p.m. due to an indirect pecuniary conflict of interest as Etsy is traded on the NASDAQ and he may own some shares in the company through his mutual funds.

Councillor Isitt asked if there is a policy on what types of proclamations are accepted.

Robert Woodland (Corporate Administrator): There is no formal policy surrounding proclamations; however, Council has a resolution that prohibits commercial sales pitches under Requests to Address Council.

Mayor Helps said that this proclamation is to celebrate those who make things in Victoria, so the proclamation could be amended and proclaim “Maker Cities Week” – July 13th – 20th, 2015.

Councillor Isitt said that he feels this proclamation is contrary to why the City issues proclamations.

Amendment:

It was moved by Mayor Helps, seconded by Councillor Coleman, that the word “Etsy” be deleted from the proclamation. Carried Unanimously

On the main motion as amended:

Carried

For:

***Mayor Helps, Councillors Alto,
Coleman, Lucas, and Thornton-Joe***

Against:

Councillors Isitt, Loveday and Madoff

Councillor Young returned to the meeting at 7:18 p.m.

COMBINED DEVELOPMENT APPLICATION

1. 1049 Richmond Avenue

1. Public Hearing - Zoning Regulation Bylaw, Amendment Bylaw (No. 1040)

To rezone the land known as 1049 Richmond Avenue from the R1-G Zone, Gonzales Single Family District, to the R1-G2 Zone, Gonzales Small Lot District, to permit subdivision and construction of a new small lot single family dwelling.

New Zone:	R1-G2 Zone, Gonzales Small Lot District
Legal Description:	Lot 12, Section 74, Victoria District, Plan 2445, except part in Plan 16607
Existing Zone:	R1-G Zone, Gonzales Single Family Dwelling District

2. Hearing - Development Permit with Variances Application

The Council of the City of Victoria will also consider issuing a development permit for the land known as 1049 Richmond Avenue, in Development Permit Area 15A: Intensive Residential – Small Lot, for the purposes of approving the exterior design and finishes for the single family dwellings as well as landscaping.

The Development Permit will vary the following requirements of the R1-G2 Zone, Gonzales Small Lot District:

Existing Single Family Dwelling

- Part 4(2)(a): Increase height from 7.50m to 8.55m
- Part 4(2)(b): Increase height from 1.5 storeys with basement to 2 storeys with basement
- Part 9(1)(c): Reduce the north side yard setback from 2.4m to 1.3m and the south side yard setback from 2.4m to 1.2m
- Schedule C3: Permit one parking stall in the front yard

Proposed Single Family Dwelling

- Part 4(2)(b): Increase height from 1.5 storeys with basement to 2 storeys with basement
- Part 7(1): Increase the site coverage from 30% to 33.50%
- Part 9(1)(c): Reduce the north side yard setback from 2.40m to 1.57m

Mayor Helps opened the public hearing at 7:20 p.m.

Charlotte Wain (Senior Planner-Urban Design): This is a rezoning application with an associated Development Permit with Variances to retain the existing house and subdivide the property creating a new lot for a single family house at 1049 Richmond Avenue.

Council is to consider the appropriateness of the proposed land use and density, the design and landscaping of the proposed new house, as well as the acceptability of the requested variances for the proposed house as well as the existing house.

Ann Marr and Julian Paine (Applicants): Provided a PowerPoint presentation regarding the proposal located at 1049 Richmond Avenue. They have invested and upgraded the 1908 house. The previous owners had considered subdividing the property, but now the Oak tree is gone, they can proceed with the subdivision. It is a traditional design to fit in with the character of the street. They will open up the driveway of the existing house to allow a car to use it. They are keeping as many trees as possible. They will use sustainability features in the new house. They reached out to the neighbours at the beginning of the process in 2013 to receive their input on the idea of the subdivision and the design. Three concerns from the neighbour at 1035 Richmond have been addressed by reducing the height of the proposed house to allow more light and views and it has been moved as far away from 1035 Richmond and a bedroom has been converted to a laundry room to reduce the overlook. There will be five metres between the proposed house and 1035 Richmond. He does not believe that there will be much shadowing on 1035 Richmond. The variances for the current house are existing non-conforming. None of the requested variances are affecting 1035 Richmond.

Councillor Thornton-Joe asked if the change of room from bedroom to laundry included a change of window type.

Julian Paine: Yes it is a smaller single window and not a double one as the other rooms have.

Reevan McKay (Richmond Avenue): Their house was also built in the early 1900's and has been owned by his family since the 1970's. His concerns relate to the loss of light and views they will experience in the dining room and kitchen. If this proceeds instead of looking into the neighbourhood they will look at the grey façade of the new house. They have met with the applicant to discuss concerns and suggested mitigation ideas. They still have some remaining concerns about the proposal. The majority of the setbacks will be borne by their property. A lot of the old houses don't have a lot of light and to get light back into their house they will have to make their own renovations. If they didn't rely on the light they would not have any objections,

Mayor Helps closed the public hearing at 7:46 p.m.

3. Bylaw Approval

It was moved by Councillor Coleman, seconded by Councillor Lucas, that the following bylaws **be given third reading**:

Zoning Regulation Bylaw, Amendment Bylaw (No. 1040)

Councillor Coleman said that the owners have tried to address the concerns of the neighbours and the proposed new house seems to fit quite well in the neighbourhood, but he understands that it can be jarring to neighbours. They have removed a bedroom as part of addressing concerns, but that may constrain a family moving into the house. The variances are internal to the two properties so he feels it is supportable.

Councillor Isitt said that six months ago he felt the application needed more work and it is unfortunate that it is still unsupportable by the neighbour. A house is appropriate on the vacant land and consistent with the vision of sympathetic infill. A garden suite or bungalow would have less impact. He will be able to support.

Councillor Young said that he has some reservations, but on balance he thinks the applicant made reasonable efforts to accommodate the concerns of the neighbour.

Councillor Madoff said that a rezoning is a privilege not a right, in particular with a small lot due to impact on the neighbours. Committee requested some refinements and the applicant has done it in a thoughtful way and the variances are impacting the existing home and new one and not the neighbour. She finds it supportable.

Carried Unanimously

4. Bylaw Approval:

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that the following bylaw **be adopted**:

Zoning Regulation Bylaw, Amendment Bylaw (No. 1040)

Carried Unanimously

5. Application Approval:

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that Council approve a Development Permit for 1049 Richmond Avenue, in accordance with:

1. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - a. Part 4 (2) (a): height increased from 7.50m to 8.55m for the existing single family dwelling;
 - b. Part 4 (2) (b): height increased from 1.5 storeys with basement to 2 storeys with basement for both the existing and proposed single family dwelling;
 - c. Part 7 (1): site coverage increased from 30% to 33.50% for the proposed single family dwelling;
 - d. Part 9 (1) (c): north side yard reduced from 2.40m to 1.57m for the proposed single family dwelling;
 - e. Part 9 (1) (c): north side yard reduced from 2.40m to 1.30m (cantilever portion only) and the south side yard reduce from 2.40m to 1.20m (cantilever portion only) for the exiting single family dwelling;
 - f. Schedule C (Section 3): parking behind the front wall of the building relaxed to permit one parking stall in the front yard of the existing single family dwelling.
2. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director, Development Services Division, Sustainable Planning and Community Development Department.
3. The Development Permit lapsing two years from the date of this resolution.

Carried Unanimously

REZONING APPLICATION

1. 819 Yates Street

1. Public Hearing - Zoning Regulation Bylaw, Amendment Bylaw (No. 1043)

To amend the CA-62, Central Area (Yates-View) District, of the Zoning Regulation Bylaw by changing the list of amenities required for increased density. This includes removing the requirement for two supported housing units, reducing the value of the required public art contribution from \$200,000 to \$100,000, adding a requirement for a \$100,000 contribution to the Victoria Housing Reserve Fund, and requiring that all housing units in this Zone be used and occupied only as rental housing for a period of 10 years. A technical amendment is also included that will exclude areas used exclusively as secured bicycle storage from the calculation of floor space ratio.

Existing Zone: CA-62, Central Area (Yates-View) District
Legal Description: Lot A, District Lots 306, 307, 324 and 325, Victoria City, Plan 33016

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

Charlotte Wain (Senior Planner-Urban Design): Council is to consider the supportability of the proposed changes in the amenities and the proposed technical amendment.

Dave Chard (Chard Development): Provided a PowerPoint presentation regarding the proposal located at 819 Yates Street. The property was rezoned in 2008 for a condo building with retail at grade and underground parking. This project did not proceed and he acquired the property in 2011. A Development Permit for a rental project with 209 units was approved in 2014. In 2015 he secured the sale for the entire building to a pension company and one of conditions was to remove the two social housing units in the building and in lieu they have agreed to provide a ten year rental covenant for the building. He feels it will be rental for more than ten years as it will be designed for rental. They are providing numerous environmental features for the building and he believes this building will be one of the first one designed and built under the new *Building Code*. There will be 209 secure bicycle storage units and an electric scooter and car charging station. The bike rooms will be in the same location but will not be included in FSR as he is proposing the two rooms be at grade. An economic analysis was conducted and there is no benefit for removing the two social housing units. \$200,000 was to go to public art and he is proposing splitting the funds with \$100,000 to the Public Art Fund and \$100,000 to the Housing Reserve Fund.

Councillor Loveday asked what is different from a unit built for rental compared to one built for purchase.

Dave Chard: The rooms are similar to a condo in the 550-600 square foot range, which is a popular condo and rental size. The building is designed with the look and feel of a condo but rented from a long term owner.

Mayor Helps asked if the height and density were set when the Development Permit was approved. Under consideration tonight is the exchange of the two social housing units for a ten year rental covenant and funds being split between the public art and housing funds and the FSR for the bike rooms?

Charlotte Wain: That is correct.

Resident of 831 Yates Street: She has a concern about the removal of the supported housing units in exchange for a covenant to provide rental units for ten years. It is important to have affordable supportive housing downtown and she doesn't see the need to remove the units.

Tammy Rennick (View Street): She watches the people who she would assume would benefit from the social housing. We need more additional spaces not less. She expects the rental rate will be outside their means and without the requirement for social housing these people will be pushed on as not enough homes for them.

Andrew Brown (Resident of Saanich): He is the Vice President of University of Victoria Urban Development Club and the Club is in favour of the proposal. Instead of looking at removing two affordable housing units, we are adding 209 units of rental which is currently under supplied in the City. The ten year rental is a community benefit as it ensures the units will remain in place and when they come to market it is expected that they will remain affordable. The ground floor bike rooms are supportable.

Josh Christopher: He is speaking on behalf of those this proposal will make homeless. This will put people on the street and perhaps push them into alcohol addiction and drug abuse, which would probably increase policing costs.

Dale Hughes (Gonzales Area): He is also a member of University of Victoria Urban Development Club. He wants to live, work and play downtown and wants downtown to be affordable. The key to increase vibrancy and affordable downtown housing lies with having enough units to keep rents at a reasonable level. The inclusion of the bike rooms is an example of forward thinking and maximizing the comfort and liveability of being downtown.

Colleen Harrington (Yates Street): She is asking Council to keep the social housing open as there are people in her building that receive support so they can move onto different housing. Housing is not generally affordable.

Councillor Thornton-Joe requested clarification on the history of property and what is being considered tonight. Instead of two supportive housing they are proposing to give \$100,000 or \$10,000 per door of housing.

Charlotte Wain: The original approved Development Permit in 2007 was for a condo building and the Development Permit approved in 2014 was intended to be a market rental building. The

supportive housing units were specific to the 2007 rezoning and were to be managed by the CRD Housing Corporation.

Councillor Alto asked what the effect is if Council requires the two affordable social housing units to remain in the plan.

Dave Chard: The agreement is for purchase and sale on the condition of the removal of the units, so he would not have a deal.

Councillor Isitt requested that the public hearing notice be read. How many units are being proposed?

Charlotte Wain: Read the notice for Council. There are 209 rental units being proposed.

Mayor Helps closed the public hearing at 8:26 p.m.

2. Bylaw Approval

It was moved by Councillor Isitt, seconded by Councillor Lucas, that the following bylaws **be given third reading**:

Zoning Regulation Bylaw, Amendment Bylaw (No. 1043)

Councillor Isitt said the benefits for housing affordability are supportable. Providing \$100,000 to the Affordable Housing Reserve creates a modest savings for the land owner and the overall benefit is 209 units of rental.

Councillor Madoff said she finds it disturbing that it is a stigma to have supportable housing in a rental building. The funds being directed to the Housing Fund is not new money, it is from reducing the amount going to public art. She will not support an inclusive development.

Councillor Coleman said that he is supportive, but it is unfortunate that the financiers do not want to go into a broader type of building. The win for us is that we achieve a building in the downtown core with 209 rental housing units which don't exist right now.

Councillor Loveday said that he will support as it provides more rental units. He does not believe that high end or mid-range rental will bring more affordable rental to the City. We need a purpose built building for low to mid-end rental units. Affordable housing, affordable rental housing and affordable social housing are also needed.

Councillor Alto said that she regrets the loss of the units, but she has to look at the opportunity being presented of \$100,000 to apply to ten units somewhere else. If we don't support this then potentially we are not only losing the two units, but 209 rental units. She hopes the units will be available to modest incomes.

Councillor Thornton-Joe said it is not easy to take away the two units. She recognizes that the \$100,000 is not new money so we are getting less money for public art. She can support as any rental housing is better than none at all and any money that goes into the fund is better than none at all.

Mayor Helps said that she can support. On the same day Council created the Mayor's Task Force on Housing Affordability, it also created the Mayors' Task Force on Economic Development and Prosperity as prosperity and affordability are two sides of the same coin. If people in social housing become ready to move into something like 819 Yates, then a social housing unit is freed up for someone else needing supportive housing.

Carried

For:

Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Thornton-Joe and Young

Against:

Councillor Madoff

3. Bylaw Approval:

It was moved by Councillor Thornton-Joe, seconded by Councillor Coleman, that the following bylaw **be adopted**:

Zoning Regulation Bylaw, Amendment Bylaw (No. 1043)

Carried

For:

Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Thornton-Joe and Young

Against:

Councillor Madoff

4. Bylaw Approval:

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that the following bylaw **be adopted**:

Housing Agreement (819 Yates Street) Bylaw

Carried

For:

***Mayor Helps, Councillors Alto, Coleman, Isitt,
Loveday, Lucas, Thornton-Joe and Young***

Against:

Councillor Madoff

Council recessed at 8:47 p.m. and reconvened at 8:52 p.m.

DEVELOPMENT PERMIT WITH VARIANCES APPLICATIONS

1. 1046 North Park Street

1. Hearing - Development Permit with Variances Application No. 000401

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 1046 North Park Street, in Development Permit Area 16: General Form and Character, for purposes of approving the exterior design and finishes of a multi-family residential building as well as landscaping, and the associated variances with respect to parking.

The Development Permit will vary the following requirements of the Zoning Regulation Bylaw Schedule "C" – Off-Street Parking:

- Reduce the parking requirement from 1.3 parking spaces per rental attached dwelling (8 parking spaces) to 0 parking spaces per rental attached dwelling (0 parking spaces)
- Relaxation to permit one parking space to be located in the front yard
- Relaxation to permit one parking space to be located at 0m from a street.

The Development Permit will vary the following requirements of the Zoning Regulation Bylaw Schedule "F" – Accessory Building Regulations:

- Reduce the rear yard setback of an accessory building from 0.6m to 0m
- Reduce the side yard of an accessory building from 0.6m to 0m
- Reduce the separation space between an accessory building and the principal building from 2.4m to 1.94m.

Legal Description of the Land:

The Westerly 24 Feet of Lot 24, Suburban Lot 13,
Victoria City, Plan 26

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

Charlotte Wain (Senior Planner-Urban Design): Council is to consider the supportability of the Exterior design and finishing of six units and the associated variances.

Lindsay Baker (Aspire Custom Designs): Provided a PowerPoint presentation regarding the proposal located at 1046 North Park Street. The proposal is for six rental units. There are three minor variances related to parking. One is for the clearance at the back of the parking stall which was created by moving the building forward on the property to align with the one next door, at the request of staff. The second one is to allow parking in the front of the building. The third is to reduce the parking and create a car share program, one for each unit for the life of the renters and rental unit. The neighbour to the east supports the proposal and he has contacted the west neighbour but has not heard back from them. Every rental unit will have a garden plot. There are two buildings attached by a bridge walkway. There is one parking stall in the front yard with the bike storage areas next to it. There is also a scooter area with charge station. The windows will be opaque and the decks have green privacy screens. The building at the back of the property will be built first and then then one at the front.

Councillor Isitt asked if this parcel was rezoned a couple of years ago.

Charlotte Wain: She is not aware of a rezoning.

Alison Meyer (Assistant Director Sustainable Planning and Community Development): The property was rezoned through a City-Initiated rezoning a decade ago. There was also a previous Development Permit for a different configuration of the lot.

Councillor Isitt asked if it is the same applicant.

Lindsay Baker: The property changed ownership within the family.

Mayor Helps closed the public hearing at 9:07 p.m.

2. Application Approval

It was moved by Councillor Loveday, seconded by Councillor Alto, *that Council authorize the issuance of Development Permit with Variances Application #000401 for 1046 North Park Street, in accordance with:*

1. *Plans date stamped March 17, 2015.*
2. *Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:*
 - i. *Part 4.6.2 (8): Relaxation to permit one parking space to be located in the front of the building;*

- ii. *Schedule C - Off-street Parking (7.2)(b): Relaxation to permit one parking space to be located at 0m from a street;*
- iii. *Schedule C - Off-street Parking (A)(11)(c): Reduction from 1.3 parking spaces per rental attached dwelling (8 parking spaces) to 0 parking spaces per rental attached dwelling (0 parking spaces).*
- iv. *Schedule F, Section 4(a): reduce the rear yard setback of an accessory building from 0.6m to 0m*
- v. *Schedule F, Section 4(b): reduce the side yard setback of an accessory building from 0.6m to 0m*
- vi. *Schedule F, Section 4(d): reduce the separation space between an accessory building and the principal building from 2.4m to 1.94m.*

Councillor Thornton-Joe said that she can support as no one has come forward to object and the letter from North Park Neighbourhood Association said they find it forward thinking and creative.

Councillor Loveday said that he thinks this is sensitive and a well-designed infill. He supports the car share and that the one parking stall is for car share.

Councillor Lucas said that she will support as it is creative in a small space and thinks it is wonderful and will add to the neighbourhood.

Councillor Madoff said that she can support. There was more care, attention and thoughtfulness to this than she has seen in major developments in the City.

Councillor Isitt said that he will support. The features are good to see and making provision for allotment gardens on private land is good.

Carried Unanimously

2. **1555 Jubilee Avenue**

1. **Hearing - Development Permit with Variances Application No. 000390**

The Council of the City of Victoria will be considering the issuance of a Development Permit with variances for the land known as 1555 Jubilee Avenue in Development Permit Area 16. The intent of this application is to permit five new residential units by filling in existing under-building parking.

The land is subject to the objectives and guidelines for Development Permit Area 16, General Form and Character, set out in the City's Official Community Plan Bylaw.

The Development Permit will also vary certain requirements of the Zoning Regulation Bylaw, R3-2 Zone, Multiple Dwelling District, namely:

- Reducing the minimum size for four of the five residential units below 33m²
- Increasing the maximum allowable site coverage
- Reducing the minimum amount of required open site space
- With respect to the proposed bicycle storage building, allowing the placement in a side yard, reducing the required minimum setback distance to the north property boundary (lot line), reducing the separation distance between the bicycle storage building and the main building
- Reducing the required number of off-street parking stalls from 34 parking stalls to 16 parking stalls and eliminating the requirement for a separation distance between a parking stall and a residential unit.

Legal Description of the Land: Lot A. Section 76, Victoria District, Plan 22024

Mayor Helps opened the public hearing at 9:12 p.m.

Charlotte Wain (Senior Planner-Urban Design): Council is to consider the appropriateness of changing under-building parking into five additional suites and its compliance with the Design Guidelines for Multi-unit Residential, Commercial and Industrial; the siting, form and character of the bicycle storage facility and its compliance with the DPA guidelines and the variances triggered by the bicycle storage facility (siting, parcel coverage and open site space); and the supportability of the parking variance.

Will Peereboom (Victoria Design): This application is to infill the existing parking under the building and add five additional units. This is a rental building which is only rented to students so the parking requirement is negligible; the owner actually rents parking to workers at the Jubilee Hospital. They are also adding bike storage for each of the new units as well as for each unit in the building.

Mayor Helps asked what the units will rent for.

Will Peereboom: In the low \$500 per month for a one bedroom.

Conrad Alexandrowicz (Jubilee Avenue): He has lived in the neighbouring building for seven years and this was a quiet side street. Since the owner purchased this property and renovated it the quality of the area has deteriorated. This building is crammed full and a lot of the changes are illegal. The students, many are international, are causing disturbances on the street. Car and

pedestrian traffic has doubled since this building was renovated. The quality of life on the street has deteriorated. He is opposed to this proposal.

Brian Simmonds (Leighton Road): It is hard to speak against a cycling enclosure, but they are reducing the space between the buildings from six metres to zero. There is going to be a lot of work done renovating their parking area which is right up against the fence. He was surprised by this application and does not know of anyone in his building that was approached by the building owner. The bike area could go in front or remove the parking at the back and place it there.

Don Startin (Leighton Road): They are faced with a renovation to their underground parking and may have to dig alongside the property line, where the proposed bike enclosure will be. So a reduction in the distance between the buildings is not recommended. The area where the proposed cycling shed would be built is a nice lawn. Although the area is well lit, it will be a target for thieves. The applicant did make an effort to speak with their strata council, but the council wanted the request in writing.

Councillor Isitt asked if there are any issues with respect to bylaw infractions. Was this application prompted by a compliance issue? Are the units standalone or housekeeping?

Charlotte Wain: It was volunteered by the applicant. There are some code issues relating to ceiling heights for the units. There was some issue of bylaw enforcement and the application was put on hold until the issues were resolved. The proposed units are standalone, but attached to the building, with no common areas.

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

2. Application Approval

It was moved by Councillor Loveday, seconded by Councillor Lucas,
That Council authorize the issuance of Development Permit Application No. 000390 for 1555 Jubilee Avenue, in accordance with:

1. *Plans date stamped April 1, 2015.*
2. *Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:*
 - a. *Reduce the minimum dwelling size from 33m² to 29.44m² for Unit 1, 20.26m² for Unit 2, 20.37m² for Unit 4 and 20.37m² for Unit 5.*
 - b. *Increase the maximum site coverage from 30% to 36.2%.*
 - c. *Decrease the minimum open space from 30% to 27.4%.*
 - d. *Decrease the off-street parking requirement from 34 to 16 parking stalls.*
 - e. *Decrease the distance required from a parking stall to a living unit from 6m to 0m.*
 - f. *Allow the accessory building to be located in the side yard.*
 - g. *Reduce the side yard setback requirement (north) for the accessory building from 0.6m to 0m.*
 - h. *Reduce the distance required between the accessory building and the main building from 2.4m to 1.2m, subject to the following:*
 - i. *Prior to the issuance of a building permit for any construction that the applicant provide a landscape plan with sufficient details regarding the stamped concrete path, lighting plan, landscape area in front of the proposed units, planters, plant material, trellises, garbage enclosure and bike rack, and these items be secured by a landscape bond.*
 - ii. *The final interior layout of the bike storage building be to satisfaction of the Director of Engineering and Public Works, and the construction of the bike storage facility be completed prior to the commencement of construction of the new units.*

Councillor Isitt said the benefit of this application is that it will bring regulation to the property. If there are bylaw issues, residents can complain to the City.

Mayor Helps said that she likes the idea of five new units for \$500, but there are no neighbours speaking in support and over twenty neighbours expressing concerns. The setback for the bike shed does not make sense as the neighbouring property is proposing work to their building. She regrets that she cannot support.

Councillor Young said he recognizes one of the main reasons for putting this forward as the target audience of renters does not require a lot of parking. Apart from the design issues, the squeeze of the parking at the back, the conflict of access to the units and parking and the setback issue for the shed, there can be no permanent dedication to student use of the building so that could disappear. If that happens, it would be putting a squeeze on parking in the neighbourhood.

Councillor Madoff said that parking is an issue, but the other issues are the design; the squeeze of the units and parking and the lack of separation. There is no sense of entry to the units and it appears there has been no thoughtfulness to how to add these units. She feels it is ill considered and not supportable.

Councillor Alto said she supported sending this to public hearing with hopes that some of the issues raised at Committee would be addressed tonight by the public. These issues were addressed, but in a negative way and in the absence of any positive commentary and the reservations raised at Committee, she will not support.

Defeated Unanimously

3. 1143 Grant Street

1. Hearing - Development Permit with Variances Application No. 000422

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 1143 Grant Street, in Development Permit Area 15A: Intensive Residential – Small Lot, for the purposes of approving the exterior design and finishes of the proposed deck and glass doors on the rear side of the existing small lot house, and the associated variance with respect to the rear yard setback.

The Development Permit will vary the following requirements of the Zoning Regulation Bylaw R1-S22 Zone, Grant Small Lot District:

- Part 1.86, Section 4(b): Reduce the rear yard setback from 8m to 6.25m.

Legal Description of the Land: Lot B, Suburban Lot 19, Victoria City Plan, VIP72869

Mayor Helps opened the public hearing at 9:36 p.m.

Charlotte Wain (Senior Planner-Urban Design): This is a Development Permit with Variances application to permit a deck on an existing house at 1143 Grant Street. The variance is to reduce the rear yard setback. Council is to consider the supportability of the proposed deck and the associated rear yard setback.

Jennifer De Fabio (Applicant): Provided a PowerPoint presentation regarding the proposal located at 1143 Grant Street. The proposed deck is 3m by 3m. The current setback is 8m so the proposed setback will be 6.75m. She has the support from her neighbours. They will not be cutting down any trees, it is ground level, so it will not infringe on the privacy of the neighbours.

Michael Shea (Grant Street): Their bedrooms face the proposed deck, but it would be invisible to them and he supports it. They recently built a fence together.

Mayor Helps closed the public hearing at 9:39 p.m.

2. Application Approval

It was moved by Councillor Isitt, seconded by Councillor Alto,

That Council authorize the issuance of Development Permit Application No. 000422 for 1143 Grant Street, in accordance with:

1. *Plans date stamped May 4, 2015.*
2. *Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:*
 - a. *Part 1.86, Section 4(b): Reduce the rear yard setback from 8m to 6.25m.*
3. *The Development Permit lapsing two years from the date of this resolution.*

Carried Unanimously

4. 1990 Fort Street

1. Hearing - Development Permit with Variances Application No. 000411

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 1990 Fort Street in Development Permit Area 5A, Jubilee Large Urban Village for purposes of reducing the required amount of off-street parking stalls required for a 100 seat restaurant.

The Development Permit will vary the following requirements of the Zoning Regulation Bylaw, Schedule C, Off-Street Parking, by reducing the overall parking requirement for 1990 Fort Street from 92 to 66 parking stalls (representing a further reduction of 8 parking stalls specifically for the inclusion of this restaurant in the building).

Legal Description of the Land: Lot A, Section 76, Victoria District, Plan VIP62527

Mayor Helps opened the public hearing at 9:39 p.m.

Charlotte Wain (Senior Planner-Urban Design): This is a Development Permit with parking variance for a 100 seat restaurant to locate on the ground floor within an existing building at 1990 Fort Street, commonly referred to as the Fort Street Medical Building. The requested variance is to reduce the parking by eight stalls. The applicant has registered a covenant on the property which will reserve eight parking stalls within the parkade for restaurant use between the hours of 8 am and 6 pm.

Council is to consider the changes to the exterior of the building including the plaza and its compliance with the DPA guidelines and the supportability of the parking variance request.

Karen Hillel (Hillel Architecture): Provided a PowerPoint presentation regarding the proposal located at 1990 Fort Street. Pizzeria Prima Strada would like to open in this location. Anything in this ground floor space will generate a parking variance. This business will be a good community fit and they feel they will be the catalyst for revitalizing this plaza and improving the interface between the public realm and the building. The plan is to revitalize one of the ponds by including it in the patio seating. The proposal is for 100-seat restaurant with 70 indoor seats and 30 patio seats on a seasonable basis. Eight underground parking stalls have been registered by covenant for the restaurant use during business hours and they will be available after business hours. They are looking at additional planting and lighting of the ponds, in cooperation with the landlord, which will enliven this block and create a more pedestrian friendly environment.

Councillor Thornton-Joe asked if the parking associated with the restaurant next door will become available as they are closing.

Karen Hillel: They will be allocated to the new tenant of that space.

Mayor Helps closed the public hearing at 9:48 p.m.

2. Application Approval

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe,
That Council authorize the issuance of Development Permit Application No. 000411 for 1990 Fort Street, in accordance with:

1. *Plans date stamped April 24, 2015.*
2. *Development meeting all Zoning Regulation Bylaw requirements, except for the variance to reduce the amount of required parking for 1990 Fort from 92 to 66 stalls (taking into account the previously approved parking variances).*
3. *A landscape security be submitted to ensure changes to the plaza area are in accordance with the submitted plans for continued public access to the public art pond and to secure the installation of additional bicycle racks (exterior and within the parkade).*
4. *Registration of a legal agreement on the property's title ensuring that eight stalls in the parkade will be available until 6 pm for restaurant use, to the satisfaction of staff.*
5. *The applicant install new signage and pavement parking markings identifying the eight underground stalls available for the restaurant within 30 days of opening the restaurant.*
6. *The Development Permit apply specifically to this restaurant use and lapse two years from the date of this resolution, if the restaurant use does not open or ceases to operate.*

Councillor Isitt said that he finds this supportable. He thinks the parking could be an issue as people may park in the Safeway lot and jaywalk across the street. Perhaps if there are problems, Trent Street could have angle parking to permit more parking in the area.

Councillor Madoff said that there is correspondence from the current tenants and concerns about parking. When the building was originally considered the developer requested a variance of 18 parking stalls. If there are issues the tenants should discuss them with the building owner and how parking is handled. This is supportable and will be a welcome addition to that corner

Councillor Coleman said he finds this supportable. A lot of the customers for the other locations are walk up and as this is on an arterial route he expects there will be a lot of walk up customers. Some customers may go to the grocery store and then come for a meal. He thinks this will create a destination and much of the year the 30 seats will not be in use.

Carried Unanimously

HEARINGS – REQUESTS TO ADDRESS COUNCIL

It was moved by Councillor Coleman, seconded by Councillor Alto, that the following speakers be permitted to address Council.

Carried Unanimously

1. Rachael Montgomery, Surfrider Foundation-Vancouver Island Chapter, re: Single-use Plastic Bag Ban

They would like to see a ban of single-use plastic bags as they end up in landfills and oceans. Coastal communities were the first to start this drive as they see the impacts on the coasts. Some local businesses are voluntarily doing this so they do not feel it will be an uphill battle. Residents also want this. They are asking Council to champion the change and support local businesses who want to remove single use plastic bags from their inventory.

2. Peggy Armstrong, re: Bylaw Infraction and Noise Complaint

During the ten years she has lived at her house the neighbour at 1310 Topaz has made an unacceptable level of noise. She has contacted the City many times over the years. She was told that he had a building licence as he was building an addition to his home; this went on for four years. Her neighbour now says he has a business licence. He is conducting a light industrial business from his property, which is zoned Residential 2. She feels that a fence building business does not fall under a home business licence.

3. Laurel Collins, re: Divest Victoria - Municipal Divestment from Fossil Fuels

We cannot leave climate change to future generations; we need to take steps to address it now. She applauds Council for taking the first steps towards fossil fuel divestment especially addressing the

Municipal Finance Authority, the Municipal Pension Plan, the UBCM and the provincial government. She would like to appeal to Council to see this as the first step and ask you to act as community advocates by building bridges to other municipalities and inform them on financial risks of fossil fuel investments and ethical obligations.

4. **Tristan Ryan, Divest Victoria, re: Municipal Action on Climate Issues**

We have been complicit for too long and we are facing opportunities to limit the complicity. There is nothing that we can do in a large scale to make a difference tomorrow, so instead we have to ask what we can do right now with the resources we have available and what we can do this year; we have to start small. We can start by advocating for not investing public funds in industries that have been identified that are creating a social ill through climate change.

5. **Dave Morris, Paper Street Studio, re: Municipal Property Tax Increase**

There are ten businesses located at 1101 Fort Street. Their property taxes increased from \$58,000 to \$100,000 for the building and the overall rent has also increased by 25%-30% a month. The land was rezoned in 2014 for redevelopment and BC Assessment increased the property value by about \$2 million based on this rezoning and then the City increased the property taxes. Raising taxes is related to the development potential and not what is on the land now. He hopes Council will acknowledge this unique situation and maintain the 2014 tax rate until the redevelopment begins.

Mayor Helps said that property taxes are based on BC Assessment, so the appeal needs to be made to BC Assessment not Council.

6. **Giselle Rumka, Divest Victoria**

She would like to express her views on divestment from the fossil fuel industry. It is important to start thinking about the future and join other communities on forward-thinking about investing in local communities and teaming with local First Nations. We need to think creatively and invest in healthy things and not invest in things that will create harm for our communities and future.

7. **Jaime McKay, Vice Chair Surfrider Foundation-Vancouver Island Chapter, re: Single-Use Plastic Bag**

They are here to offer a local solution to a major global problem. Their mission statement is: "To protect and enjoy oceans, beaches and waves". Plastic is a major contributor to the degradation of the marine environment. Over 1 trillion single-use plastic bags are issued every year globally, that is 2 million each minute and a good portion of them end up in our oceans and waterways. They are asking Council to be the change and end the use of single-use check out plastic bags.

8. **Mike Miller, Abstract Developments, re: 1101 Fort Street**

They have owned the property since 2010 and have always had full disclosure with their tenants. When the change in property tax in 2014 was received, on behalf of the tenants, they contacted BC Assessment and went to an appeal and won and reduced the property taxes. In 2015 when the BC Assessment tax notice was received they again reached out to the tenants with the change in tax increase from \$7 to \$10. Since then they have gone door-to-door to work on a solution to help mitigate and or work with small businesses through this period.

UNFINISHED BUSINESS

Mayor Helps withdrew from Council Chambers at 10:27 p.m. due to an indirect pecuniary conflict of interest in the following item as she is the Chair of the Greater Victoria Coalition to End Homelessness.

Councillor Thornton-Joe withdrew from Council Chambers at 10:27 p.m. due to an indirect pecuniary conflict of interest in the following item as she is the community representative on the Greater Victoria Coalition to End Homelessness.

Councillor Loveday withdrew from Council Chambers at 10:27 p.m. due to an indirect pecuniary conflict of interest in the following item as he is the CRD's representative on the Greater Victoria Coalition to End Homelessness.

Councillor Young assumed the Chair at 10:27 p.m.

1. **Action Plan for Housing Supports and City Services for Sheltering in City Parks**

At the June 11, 2015 Council Meeting Council postponed consideration of part of the Committee recommendation for Action Plan for Housing Supports and City Services as several Council members were absent and several had a conflict of interest, leaving a minority of Council and no quorum in order to vote on the recommendation.

Motion:

It was moved by Councillor Isitt, seconded by Councillor Alto, that Council approve:

Appendix A: Advocacy for Permanent Housing & Supports.

2.b. Social and Health Service Supports:

Status:

- Coalition report "Creating Homes, Enhancing Communities" published with analysis of homeless populations' needs.

Recommendations:

- Support Coalition recommendations in *Creating Homes, Enhancing Communities* report.
- Continue to support Coalition with City funding (\$100,000) and staff support.

Councillor Isitt said that he supports; however, now the City is heavily involved in providing housing, we may need to review where the funds are best deployed.

Carried Unanimously

Mayor Helps, Councillors Loveday and Thornton-Joe returned to the meeting at 10:28 p.m. and Mayor Helps assumed the Chair.

REPORTS OF THE COMMITTEES

1. Governance and Priorities Committee – July 2, 2015

1. Pandora / Johnson Cycling Corridors – Public Consultation / Recommended Design

It was moved by Councillor Isitt, seconded by Councillor Alto, that:

1. Council endorse the design and construction of a two-way fully protected bike lane with traffic signal changes on Pandora Avenue, and marked bike lanes on Johnson Street.
2. Physical separation used in the design be primarily parked vehicles and bollards, with enhanced separation (concrete islands) used at bus zones, mid-block crosswalks, and at the approach to intersections where parking is not permitted.

Councillor Isitt said that he is happy to see this. The physical separation proposed is appropriate and can potentially generate a cost savings. He feels the \$2 million is a little on the high side and he would like to see that reduced.

Councillor Madoff said that she had expressed concerns at Committee with respect to the pick-up and drop-off zone for MacPherson Theatre. Since that meeting City staff have met with MacPherson Theatre staff and are working through the issues. She is supportive, but we have to remember that cycling is not an option for everyone and we must remember all the modalities of how people move around downtown.

Mayor Helps asked staff if some flower pots could be added to make it more beautiful.

Brad Dellebuur Acting Assistant Director, Transportation and Parking Services): They are already included in the RFP.

Jason Johnson (City Manager): Staff are fully cognisant that this is the Capital City and they will ensure the bike lanes are reflective of that.

Councillor Loveday said that the North Park Neighbourhood Association are in favour of the one-way option.

Carried Unanimously

Councillor Isitt withdrew from Council Chambers at 10:33 p.m. due to an indirect pecuniary conflict of interest in the following item as his ex-spouse owns property on the street.

2. Planning and Land Use Committee – May 28, 2015

1. Rezoning Application No. 00469 for 1146 Caledonia Avenue and Amendment to the Official Community Plan

It was moved by Councillor Alto, seconded by Councillor Coleman, that Council direct staff to prepare the necessary *Official Community Plan Amendment Bylaw* in accordance with Section 882 of the *Local Government Act* and the necessary *Zoning Regulation Bylaw Amendment* that would authorize the proposed development outlined in Rezoning Application No. 00469 for 1146 Caledonia Avenue, and 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:

5. That Council consider consultation under Section 879 (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 amendments.
6. That Council give first reading to the *Official Community Plan Amendment Bylaw*.
7. That Council consider the *Official Community Plan Amendment Bylaw* in conjunction with the *City of Victoria 2012-2016 Financial Plan* and the *Capital Regional District Liquid Waste Management Plan* and the *Capital Regional District Solid Waste Management Plan* pursuant to section 882(3)(a) of the *Local Government Act* and deem those Plans to be consistent with the proposed *Official Community Plan Amendment Bylaw*.
8. That Council give second reading to the *Official Community Plan Amendment Bylaw*.
9. That Council refer the *Official Community Plan Amendment Bylaw* for consideration at a Public Hearing.

Carried Unanimously

Councillor Isitt returned to the meeting at 10:34 p.m.

3. **Planning and Land Use Committee – July 9, 2015**

1. **Dr. Sun Yat-Sen Statue Donation and Site Approval**

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that Council:

- a. Accept the donation of the statue and base and approve the installation in Capital Regional District Square.
- b. Accept the recommendation of the Art in Public Places Committee to reduce the height of the base as much as practically possible and review of the interpretive text by a historian.
- c. Direct staff to work with The Sun Yat-Sen Foundation for Peace and Education and the local organizing committee to install and unveil the statue. Carried Unanimously

2. **Development Permit Application No. 000427 for 1284-1298 Gladstone Avenue**

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that Council consider the following motion:

“That Council authorize the issuance of Development Permit Application No. 000427 for 1284-1298 Gladstone Avenue, in accordance with:

1. Plans date stamped May 14, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. The Development Permit lapsing two years from the date of this resolution.”

Carried Unanimously

3. **Development Variance Permit Application No. 00149 for 1362 Dallas Road**

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

“That Council authorize the issuance of Development Variance Permit Application No. 00149 for 1362 Dallas Road, in accordance with:

1. Plans date stamped June 10, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Schedule C, Section 16.A.7, reducing the off-street parking requirement from three stalls to two parking stalls for the four unit conversion;
 - b. Schedule G, Section 6.B, relaxation to allow changes to the exterior of the building for the addition of an unenclosed deck space on the south side yard;
 - c. Schedule G, Section 6.E, relaxation to allow changes to the exterior of a building facing a street, for the addition of an unenclosed deck space on the south side yard.
3. The Development Permit lapsing two years from the date of this resolution.”

Carried Unanimously

4. **Development Permit with Variances Application No. 000425 for 755 Caledonia Avenue**

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

“That Council authorize the issuance of Development Permit Application No. 000425 for 755 Caledonia, in accordance with:

1. Plans date stamped May 7, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Section 6.8.1(e) Increase of up to 435m² in permitted residential use on the first storey.
3. The Development Permit lapsing two years from the date of this resolution.”

Carried Unanimously

5. **Strata Conversion Application for 1237-1239 Oscar Street**

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that Council approve a contribution of \$10,000 to the Victoria Housing Reserve Fund in lieu of the previous approval from June 28, 2012, requiring a covenant securing one of the units at 1237-1239 Oscar Street, as rental for a five (5) year period. Carried Unanimously

6. **Density Bonus**

It was moved by Councillor Alto, seconded by Councillor Isitt, that Council:

1. Receive the City of Victoria Density Bonus Policy Study, March 2015, for information.
2. Direct staff to consider the appropriate community amenity contribution approach based on the following:
 - a. The amount of development growth envisioned within the *Official Community Plan*.
 - b. The findings of the Density Bonus Policy Study respecting the limited contributions predicted to be available.
 - c. Housing affordability objectives within the *Strategic Plan, 2015-2018*.
 - d. Actions arising out of the Mayor's Housing Affordability Task Force related to developer contributions to affordable housing (e.g. inclusionary zoning or similar mechanism).
 - e. Consultation with neighbourhoods on the type of amenity desired in neighbourhoods.
3. That staff include consideration of a fixed rate bonus density calculation in the downtown.

4. That staff be directed to report back on the Development Cost Charges (DCC) review process.
5. That staff report back to Council in the fall of 2015 with a proposed approach to the community amenity contributions including proposed public engagement.

Councillor Madoff said that she cannot support this as consultation with communities is limited to the area specific to what the amenity contributions might be versus being able to having discussions specific to implications of the Density Bonus Policy.

Councillor Isitt said that we are not saying we want wholesale applications that would involve Density Bonus. A landowner can apply to do more than what is permitted with their land and this Policy provides a mechanism to capture some of that value for public purposes.

Carried

For:

Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Thornton-Joe and Young

Against:

Councillor Madoff

Councillor Lucas withdrew from Council Chambers at 10:38 p.m. due to an indirect pecuniary conflict of interest in the following items as she oversees all liquor operations at the Hotel Rialto.

7. Review of Licensee Retail Rezoning Policy

It was moved by Councillor Alto, seconded by Councillor Coleman, that Council consider the following changes to the Licensee Retail Stores Rezoning Policy:

"The Licensee Retail Rezoning Policy be amended as follows:

1. The distinction between private liquor stores and government liquor stores be eliminated and that the policy be renamed the Liquor Retail Store Rezoning Policy to provide clarity that the policy applies to all liquor retail stores, regardless of the operator.
2. The recommended store size be increased to 275m² and larger stores to be considered on a case-by-case basis.
3. References to primary, neighbourhood or district centres in the General Characteristics section of the policy be replaced with references to Large Urban Villages or Town Centres to reflect the terminology within the *Official Community Plan*."

Councillor Isitt requested that the motion be divided.

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that Council consider the following changes to the Licensee Retail Stores Rezoning Policy:

"The Licensee Retail Rezoning Policy be amended as follows:

1. The distinction between private liquor stores and government liquor stores be eliminated and that the policy be renamed the Liquor Retail Store Rezoning Policy to provide clarity that the policy applies to all liquor retail stores, regardless of the operator. Carried

For:

Mayor Helps, Councillors Alto, Coleman, Madoff, Thornton-Joe and Young

Against:

Councillor Isitt and Loveday

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that Council consider the following changes to the Licensee Retail Stores Rezoning Policy:

"The Licensee Retail Rezoning Policy be amended as follows:

2. The recommended store size be increased to 275m² and larger stores to be considered on a case-by-case basis." Carried

For:

Mayor Helps, Councillors Alto, Coleman, Madoff, Thornton-Joe and Young

Against:

Councillor Isitt and Loveday

Motion:

It was moved by Councillor Coleman, seconded by Councillor Loveday, that Council consider the following changes to the Licensee Retail Stores Rezoning Policy:

"The Licensee Retail Rezoning Policy be amended as follows:

3. References to primary, neighbourhood or district centres in the General Characteristics section of the policy be replaced with references to Large Urban Villages or Town Centres to reflect the terminology within the *Official Community Plan*."

Carried Unanimously

8. Review of Licensee Retail Rezoning Policy

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council receive advice on the advisability of having regulations for liquor being sold in grocery stores. Carried

For:

**Mayor Helps, Councillors Alto, Coleman,
Isitt, Loveday, Madoff and Thornton-Joe**

Against:

Councillor Young

Councillor Lucas returned to the meeting at 10:40 p.m.

MOTIONS

1. To Set Public Hearings for the Council Meeting of Thursday, July 23, 2015 for:

It was moved by Councillor Madoff, seconded by Councillor Alto, that the following Public Hearings be held in Council Chambers, City Hall, on **THURSDAY, JULY 23, 2015, at 7:00 p.m.:**

1. Rezoning Application No. 00421 for 1315 Richardson Street
2. Rezoning Application No. 00479 for 62 Cambridge Street
3. Heritage Alteration Permit with Variances Application No. 00203 for 135 Medana Street
4. Heritage Designation Application No. 000151 for 1713 Government Street Carried Unanimously

BYLAWS

1. FIRST READING

It was moved by Councillor Madoff, seconded by Councillor Thornton-Joe, that the following bylaws **be given first reading:**

Heritage Designation (1713 Government Street) Bylaw

The purpose of this bylaw is to designate the exterior and original interior elements of the building located at 1713 Government Street as protected heritage property.

Zoning Regulation Bylaw, Amendment Bylaw (No. 1045)

The purpose of this bylaw is to rezone a portion of the land know as 62 Cambridge Street to permit subdivision and construction of a new small lot house. Carried Unanimously

2. SECOND READING

It was moved by Councillor Madoff, seconded by Councillor Thornton-Joe, that the following bylaws **be given second reading:**

Heritage Designation (1713 Government Street) Bylaw

Zoning Regulation Bylaw, Amendment Bylaw (No. 1045)

Carried Unanimously

3. RESCIND THIRD READING

It was moved by Councillor Isitt, seconded by Councillor Coleman, that **third reading be rescinded** for the following bylaw:

Housing Agreement (1002-1008, 1012 Pandora Avenue) Bylaw

The purpose of this bylaw is to authorize a housing agreement for rental housing at 1002-1008, 1012 Pandora Avenue.

Councillor Isitt said that he is happy to rescind third reading as he believes the project is not ready and can benefit from further refinements.

Carried Unanimously

Amend the Bylaw

It was moved by Councillor Coleman, seconded by Councillor Lucas, that the following bylaw **be amended** by replacing Schedule A in the bylaw with a new Schedule A appended to the report.

Housing Agreement (1002-1008, 1012 Pandora Avenue) Bylaw

Councillor Alto asked if the intent of the bylaw is to confirm that the units would be rental in perpetuity.

Mayor Helps responded that is correct as well as 5% of the development will be affordable rental in perpetuity.

Councillor Isitt said that there are no restrictions on rentals for ten years. What is the term of rental?

Mayor Helps said that this is the first example of voluntary inclusionary zoning where 5% of the development is proposed as affordable rental, the remaining 95% is proposed as rental.

Alison Meyer (Assistant Director, Sustainable Planning and Community Development): The ten year restriction is the standard clause and is for those units that don't fall into the 5%. This will prohibit the owners from enacting any bylaws that would prevent rental.

Councillor Isitt asked how long the 95% must remain as rental units. He feels that we may be able to do more in locking rental units for longer.

Alison Meyer: Ten years for entire building and in perpetuity for the affordable units

Councillor Isitt asked where the ten years comes from.

Alison Meyer: It was offered by the applicant.

Councillor Isitt asked if it is Council's discretion whether we accept that or ask for longer.

Alison Meyer: There is no policy; it is up to Council's discretion.

Councillor Isitt said that he cannot support as it enables a development that is not ready and is too divisive in the community. He feels that Council should be driving a harder bargain if this is going to be a true rental building.

Councillor Alto asked if this amendment is solely about the Housing Agreement as there are still a significant number of issues still to be resolved.

Alison Meyer: Yes. Council has moved the application to a public hearing date. In Council's discussions there were a number of issues related to access to the development and Mason Street improvements. The Engineering Department is working with the applicant to provide greater clarity. This information will be brought forward when the application goes forward to public hearing.

Councillor Alto asked if there were second thoughts about the Housing Agreement, could the Agreement be revisited at the public hearing?

Alison Meyer: Yes the Agreement could be reviewed again. The public hearing could be held and final adoption of the Housing Agreement and Rezoning could be postponed.

Councillor Thornton-Joe said that she is happy to support this and move to public hearing. The applicant is offering eleven non-market rental housing units which are consistent with the Housing Affordability and Housing Diversity Policies within the Official Community Plan.

Carried

For:

Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, Thornton-Joe and Young

Against:

Councillors Isitt and Madoff

Third Reading as Amended

It was moved by Councillor Thornton-Joe, seconded by Councillor Coleman, that the following bylaw be given **third reading as amended**:

Housing Agreement (1002-1008, 1012 Pandora Avenue) Bylaw

Carried

For:

Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, Thornton-Joe and Young

Against:

Councillors Isitt and Madoff

4. ADOPTION

It was moved by Councillor Coleman, seconded by Councillor Madoff, that the following bylaws be **adopted**:

Waterworks Bylaw, Amendment Bylaw (No. 9)

The purpose of this bylaw is to authorize a fee for water meter activation and deactivation, and to provide a mechanism to refund overbilled accounts.

Reserve Fund Bylaw

The purpose of this bylaw is to restructure the City's Reserve Funds.

Recreation Fees Bylaw, Amendment Bylaw (No. 9)

The purpose of this bylaw is to revise the fees for the use of recreation facilities.

Carried Unanimously

QUESTION PERIOD

A question period was held.

NEW BUSINESS

1. 2015 Strategic Plan Grant Applications

Council received a report from the Director of Finance providing the 2015 Strategic Plan Grant, Micro Grant and Community Garden Volunteer Coordination Grant Applications. Eligible applicants requesting funding of \$10,000 and greater will present to Council at a Town Hall Meeting on July 15, 2015. It is expected that Council will approve eligible grant applications at the July 23, 2015 Council meeting.

Jo-Ann O'Connor (Acting Director, Finance): As directed by Council in June 2015, staff accepted applications for the 2015 Strategic Plan grants until June 26, 2015. 55 applications were received. Staff reviewed all applications for eligibility requirements. 53 were eligible totaling \$511,499. Grant requests ranged from \$500 for the Micro Grants to \$73,744. There are 19 applications over \$10,000 who will be presenting to Council on Wednesday July 15th; six grant applications that impact public space; a report providing further information on these impacts will be brought to Council on July 23rd; and seven applications for the Community Garden Volunteer Coordination Grant were received.

Councillor Loveday asked how this number of applications compares with previous years.

Jo-Ann O'Conner: She does not have that information available tonight and will have to provide to Council at the next meeting.

Motion:

It was moved by Councillor Alto, seconded by Councillor Coleman, that Council, at the July 23, 2015 Council meeting, consider and approve, as determined by Council, the eligible Strategic Plan and Micro Grant applications outlined in Appendix B. Carried Unanimously

Motion:

It was moved by Councillor Isitt, seconded by Councillor Thornton-Joe, that Council, at the July 23, 2015 Council meeting, approve the application for Community Garden Volunteer Coordination grants as outlined in Appendix F.

Councillor Isitt said that he does not feel the Fernwood Neighbourhood Association proposal is consistent with the spirit of the grant, which is for a non-profit society to manage public green space.

Amendment:

It was moved by Councillor Isitt, seconded by Mayor Helps, that the motion be amended as follows: That Council, at the July 23, 2015 Council meeting, approve the application for Community Garden Volunteer Coordination grants as outlined in Appendix F, with the following amendment:

Organization Name	Total Eligible Dollars
Fernwood Community Association	3,000
Fernwood Neighbourhood Resource Group Society	3,000 6,000

Councillor Isitt said this grant is about managing publically accessible common gardens.

Councillor Young said that he would like to be assured that none of the other grants are for supporting allotment gardens.

Julie MacDougall (Assistant Director, Parks): Almost all grant applications, in particular James Bay Neighbourhood Association is proposing to support the Montreal Street Allotment Garden; the one in the Burnside-Gorge Neighbourhood is also an allotment garden, so there are a variety of allotment and commons gardens in each of the neighbourhoods that have applied for the grant opportunity.

Councillor Loveday asked if there are other applications that only have allotment gardens.

Motion to Extend Past 11 p.m.

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, to extend the Council meeting past 11 p.m. Carried Unanimously

Julie MacDougall: She believes the rest of the Associations have a variety of allotment and commons gardens. She is not sure of Burnside-Gorge.

Councillor Loveday expressed concern about the proposed disbursement of funds between public garden and allotment gardens.

Councillor Thornton-Joe said we must evaluate all the gardens fairly. She is not comfortable supporting this amendment tonight; she needs more background information.

Mayor Helps said that she is against the amendment. She is happy with the status quo. She will propose that the process be evaluated for 2016 so that it can be improved upon.

Councillor Isitt said that these funds are needed; perhaps the amounts could be amended to \$4,000 to Fernwood Neighbourhood Resource Group Society and \$2,000 for Fernwood Community Association. The total number of gardens in each neighbourhood could be a consideration for next year.

Councillor Alto said that the amendment is good. How necessary is it to decide this tonight as it would be valuable to look more closely at the access and utility of the gardens that would be affected by this.

Motion to Postpone:

It was moved by Councillor Alto, seconded by Thornton-Joe, that Council postpone consideration of the motion for two weeks and ask staff to confirm in each neighbourhood which gardens are allotment gardens and which are community gardens. Carried Unanimously

CLOSED MEETING

It was moved by Councillor Lucas, seconded by Councillor Loveday, that Council convene a closed meeting that excludes the public under Section 12(6) of the Council Bylaw for the reason that the following agenda items deal with matters specified in Sections 12(3) and/or (4) of the Council Bylaw; namely:

Section 12(3)(e)

- The acquisition, disposition or expropriation of land and/or improvements, if the Council considers that disclosure might reasonably be expected to harm the interests of the City.

Section 12(3)(i)

- The receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose. Carried Unanimously

ADJOURNMENT

It was moved by Councillor Alto, seconded by Councillor Isitt, that the Council meeting adjourn.
Time: 11:53 p.m. Carried Unanimously

CERTIFIED CORRECT:

CORPORATE ADMINISTRATOR

MAYOR OF THE CITY OF VICTORIA