



MINUTES - VICTORIA CITY COUNCIL

June 14, 2018, 6:30 P.M.

Council Chambers, City Hall, 1 Centennial Square

Located on the traditional territory of the Esquimalt and Songhees People

PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, Councillor Young

ABSENT: Councillor Coleman

STAFF PRESENT: J. Jenkyns - City Manager, C. Coates - City Clerk, P. Bruce - Fire Chief, S. Thompson - Director of Finance, J. Tinney - Director of Sustainable Planning & Community Development, F. Work - Director of Engineering & Public Works, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhauer - Head of Engagement, C. Havelka - Deputy City Clerk, P. Martin - Council Secretary, T. Zworski - City Solicitor, M. Angrove - Planner

A. APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Moved By Councillor Alto

Seconded By Councillor Lucas

That the agenda be approved as amended.

CARRIED UNANIMOUSLY

C. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Alto

Seconded By Councillor Loveday

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

C.1 Debbie Chan: Gonzales Neighbourhood Plan

Outlined why Council should seek further input from residents regarding the revised draft of the Gonzales Neighbourhood Plan.

C.2 Ric Houle: Water Safety in the Cold Atlantic Ocean, Cycling, and Marginalization

Outlined concerns regarding the type of fertilizers used in the City of Victoria, Jazz Fest being sponsored by bank corporations, the lack of ladders in the inner

harbour, the exhaust fumes in the harbour, not being permitted to buy water at various pub establishments, the security guard at Munroe's Bookstore, underground tunnels in the City, and electricity generated by water wheels.

C.3 Chris Zmuda: Negligent of City Management

Outlined why Council should review the allowance of cannabis dispensaries in the City.

C.4 Ted Smith: Safe Inhalation Room and City Role in Legislation

Outlined why he will be running for Council in this year's municipal election, in relation to allowing safe inhalation rooms.

C.5 Lincoln Stroller: Overnight Use of Public Parks

Outlined why Council should allow non-homeless residents to use public parks for overnight camping.

D. PROCLAMATIONS

D.1 "ALS Awareness Month" - June 2018

Moved By Councillor Loveday

Seconded By Councillor Thornton-Joe

That the following proclamation be endorsed:

1. "ALS Awareness Month" - June 2018

CARRIED UNANIMOUSLY

E. PUBLIC AND STATUTORY HEARINGS

E.1 Development Permit with Variances Application No. 00070 for 2670 Fifth Street and 2625-2637 Quadra Street

Development Permit with Variances Application No. 00070:

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 2625-2637 Quadra Street & 2670 Fifth Street, in Development Permit Area 5 – Large Urban Villages, for the purpose of relocating the existing liquor store to a different building on the same property with a larger floor area.

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

Michael Angrove (Planner): *Advised that the application is to relocate the existing liquor retail store to a different building located within the same site, with a larger floor area.*

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

Jeremy Pot (Applicant): Provided information regarding the application, advising that the larger floor area will provide an improved customer experience.

Anne (Store Manager): Provided information regarding the application, advising of the difficulties that are currently being experienced by the existing floor space.

Keith (Corporate Financial Officer): Provided information regarding past history of liquor storefronts in the immediate area.

Ric Houle (Pandora Avenue): Expressed concerns relating to lack of information relating to sober living.

Tim Taylor (Quadra Street): Expressed support for the application, as they have been good neighbours.

Ginger Bell (Wharf Street): Expressed support for the application, as a larger storefront would be better for customers.

Ryan Smith (Resident): Expressed support for the application, as a larger storefront would be better for customers.

Councillor Isitt joined the meeting at 7:09 pm.

Mayor Helps closed the opportunity for public comment at 7:15 p.m.

Moved By Councillor Loveday

Seconded By Councillor Thornton-Joe

That Council authorize the issuance of Development Permit with Variance Application No. 00070 for 2670 Fifth Street and 2625-2637 Quadra Street in accordance with:

1. Plans date stamped March 21, 2018
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. increase the maximum floor area of a liquor store from 200m² to 594m²
3. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

E.2 Temporary Use Permit Application No. 00007 for 629 and 635 Chatham Street

Temporary Use Permit Application No. 00007:

The Council of the City of Victoria will consider issuing a Temporary Use Permit for the land known as 629 and 635 Chatham Street, in Development Permit Area 1 (HC), Historic Core, for the installation of a 38-stall parking lot.

E.2.a Opportunity for Public Comment & Consideration of Approval

Michael Angrove (Planner): *Advised that the application is to temporarily allow a 38 stall parking lot.*

Mayor Helps opened the opportunity for public comment at 7:19 p.m.

Dan Sawchuck (Applicant): Provided information regarding the application.

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

Mayor Helps closed the opportunity for public comment at 7:21 p.m.

Moved By Councillor Thornton-Joe
Seconded By Councillor Lucas

That Council authorize the issuance of Temporary use Permit Application No. 00007 for 635 Chatham Street in accordance with:

1. Plans date stamped December 22, 2017;
2. Development meeting all *Zoning Regulation Bylaw* requirements;
3. The applicant providing a landscape cost estimate for the entire cost of the onsite landscaping in accordance with the Landscape Plan prepared by Murdoch de Greeff Landscape Architects dated December 22, 2017, and a landscape security deposit in the amount of 120% of the Landscape Cost Estimate payable to the City prior to the issuance of the building permit; and
4. The Temporary use Permit lapsing three years from the date of this resolution.

CARRIED UNANIMOUSLY

E.3 Rezoning Application No. 00556 and Development Permit with Variances Application No. 00028 for 1417 May Street

Zoning Regulation Bylaw, Amendment Bylaw (No.1139) No. 18-013:

To rezone the land known as 1417 May Street from the R1-B Zone, Single Family Dwelling District, to the R-86 Zone, Ground-Oriented Dwelling May Street District, to permit a multi-unit residential building with four ground-oriented units.

Development Permit Application:

The Council of the City of Victoria will also consider issuing a development permit for the land known as 1417 May Street, in Development Permit Area 16: General Form and Character for the purposes of approving the exterior design, finishes and landscaping for the multi-unit residential building.

E.3.a Public Hearing & Consideration of Approval

Michael Angrove (Planner): *Advised that the application is to rezone the property to allow for a two storey multi-family dwelling.*

Mayor Helps opened the public hearing at 7:24 p.m.

Peter Johannknecht and Bianca Bodley (Applicants): Provided information regarding the application.

Council discussed the following:

- *What public consultation was undertaken by the applicant.*

Ric Houle (Pandora Avenue): Expressed concerns relating to the application, due to the increased density.

David Reed (Eberts Street): Expressed concerns relating to the application, due to the increased density and lack of neighbourhood consultation.

Lisa Sesser (May Street): Expressed concerns relating to the application, due to the increased density and lack of neighbourhood consultation.

Carol Finley (Eberts Street): Expressed concerns relating to the application, due to the increased density, traffic concerns, and lack of neighbourhood consultation.

Council discussed the following:

- *That the design of the building reflects the passive house design.*

Mayor Helps closed the public hearing at 7:59 p.m.

Moved By Councillor Alto
Seconded By Mayor Helps

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1139) No. 18-013

Council discussed the following:

- *The supportability of a passive house, which will create energy efficiencies.*
- *The lack of neighbourhood consultation following the change to the design and application.*
- *That the fourplex design supports the need for gentle density.*
- *Concerns relating to the lack of affordable housing.*
- *Whether the design of the building is a good fit for the neighbourhood.*

FOR (3): Mayor Helps, Councillor Alto, and Councillor Lucas

OPPOSED (5): Councillor Isitt, Councillor Loveday, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young

DEFEATED (3 to 5)

E.4 Rezoning Application No. 00540 for 608 Esquimalt Road

Zoning Regulation Bylaw, Amendment Bylaw (No. 1127) No. 18-060

To rezone the land known as 608 Esquimalt Road from the M-2 Zone, Light Industrial District, to the M-2C Zone, Light Industrial (Cannabis) District, to permit a storefront cannabis retailer.

E.4.a Public Hearing & Consideration of Approval

Michael Angrove (Planner): *Advised that the application is to rezone the property to allow for the retail sale of cannabis.*

Mayor Helps opened the public hearing at 8:20 p.m.

Pat Warren (Applicant): Provided information regarding the application.

Steven Brush (Esquimalt Road): Expressed support for the application, as they have been a good neighbour and help provide a sense of community and reduction of security issues.

Ric Houle (Pandora Avenue): Expressed support for the application.

Antonio Felchi (Esquimalt Road): Expressed support for the application as they have improved the community.

Mayor Helps closed the public hearing at 8:30 p.m.

Moved By Councillor Loveday
Seconded By Councillor Isitt

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1127) No. 18-060

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

CARRIED (7 to 1)

Moved By Councillor Loveday
Seconded By Councillor Isitt

That the following bylaw **be adopted**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1127) No. 18-060

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

CARRIED (7 to 1)

Council recessed from 8:35 p.m. until 8:39 p.m.

F. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Loveday

Seconded By Councillor Isitt

That the following speakers be permitted to address Council.

Amendment:

Moved By Councillor Thornton-Joe

Seconded By Councillor Isitt

That speaker F.7 be replaced with Danica Olenick.

CARRIED UNANIMOUSLY

F.1 Sheila Potter: Plans for Central Park and Crystal Pool

Outlined why Council should reconsider re-building Crystal Pool on its current site.

F.2 Jordan Reichert: Horse-Drawn Carriages in Victoria

Outlined why Council should phase out and ban the horse drawn carriages from Victoria, B.C. for the safety of the horses, the public and visitors in the city.

F.4 Donna Friedlander: Horse-Drawn Carriage Tours

Outlined why Council should disregard the BCSPCA letter.

F.5 Tino Martinez: Horse-Drawn Carriage Tours

Outlined why Council should disregard the BCSPCA letter.

F.6 Chantal Meagher: Victoria's Urban Chicken Farm

Outlined why Council should enact further bylaws governing urban poultry, ensuring that all bylaws are enforceable, and direct staff to actively enforce existing bylaws.

F.7 Danica Olenick: BCSPCA Letter

Outlined why Council should disregard the BCSPCA letter.

F.8 Katarina Sjolom: Response to BCSPCA Letter

Outlined why Council should disregard the BCSPCA letter.

F.9 Kirin Rogers: BCSPCA's Letter Regarding Horse Carriages/Trolleys

Outlined why Council should continue to allow horse-drawn carriages and trolleys.

F.10 Dave Byron: Horse and Carriage Operations in the City of Victoria

Outlined why Council should make evidence-based decisions with respect to the current and future horse and carriage industry.

F.11 Allan Gallupe: Central Park

Outlined why Council should reconsider the proposed demolition of Crystal Pool and consider creating extra parking or social housing in Central Park.

F.12 Lyndsey Joseph: Residential Street Parking

Outlined why Council should amend qualifications for residential street parking.

F.13 Jim Townley: Horse Carriages in Victoria

Outlined why Council should make an informed decision based on fact regarding horse carriages in Victoria.

F.14 Emily May: Carriage Industry Ban

Outlined why Council should vote against a ban of the horse carriage industry in Victoria.

Councillor Alto withdrew from the meeting at 9:46 pm.

G. UNFINISHED BUSINESS

G.1 Correction of Minutes from the January 11, 2018 Meeting

Moved By Councillor Lucas

Seconded By Councillor Thornton-Joe

That Council:

1. Correct the January 11, 2018 minutes as outlined in Attachment B; and
2. Adopt the January 11, 2018 minutes as corrected.

CARRIED UNANIMOUSLY

G.2 Letter from the Minister of Municipal Affairs and Housing

Moved By Councillor Lucas

Seconded By Councillor Young

That the correspondence dated May 11, 2018 from the Minister of Municipal Affairs and Housing be received for information.

CARRIED UNANIMOUSLY

G.3 Letter from the Minister of Health

Moved By Councillor Lucas

Seconded By Councillor Thornton-Joe

That the correspondence dated May 14, 2018 from the Minister of Health be received for information.

CARRIED UNANIMOUSLY

G.4 Letter from the Minister of Municipal Affairs and Housing

Moved By Councillor Lucas

Seconded By Councillor Madoff

That the correspondence dated May 16, 2018 from the Minister of Municipal Affairs and Housing be received for information.

CARRIED UNANIMOUSLY

G.5 Letter from the Minister of Transport

Moved By Councillor Thornton-Joe

Seconded By Councillor Lucas

That the correspondence dated May 23, 2018 from the Minister of Transport be received for information.

CARRIED UNANIMOUSLY

G.6 Letter from the Minister of Sport and Persons with Disabilities

Moved By Councillor Lucas

Seconded By Councillor Thornton-Joe

That the correspondence dated May 24, 2018 from the Minister of Sport and Persons with Disabilities be received for information.

CARRIED UNANIMOUSLY

Councillor Alto returned to the meeting at 9:51 pm.

G.7 Letter from the Minister of Infrastructure and Communities

Moved By Councillor Lucas

Seconded By Councillor Young

That the correspondence dated May 24, 2018 from the Minister of Infrastructure and Communities be received for information.

CARRIED UNANIMOUSLY

H. REPORTS OF COMMITTEES

H.1 Committee of the Whole

H.1.a Report from the June 7, 2018 COTW Meeting

H.1.a.a Development Permit Application No. 000524 for 330 Irving Road (Gonzales)

Moved By Councillor Lucas
Seconded By Councillor Madoff

That Council authorize the issuance of Development Permit Application No. 000524 for 330 Irving Road, in accordance with:

1. Plans date stamped May 2, 2018
2. Development meeting all *Zoning Regulation Bylaw*
3. Revised landscape plan to identify two replacement trees, as per the *Tree Preservation Bylaw*, 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

H.1.a.b Heritage Process Related Motions

Moved By Councillor Madoff
Seconded By Councillor Loveday

That Council direct staff to:

1. Provide a list of heritage-related applications that have, to date, been processed through a Delegated Authority process.
2. As part of the Delegated Authority Process of land use applications refer, heritage-related applications to the Heritage Advisory Panel for their consideration but do not require a further referral to Council.
3. Refer heritage-related land use applications to the Heritage Advisory Panel at an early stage in the process.

CARRIED UNANIMOUSLY

H.1.a.c First Quarter 2018 Update

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That Council receive the Quarterly update report from the Victoria Police Department for information.

That Council receive the Quarterly report for information.

CARRIED UNANIMOUSLY

H.1.a.d City of Victoria Youth Council

Moved By Councillor Lucas
Seconded By Councillor Alto

That Council receive the presentation from the City of Victoria Youth Council for information.

CARRIED UNANIMOUSLY

H.1.a.e Rezoning Application No. 000598 and Development Permit with Variance Application No. 000506 for 953 Balmoral Road (North Park)

Councillor Young withdrew from the meeting at 9:56 p.m. due to a pecuniary conflict of interest with the following item, as the applicant is a client of his consulting firm.

Moved By Councillor Thornton-Joe
Seconded By Councillor Lucas

That Council postpone consideration of the following motion for 2 months and request the applicant to meet with the adjoining neighbours to explore possible consolidation of the adjoining lots:

That Council decline Rezoning Application No. 00598 and Development Permit with Variance Application No. 00506 for the property located at 953 Balmoral Road.

Moved By Councillor Loveday
Seconded By Councillor Madoff

That Council allow Councillor Isitt to speak for a second time.

CARRIED UNANIMOUSLY

Council discussed the following:

- *Whether the motion to postpone consideration is the right action at this time.*

On the main motion:

FOR (7): Mayor Helps, Councillor Alto, Councillor Isitt, Councillor Lucas, Councillor Madoff, and Councillor Thornton-Joe
OPPOSED (1): Councillor Loveday

CARRIED (6 to 1)

Councillor Young returned to the meeting at 10:05 p.m.

H.1.a.f Motion Arising from the Motion to Postpone to the June 14, 2018 Committee of the Whole meeting the 1199 Government Street - Application for a Permanent Change to Hours of Service for a Food Primary License (0302087) Earl's Restaurant (Downtown)

Moved By Councillor Thornton-Joe
Seconded By Councillor Loveday

That Council direct staff that all future liquor licence applications include a letter from the Police Department attached to the report.

CARRIED UNANIMOUSLY

H.1.a.g 2018 My Great Neighbourhood Grants - Spring Intake

Moved By Councillor Madoff

Seconded By Councillor Alto

That Council:

1. Approve 21 applications received for the spring intake of the 2018 My Great Neighbourhood Grant program as outlined in Tables 1 and 2.
2. Approve the following changes to the My Great Neighbourhood Grant Policy (Appendix A)
 - a. Applicants are limited to one placemaking and one activity grant per annual intake.
 - b. At the discretion of the Neighbourhood Team, a three-month extension may be granted for placemaking projects; a second three-month extension may be granted under extenuating circumstances. If after eighteen months (one year to complete and six months of extension) the project is not complete, the City will ask for the grant funds to be returned.
 - c. At the discretion of the Neighbourhood Team, one three-month grant extension for an activity may be granted under extenuating circumstances.

CARRIED UNANIMOUSLY

H.1.a.h Housing, Community Space and Underground Parking Adjacent to Crystal Pool

Moved By Mayor Helps

Seconded By Councillor Alto

That Council direct staff to report back at the next quarterly update on the implications and timeline for implementing the following recommendations.

Direct staff to:

1. Work with residents of North Park and other interested stakeholders community to develop and issue an RFEOI or RFP for:
 - a. Provision of affordable housing (on the site currently set aside for a surface parking lot) to include underground parking and a community space on the ground floor that would be able to accommodate at a minimum, a welcome centre for newcomers to Canada (should this be identified by stakeholders as a need, child care facility, community kitchen, and additional that may not be able to be accommodated in the Crystal Pool project for sport and non-sport programming for youth, seniors and other underserved groups.
 - b. Operation one or more of the community centre, child care, and welcome centre.

2. Design and report back to Council on the process for engaging the community (North Park, Harris Green, Downtown residents and immigrant and indigenous communities from across the city/region) about the community centre/welcome centre space.
3. Apply for funding through Partners for Places (<https://www.fundersnetwork.org/partners-for-places/>) to undertake the process outlined in #2, with potential for matching funding from the United Way of Greater Victoria.
4. Design and report back to Council as part of the 2019 financial planning process on the process for engaging the neighbouring community and citywide residents about the Park Master Plan for Central park, including budget and timing. And direct staff to develop and communicate a plan through consultation with current park users, to ensure their continuing enjoyment and access to the park during construction of Crystal Pool.
5. Report back on the public approval process for having either surface parking or affordable housing in Central Park adjacent to the new Crystal Pool.

Council discussed the following:

- *Whether the use of the park is appropriate for parking or affordable housing.*

Amendment:

Moved By Mayor Helps

Seconded By Councillor Lucas

That the motion be amended by creating a new point one as follows:

1. Report back on the implications of engaging with the neighborhood on the potential of having affordable housing, etc. where the surface lot for the pool would be.

FOR (6): Mayor Helps, Councillor Alto, Councillor Loveday, Councillor Lucas, Councillor Thornton-Joe, and Councillor Young

OPPOSED (2): Councillor Isitt, and Councillor Madoff

CARRIED (6 to 2)

Moved By Councillor Isitt

Seconded By Councillor Loveday

That the motion be postponed and brought back at the same time as the Crystal Pool Project update.

FOR (5): Councillor Isitt, Councillor Loveday, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young

OPPOSED (3): Mayor Helps, Councillor Alto, and Councillor Lucas

CARRIED (5 to 3)

H.1.a.i Letter from BCSPCA regarding Horse Drawn Carriages

Moved By Councillor Thornton-Joe

Seconded By Councillor Isitt

That Council receive this correspondence and request that staff report back on any advice Council would need to consider the recommendations provided by the BC SPCA.

FOR (6): Mayor Helps, Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Lucas, and Councillor Thornton-Joe

OPPOSED (2): Councillor Madoff, and Councillor Young

CARRIED (6 to 2)

H.1.b Report from the June 14, 2018 COTW Meeting

H.1.b.a 1418 Lang Street - Rezoning Application No. 00630, Development Permit with Variances Application, and Development Variance Permit Application (Oaklands)

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

Rezoning Application No. 00630 for 1418 Lang Street

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00630 for 1418 Lang Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set.

Development Permit with Variances and Development Variance Permit Application for 1418 Lang Street

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. 00630, if it is approved, consider the following motions:

1. "That Council authorize the issuance of a Development Permit with Variances Application for the north portion of 1418 Lang Street (new house), in accordance with:
 - a. Plans date stamped April 23, 2018.
 - b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the front yard setback from 6.0m to 1.98m
 - ii. reduce the rear yard setback from 6.0m to 2.07m
 - iii. permit a roof deck
 - c. The Development Permit lapsing two years from the date of this resolution."

2. "That Council authorize the issuance of a Development Variance Permit Application for the south portion of 1418 Lang Street (existing house), in accordance with:
 - a. Plans date stamped April 23, 2018.
 - b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the rear yard setback from 6.0m to 2.51m
 - c. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

H.1.b.b 1199 Government Street - Application for a Permanent Change to Hours of Service for a Food Primary License (0302087) Earl's Restaurant (Downtown)

Moved By Councillor Alto

Seconded By Councillor Madoff

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

1. Council, after conducting a review with respect to noise and community impacts, does support the application of Earl's Restaurant, located at 1199 Government Street to change hours from 9:00 am to 12:00 am, Sunday through Thursday and 9:00 am until 1:00 am, Friday and Saturday to 9:00 am to 1:00 am, Sunday through Thursday, and 9:00 am until 2:00 am Friday and Saturday.

Providing the following comments on the prescribed considerations:

- a. The impact of noise on the community in the vicinity of the establishment has been considered. Consideration of the application with respect to potential to generate noise related issues has not resulted in specific concerns associated to the operator or the change in hours.
- b. If the application is approved, the net impact on the community is expected to be positive economically as the approval supports the request of the business and presumably their long term viability as a local business and employer.
- c. The views of residents were solicited via a mail out to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. The City received two letters in support of the application and one letter from the Downtown Victoria Residents Association expressing neutrality. No letters were received in opposition.
- d. Council recommends support for approval to change the hours of operation for the licensee.

CARRIED UNANIMOUSLY

H.1.b.c 210 Gorge Road East - Rezoning and Development Permit with Variances Application No. 00076 (Burnside)

Moved By Councillor Isitt

Seconded By Councillor Alto

Rezoning Application No. 00620 for 210 Gorge Road East

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00620 for 210 Gorge Road East, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation and execution of the following legal agreements to the satisfaction of City Staff:
 - a. Statutory Right-of-Way of 4.91m on Gorge Road East
 - b. Housing Agreement to ensure that the residential dwelling units would remain as rental and affordable for in perpetuity.
2. Following consideration of Rezoning Application No. 00620, and if approved that Council authorize staff to prepare and enter into an Encroachment Agreement for a fee of \$750 plus \$25 per m² of exposed shored face during construction, to the satisfaction of the City staff.
3. The applicant complete exploratory digging around the Horse chestnut tree at the south west corner of the site to the satisfaction of City Staff in order to determine the location of the roots and potential impacts the construction of a proposed sidewalk may have on this tree.
4. That a shadow study be provided as a condition of advancing the application to a public hearing.

Development Permit with Variances Application No. 00076 for 210 Gorge Road East

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. 00620, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit Application No. 00076 for 210 Gorge Road East, in accordance with:

1. Plans date stamped February 14, 2018.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the required number of parking spaces from 90 to 24.
3. The Development Permit lapsing two years from the date of this resolution.

4. The applicant entering into an agreement with a local car share company to secure 20 car share memberships to the satisfaction of City Staff.
5. The applicant provide two bikes and bike share parking spaces onsite to the satisfaction of City Staff.

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

CARRIED (7 to 1)

Council agreed to vote on point six separately, as follows:

6. A covenant to ensure that no more than 32 supportive housing units are within the project.”

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

CARRIED (6 to 2)

H.1.b.d 2732 Doncaster Drive - Rezoning Application No. 00635, Development Permit with Variances Application No. 00072, and Associated Official Community Plan Amendment (Oaklands)

Moved By Councillor Alto
Seconded By Councillor Lucas

Rezoning Application No. 00635 for 2732 Doncaster Drive and associated Official Community Plan Amendment

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 Amendment that would authorize the proposed development outlined in Rezoning Application No. 00635 for 2732 Doncaster Drive, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation of a Housing Agreement to secure all units as rental housing for 25 years, executed by the applicant, to the satisfaction of City Staff.
2. 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.

3. 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.
4. 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.
5. That Council give first reading to the Official Community Plan Amendment Bylaw.
6. 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.
7. That Council give second reading to the Official Community Plan Amendment Bylaw.
8. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.

Development Permit with Variances Application No. 00072 for 2732 Doncaster Drive

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. 00635, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00072 for 2732 Doncaster Drive, in accordance with:

1. Plans date stamped May 17, 2018.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - a. reduce the site area from 920.0m² to 638.70m²
 - b. reduce the dwelling unit floor area from 33.0m² to 28.40m²

- c. reduce the front yard setback from 7.50m to 4.50m
 - d. reduce the south side yard setback from 4.75m to 1.70m
 - e. reduce the north side yard setback from 4.75m to 4.0m
 - f. reduce the open site space from 30.0% to 22.22%
 - g. reduce the number of vehicle parking stalls from 12 to 8
3. The Development Permit lapsing two years from the date of this resolution.”

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

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

**H.1.b.e 1622-1628 Store Street - Development Permit with Variances
Application No. 00068 (Downtown)**

Moved By Councillor Young

Seconded By Councillor Lucas

That, subject to the preparation and execution of legal agreements to the satisfaction of the Director of Sustainable Planning and Community Development, 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. 00068 for 1622-1628 Store Street in accordance with:

- 1. Plans date stamped March 29, 2018.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. increase the height from 15m to 18.00m
 - ii. increase the interior floor area access length from 4.5m to 6.5m
 - iii. allow residential uses below the second storey.
- 3. Registration of legal agreements on the property's title to secure a Statutory Right-of-Way over the Harbour Pathway, to the satisfaction of the Director of Sustainable Planning and Community Development.
- 4. The Development Permit lapsing two years from the date of this resolution.
- 5. That notification be included in a newspaper ad.
- 6. Reconsideration of the colour of the metal panels on the west side of the building to provide a more contextual response to the colour pallet of Old Town.

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

OPPOSED (1): Councillor Isitt

CARRIED (7 to 1)

H.1.b.f Park Furnishings Dedication Program

Moved By Councillor Alto

Seconded By Councillor Madoff

That Council:

1. Approve amendment of the Recreation Fee Bylaw to include the Park Furnishing Dedication Program and fee schedule;
2. Direct staff to bring forth amendment to the Reserve Fund Bylaw and the Reserve Fund Policy to create a new reserve fund for Park Furnishing Dedication; and,
3. Authorize the Mayor and City Clerk to execute an agreement with the Parks and Recreation Foundation of Victoria to administer the program with all terms to the satisfaction of the City Solicitor.

CARRIED UNANIMOUSLY

H.1.b.g Capital City Station Bus Depot and BC Transit Downtown Terminal Pilot Project – Update

Councillor Thornton-Joe withdrew from the meeting at 10:54 p.m. due to a pecuniary conflict of interest with the following item, as her husband is employed with BC Transit.

Moved By Councillor Madoff

Seconded By Councillor Lucas

That Council:

1. Conclude the 18-month trial, maintain the current configuration of Capital City Station for the next four years beyond the current term ending September 30, 2018, and continue to monitor and assess performance, as appropriate.
2. Maintain the current BC Transit turnaround/layover configuration at Government/Superior, and continue to monitor and assess performance, as appropriate.

FOR (6): Mayor Helps, Councillor Alto, Councillor Loveday, Councillor Lucas, Councillor Madoff, and Councillor Young

OPPOSED (1): Councillor Isitt

CARRIED (6 to 1)

Councillor Thornton-Joe returned to the meeting at 10:56 p.m.

H.1.b.h Ship Point Pier Repairs

Moved By Councillor Madoff

Seconded By Councillor Young

That the meeting be extended until 11:15 p.m.

CARRIED UNANIMOUSLY

Moved By Councillor Madoff
Seconded By Councillor Lucas

That Council:

1. Direct staff to proceed with detailed design and construction of repairs required to re-open the closed portion of Ship Point Pier.
2. Reallocate \$1.21 million for the structural repairs at Ship Point Pier from the Belleville Street Complete Streets project.
3. Authorize the Mayor and City Clerk to execute, on behalf of the City, an agreement with the Greater Victoria Harbour Authority (GVHA), on the terms acceptable to the Director of Engineering and Public Works and in a form satisfactory to the City Solicitor, to allow joint tender and repair work of the City's portion of pier in conjunction with GVHA repairs of their portion of the pier.

CARRIED UNANIMOUSLY

H.1.b.j Fairfield Plaza

Moved By Councillor Lucas
Seconded By Councillor Loveday

1. That Council direct staff to work with the community to find a suitable compromise between the current proposed land use designation in the draft Fairfield Plan and the current proposal in the Fairfield Plaza Group Collaborative Community Plan and to develop site specific guidelines and a regulatory framework to achieve a form of development for this site that would
 - a. Achieve the type of commercial development that is similar to the small scale shops and services that currently exist on the site.
 - b. Ensure transition from the site to the surrounding neighbourhood which is to retain largely the same look and feel as it currently does.
 - c. Take into consideration the site specific issues that exist relative to soil stability and seismic amplification potential.
2. That staff and the community participate in a session with a skilled, third party facilitator to have the conversations laid out in #1.

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

CARRIED (7 to 1)

H.1.b.k Process Improvements for Development Process

Moved By Councillor Alto

Seconded By Councillor Lucas

1. That Council direct staff to report back to Council with a proposed amendment to the CALUC process that requires an initial meeting between the developer, the community, and city staff. The meeting would be facilitated by a neutral, third party facilitator with experience in bringing together disparate and diverse points of view.
2. That staff report back to Council on the appropriate threshold for requiring such a meeting to ensure that this is not an added, unnecessary step for most developments. Criteria might include a rezoning that increases density a certain percentage over the existing zoning or changes to the OCP.
3. That staff report back to Council on the budget implications of this proposal and suggest potential funding mechanisms for the mailout costs to be covered by the city.
4. Engage with CALUCs on this proposal.

Motion to refer:

Moved By Councillor Isitt

Seconded By Councillor Young

That this matter be referred to the quarterly update for staff to report back on the implications.

Council agreed to vote on referring each number separately.

Moved By Councillor Isitt

Seconded By Councillor Young

That this matter be referred to the quarterly update for staff to report back on the implications.

1. That Council direct staff to report back to Council with a proposed amendment to the CALUC process that requires an initial meeting between the developer, the community, and city staff. The meeting would be facilitated by a neutral, third party facilitator with experience in bringing together disparate and diverse points of view.

FOR (1): Councillor Isitt

OPPOSED (8): Mayor Helps, Councillor Alto, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young

DEFEATED (1 to 7)

Moved By Councillor Isitt

Seconded By Councillor Young

That this matter be referred to the quarterly update for staff to report back on the implications.

2. That staff report back to Council on the appropriate threshold for requiring such a meeting to ensure that this is not an added, unnecessary step for most developments. Criteria might include a rezoning that increases density a certain percentage over the existing zoning or changes to the OCP.

FOR (1): Councillor Isitt

OPPOSED (8): Mayor Helps, Councillor Alto, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young

DEFEATED (1 to 7)

Moved By Councillor Isitt

Seconded By Councillor Young

That this matter be referred to the quarterly update for staff to report back on the implications.

3. That staff report back to Council on the budget implications of this proposal and suggest potential funding mechanisms for the mailout costs to be covered by the city.

FOR (1): Councillor Isitt

OPPOSED (8): Mayor Helps, Councillor Alto, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young

DEFEATED (1 to 7)

Moved By Councillor Isitt

Seconded By Councillor Young

That this matter be referred to the quarterly update for staff to report back on the implications.

4. Engage with CALUCs on this proposal.

DEFEATED UNANIMOUSLY

On the main motion:

1. That Council direct staff to report back to Council with a proposed amendment to the CALUC process that requires an initial meeting between the developer, the community, and city staff. The meeting would be facilitated by a neutral, third party facilitator with experience in bringing together disparate and diverse points of view.
2. That staff report back to Council on the appropriate threshold for requiring such a meeting to ensure that this is not an added, unnecessary step for most developments. Criteria might include a rezoning that increases density a certain percentage over the existing zoning or changes to the OCP.

3. That staff report back to Council on the budget implications of this proposal and suggest potential funding mechanisms for the mailout costs to be covered by the city.
4. Engage with CALUCs on this proposal.

FOR (7): Mayor Helps, Councillor Alto, Councillor Loveday, Councillor Lucas, Councillor Madoff, and Councillor Thornton-Joe

OPPOSED (2): Councillor Isitt, and Councillor Young

CARRIED (6 to 2)

H.1.b.I Affordable Housing Units Through Community Amenity Contribution Policy

Moved By Councillor Alto
Seconded By Mayor Helps

That Council direct staff to ensure that the new CAC/Inclusionary Housing Policy is structured in such a way as to deliver, by 2026, at least 800 units of affordable housing that rent at between \$500 and \$875 per month and at least 450 units of affordable rental housing for families that rent at between \$875 and \$1375 per month.

FOR (8): Mayor Helps, Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, and Councillor Thornton-Joe

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

J. BYLAWS

J.1 Bylaw for Rezoning Application No. 00612 for 63 Boyd Street

Moved By Councillor Young
Seconded By Councillor Lucas

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1151) No. 18-039

CARRIED UNANIMOUSLY

J.2 Bylaw for Rezoning Application No. 00573 for 2816 Shelbourne Street

Moved By Councillor Alto
Seconded By Councillor Lucas

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1138) No. 18-012

CARRIED UNANIMOUSLY

J.3 Bylaw for Five Year Financial Plan 2018 Amendment

Moved By Councillor Alto

Seconded By Councillor Lucas

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

1. Five Year Financial Plan Bylaw, 2018, Amendment Bylaw (No. 1) No. 18-073

And that Council direct staff to schedule an opportunity for public input prior to adoption of the bylaw.

CARRIED UNANIMOUSLY

J.4 Bylaw for Animal Responsibility Amendments

Moved By Councillor Young

Seconded By Councillor Isitt

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

1. Animal Responsibility Bylaw, Amendment Bylaw (No. 1) No. 18-077

Council discussed the following:

- *The process that would be required for Council to grant an exemption due to hardship.*

CARRIED UNANIMOUSLY

J.5 Bylaw for Election Procedures Amendments

Moved By Councillor Lucas

Seconded By Councillor Alto

That the following bylaw **be adopted:**

1. Election Procedures Bylaw, Amendment Bylaw (No. 4) No. 18-070

CARRIED UNANIMOUSLY

J.6 Bylaw for Housing Agreement for 515 Chatham Street

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That the following bylaw **be adopted:**

1. Housing Agreement (515 Chatham Street) Bylaw (2018) No. 18-066

CARRIED UNANIMOUSLY

K. CORRESPONDENCE

K.1 Letter from the Saanich Police Board

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That the correspondence dated April 15, 2018 from the Saanich Police Board be received for information.

CARRIED UNANIMOUSLY

K.2 Letter from the Mayor of the City of Edmonton

Moved By Councillor Alto
Seconded By Councillor Madoff

That the correspondence dated May 23, 2018 from the Mayor of the City of Edmonton be received for information.

CARRIED UNANIMOUSLY

M. QUESTION PERIOD

A question period was held.

N. ADJOURNMENT

Moved By Councillor Alto
Seconded By Councillor Madoff

That the Council meeting adjourn.
TIME: 11:12 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR