



## **MINUTES - COMMITTEE OF THE WHOLE**

**March 14, 2019, 9:00 A.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 Thornton-Joe, Councillor Young, Councillor Dubow, Councillor Potts, Councillor Collins

**STAFF PRESENT:** J. Jenkyns - City Manager, C. Coates - City Clerk, P. Bruce - Fire Chief, S. Thompson - Deputy City Manager / Director of Finance, B. Eisenhauer - Head of Engagement, C. Havelka - Deputy City Clerk, A. Meyer - Assistant Director of Development Services, A. Hudson - Acting Director of Sustainable Planning & Community Development, T. Zworski - City Solicitor, N. Sidhu - Assistant Director of Parks, Recreation & Facilities, J. Paul - Assistant Director of Engineering, K. Sidhu - Committee Secretary, J. O'Connor - Deputy Director of Finance, M. Fedyczkowska - Legislation & Policy Analyst

### **A. APPROVAL OF AGENDA**

**Moved By** Councillor Alto  
**Seconded By** Councillor Thornton-Joe

That the agenda be approved.

#### **Amendment:**

**Moved By** Councillor Isitt  
**Seconded By** Councillor Loveday

That the Agenda of the March 14 2019, Committee of the Whole meeting be amended as follows:

#### **Consent Agenda:**

**C.1 Minutes from the Committee of the Whole Meeting held February 14, 2019**

**F.3 Mobile Bicycle Vending Pilot Review**

**F.10 Proclamation - World Kidney Day**

**F.11 Proclamation - World Tuberculosis Day**

**CARRIED UNANIMOUSLY**

**Main Motion as amended:**

**CARRIED UNANIMOUSLY**

**B. CONSENT AGENDA**

That the following items be approved without further debate:

**C.1 Minutes from the Committee of the Whole meeting held February 14, 2019**

**Moved By** Councillor Loveday

**Seconded By** Councillor Alto

That the minutes from the meeting held February 14, 2019 be adopted.

**CARRIED UNANIMOUSLY**

**F.3 Mobile Bicycle Vending Pilot Review**

Committee received a report dated March 7, 2019 from the City Clerk providing an update about the mobile bicycle vending pilot and to recommend establishing a mobile bicycle vending program on public property.

**Moved By** Councillor Loveday

**Seconded By** Councillor Alto

That Council direct staff to:

1. Bring forward an amendment bylaw containing provisions for a mobile bicycle vending program.

**CARRIED UNANIMOUSLY**

**F.10 Proclamation - World Kidney Day**

Committee received a report dated March 7, 2019 from the City Clerk regarding a proclamation for "World Kidney Day" on March 14, 2019.

**Moved By** Councillor Loveday

**Seconded By** Councillor Alto

That the *World Kidney Day* Proclamation be forwarded to the March 14, 2019 Council meeting for Council's consideration.

**CARRIED UNANIMOUSLY**

**F.11 Proclamation - World Tuberculosis Day**

Committee received a report dated March 7, 2019 from the City Clerk regarding a proclamation for "World Tuberculosis Day" on March 26, 2019.

**Moved By** Councillor Loveday

**Seconded By** Councillor Alto

That the *World Tuberculosis Day* Proclamation be forwarded to the March 14, 2019 Council meeting for Council's consideration.

**CARRIED UNANIMOUSLY**

**D. UNFINISHED BUSINESS**

**D.1 Adoption of the 2019-2022 Strategic Plan**

A report summarizing the process to develop the Final 2019 - 2022 Strategic Plan with a proposed Goal Statement and recommending that Council adopt the Strategic Plan.

**Moved By** Councillor Isitt

**Seconded By** Councillor Alto

That Council adopt the 2019-2022 Strategic Plan.

**Amendment:**

**Moved By** Councillor Isitt

**Seconded By** Councillor Loveday

Add: 2020 Action: Climate Leadership and Environmental stewardship

Increase protection for shoreline areas and Garry Oak ecosystem including the shoreline between Gonzales Bay and Ross Bay and the shoreline along Gorge Waterway.

**CARRIED UNANIMOUSLY**

**Amendment:**

**Moved By** Councillor Loveday

**Seconded By** Councillor Isitt

Add on page 16, Objective 5, Action 3:

develop and implement an accessibility framework

**CARRIED UNANIMOUSLY**

**Amendment:**

**Moved By** Councillor Loveday

**Seconded By** Councillor Potts

On page 17, Objective 5, Number 9:

strike out "uniform"

**CARRIED UNANIMOUSLY**

**Amendment:**

**Moved By** Councillor Loveday

**Seconded By** Councillor Potts

On Page 19, subject 5, Number 21:

Remove "barrier-free" after Victoria and replace with "accessible"

**CARRIED UNANIMOUSLY**

**Amendment:**

**Moved By** Councillor Alto

**Seconded By** Councillor Dubow

On page 8, item 22:

change target from 2019 to 2020 baseline

**CARRIED UNANIMOUSLY**

**Amendment:**

**Moved By** Councillor Potts

**Seconded By** Councillor Loveday

Add on page 5:

accessible information, facilities and services

**CARRIED UNANIMOUSLY**

**Amendment:**

**Moved By** Councillor Potts

**Seconded By** Councillor Isitt

On page 6:

2019 action to deliver training to Council and senior staff on accessibility

## **CARRIED UNANIMOUSLY**

### **Amendment:**

**Moved By** Mayor Helps

**Seconded By** Councillor Thornton-Joe

add a star \*before outcomes\* as part of the Witness Reconciliation Program, these outcomes and actions will be shared with the Esquimalt and Songhees Nations for their input as witnesses to the process.

## **CARRIED UNANIMOUSLY**

### **Main motion as amended:**

1. That Council adopt the 2019-2022 Strategic Plan.
2. 2020 Action: Climate Leadership and Environmental Stewardship:  
Increase protection for shoreline areas and Garry Oak ecosystem including the shoreline between Gonzales Bay and Ross Bay and the shoreline along Gorge Waterway.
3. Page 16, Objective 5 and Action 3:  
Add: Develop and implement an accessibility framework
4. Page 17, Objective 5, No. 9:  
Strike out “uniform and”.
5. Page 19, Objective 5, No. 21  
After “Victoria” remove “barrier-free” and replace with “accessible”.
6. Page 8, item 22  
Change target from 2019 to 2020 baseline
7. Page 5  
Add: accessible information, facilities and services
8. Page 6  
2019 Action: to deliver training to Council and senior staff on accessibility.
9. Add a star \*before outcomes\* as part of the Witness Reconciliation Program, these outcomes and actions will be shared with the Esquimalt and Songhees Nations for their input as witnesses to the process.

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

OPPOSED (1): Councillor Young

**CARRIED (8 to 1)**

**E. LAND USE MATTERS**

**E.1 2708 Graham Road and 1050-1054 Hillside Avenue - Development Permit with Variances Application No. 00043 (Hillside/Quadra)**

Committee received a report dated February 28, 2019 from the Acting Director of Sustainable Planning and Community Development proposing to consolidate two properties, demolish an existing single-family dwelling, and construct a new four-unit townhouse building.

**Moved By** Councillor Isitt  
**Seconded By** Councillor Potts

That, subject to the preparation and execution of a Statutory Right-of-Way for 3.57m off Hillside Avenue and a Housing Agreement to ensure a future strata cannot restrict the rental of the units, to the satisfaction of the City Solicitor and 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 with Variance Application No. 00043 for 2708 Graham Street and 1050-1054 Hillside Avenue, in accordance with:

1. Plans date stamped December 17, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. increase the number of buildings from one to two
  - ii. decrease the site area from 920.0m<sup>2</sup> to 911.93m<sup>2</sup>
  - iii. decrease the rear (north) yard setback from 4.57m to 2.31m
  - iv. decrease the side (east) yard setback from the building from 4.57m to 2.42m
  - v. decrease the side (east) yard setback from the stairs from 3.0m to 0.0m
  - vi. increase the site coverage from 40.0% to 48.4%
  - vii. decrease the open site space from 60.0% to 51.6%.
3. Revised plans, to the satisfaction of the Director of Sustainable Planning and Community Development, to add canopies above the townhouse front doors, change the horizontal metal siding to wood, amend the landscape plan bicycle parking to be consistent with site plan, and change the garage door to wood.
4. The Development Permit lapsing two years from the date of this resolution."

## **CARRIED UNANIMOUSLY**

### **E.2 506 Herald Street - Application for a Lounge Endorsement to a Manufacturer's License (brewing) for Herald Street Brew Works**

Committee received a report dated February 14, 2019 from the Acting Director of Sustainable Planning and Community Development seeking a Council resolution regarding an application by Herald Street Brew Works to have a lounge endorsement added to their manufacturing license and having hours of operation from 9:00 am to 2:00 am daily, and an occupant load of 178 persons.

**Moved By** Mayor Helps

**Seconded By** Councillor Collins

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

Council, after conducting a review with respect to noise and community impacts, does support the application of Herald Street Brew Works, located at 506 Herald Street, to have a lounge endorsement added to their manufacturing license, having hours of operation from 9:00 am to 2:00 am daily, and an occupant load of 178 persons.

Providing the following comments on the prescribed considerations:

1. The impact of noise on the community in the vicinity of the establishment has been considered in relation to the request and assumptions are the noise impacts would be proportional to existing licence capacity in the vicinity. The applicant and operator does not expect the establishment will have negative impacts on neighbours due to the operational concept and a commitment to minimize impacts through monitoring of, and communication to guests. The requested hours of operation and occupant load are not expected to result in disproportionately high negative impacts to the community.
2. If the application is approved, the impact on the community is expected to be positive economically as the approval supports the business plan and long term viability of the establishment. The business model is seen to align well with recent changes made to zoning bylaws which encourage this type of development. The establishment contributes to the richness, and diversity of offerings in the area.
3. The views of residents were solicited via a mail out which included 284 letters 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 response to the request, both of which were opposed to the application.
4. Council recommends the license endorsements be approved.

**Motion to refer:**

**Moved By** Councillor Isitt

**Seconded By** Councillor Thornton-Joe

Move the matter to staff to work with the applicant to potentially adjust hours of operation and occupant load in light of concerns expressed by the Downtown Residents Association.

**Amendment:**

**Moved By** Councillor Isitt

**Seconded By** Councillor Thornton-Joe

and refer back to Council on the March 28 COTW meeting

FOR (6): Councillor Alto, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Thornton-Joe and Councillor Young

OPPOSED (3): Mayor Helps, Councillor Collins and Councillor Potts

**CARRIED (6 to 3)**

**Amendment:**

**Moved By** Councillor Isitt

**Seconded By** Councillor Loveday

Replace "review" with "potentially adjust"

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

OPPOSED (4): Mayor Helps, Councillor Alto, Councillor Collins and Councillor Potts

**CARRIED (5 to 4)**

**On the motion to refer:**

FOR (4): Councillor Dubow, Councillor Isitt, Councillor Thornton-Joe and Councillor Young

OPPOSED (5): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Loveday and Councillor Potts



## **DEFEATED (4-5)**

### **On main motion:**

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

Council, after conducting a review with respect to noise and community impacts, does support the application of Herald Street Brew Works, located at 506 Herald Street, to have a lounge endorsement added to their manufacturing license, having hours of operation from 9:00 am to 2:00 am daily, and an occupant load of 178 persons.

Providing the following comments on the prescribed considerations:

1. The impact of noise on the community in the vicinity of the establishment has been considered in relation to the request and assumptions are the noise impacts would be proportional to existing licence capacity in the vicinity. The applicant and operator does not expect the establishment will have negative impacts on neighbours due to the operational concept and a commitment to minimize impacts through monitoring of, and communication to guests. The requested hours of operation and occupant load are not expected to result in disproportionately high negative impacts to the community.
2. If the application is approved, the impact on the community is expected to be positive economically as the approval supports the business plan and long term viability of the establishment. The business model is seen to align well with recent changes made to zoning bylaws which encourage this type of development. The establishment contributes to the richness, and diversity of offerings in the area.
3. The views of residents were solicited via a mail out which included 284 letters 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 response to the request, both of which were opposed to the application.
4. Council recommends the license endorsements be approved.

FOR (7): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Isitt, Councillor Loveday and Councillor Potts

OPPOSED (2): Councillor Thornton-Joe and Councillor Young

## **CARRIED (7 to 2)**

**F. STAFF REPORTS**

**F.1 2558 Quadra Street - Victoria Housing Reserve Fund Application (Forest Heights)**

Committee received a report dated February 28, 2019 from the Acting Director of Sustainable Planning and Community Development providing Council with information for a Victoria Housing Reserve Fund Grant Application from the Greater Victoria Housing Society to assist in the construction of a five-storey, 40-unit, affordable housing apartment that will replace an existing apartment known as Forest Heights located at 2558 Quadra Street.

**Moved By** Councillor Thornton-Joe  
**Seconded By** Councillor Alto

That Council approve a Victoria Housing Reserve Fund grant application to the Greater Victoria Housing Society in the amount of \$440,000 to assist in the construction of 40 units of housing for low-income seniors, working adults, adults with disabilities and small families at Forest Heights located at 2558 Quadra Street, subject to the following conditions:

1. The applicant receives Council approval for the required rezoning and development permit applications for 2558 Quadra Street and the applicant executes a Housing Fund Agreement and Housing Agreement in the form satisfactory to the City Solicitor and the Director of Sustainable Planning and Community Development; and
2. The applicant fulfills the requirements of the Victoria Housing Reserve Fund Guidelines.

**Amendment:**

**Moved By** Councillor Isitt  
**Seconded By** Councillor Loveday

add #3: all existing tenants of 2558 Quadra are offered alternate rental housing at existing rent levels

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

OPPOSED (1): Councillor Young

**CARRIED (8 to 1)**

**Amendment:**

**Moved By** Councillor Isitt  
**Seconded By** Councillor Loveday

Add #4: no net loss of units at equivalent affordability in the new building

**Amendment to the amendment:**

**Moved By** Councillor Collins

**Seconded By** Councillor Alto

no net loss at equivalent at very low, low and moderate

FOR (6): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Thornton-Joe and Councillor Young

OPPOSED (3): Councillor Isitt, Councillor Loveday and Councillor Potts

**CARRIED (6 to 3)**

**Amendment to the amendment:**

**Moved By** Councillor Isitt

**Seconded By** Councillor Potts

replace 'very low, low and moderate' with 'existing rent levels'

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

OPPOSED (1): Councillor Young

**CARRIED (8 to 1)**

**Amendment to the amendment:**

**Moved By** Councillor Isitt

**Seconded By** Councillor Alto

to add:, subject to annual increases as permitted under the Residential tenancy act

**CARRIED UNANIMOUSLY**

**On the amendment:**

**CARRIED UNANIMOUSLY**

**On the main motion as amended:**

That Council approve a Victoria Housing Reserve Fund grant application to the Greater Victoria Housing Society in the amount of \$440,000 to assist in the construction of 40 units of housing for low-income seniors, working adults, adults

with disabilities and small families at Forest Heights located at 2558 Quadra Street, subject to the following conditions:

1. The applicant receives Council approval for the required rezoning and development permit applications for 2558 Quadra Street and the applicant executes a Housing Fund Agreement and Housing Agreement in the form satisfactory to the City Solicitor and the Director of Sustainable Planning and Community Development; and
2. The applicant fulfills the requirements of the Victoria Housing Reserve Fund Guidelines.
3. All existing tenants of 2558 Quadra are offered alternate rental housing at existing rent levels
4. No net loss of units at existing rent levels in the new building, subject to annual increases as permitted under the *Residential Tenancy Act*.

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

OPPOSED (1): Councillor Young

**CARRIED (8 to 1)**

**F.2 330 - 336 Michigan Street - Victoria Housing Reserve Fund Application (Michigan Square)**

Committee received a report dated February 28, 2019 from the Acting Director of Sustainable Planning and Community Development providing Council with information for a Victoria Housing Reserve Fund Grant Application from the Capital Region Housing Corporation to assist in the construction of a four-storey, 98-unit, affordable housing apartment that will replace an existing apartment know as Michigan Square at 330-336 Michigan Street.

**Moved By** Councillor Isitt

**Seconded By** Councillor Loveday

That Council approve a Victoria Housing Reserve Fund grant application from the Capital Region Housing Corporation in the amount of \$1,485,000 to assist in the construction of 98 units of affordable housing for seniors, adults with disabilities, working singles and small families at Michigan Square located at 330-336 Michigan Street, subject to the following conditions:

1. The applicant receives Council approval for the required development permit applications for 330-336 Michigan Street and the applicant executes a Housing Fund Agreement and Housing Agreement in the form satisfactory to the City Solicitor and the Director of Sustainable Planning and Community Development; and
2. The applicant fulfills the requirements of the Victoria Housing Reserve Fund Guidelines.

**Amendment:**

**Moved By** Councillor Isitt

**Seconded By** Councillor Loveday

to add:

3. All existing tenants of 330-336 Michigan Street are offered alternate rental housing at existing rent levels
4. No net loss of units at existing rent levels in the new building, subject to annual increases as permitted under the *Residential Tenancy Act*.

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

OPPOSED (1): Councillor Young

**CARRIED (8 to 1)**

**On the motion as amended:**

That Council approve a Victoria Housing Reserve Fund grant application from the Capital Region Housing Corporation in the amount of \$1,485,000 to assist in the construction of 98 units of affordable housing for seniors, adults with disabilities, working singles and small families at Michigan Square located at 330-336 Michigan Street, subject to the following conditions:

1. The applicant receives Council approval for the required development permit applications for 330-336 Michigan Street and the applicant executes a Housing Fund Agreement and Housing Agreement in the form satisfactory to the City Solicitor and the Director of Sustainable Planning and Community Development; and
2. The applicant fulfills the requirements of the Victoria Housing Reserve Fund Guidelines.
3. All existing tenants of 330-336 Michigan Street are offered alternate rental housing at existing rent levels
4. No net loss of units at existing rent levels in the new building, subject to annual increases as permitted under the Residential Tenancy Act.

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

OPPOSED (1): Councillor Young

**CARRIED (8 to 1)**

**Motion arising:**

**Moved By** Councillor Isitt

**Seconded By** Councillor Loveday

That Council direct staff to report back in the context of the next update on the Victoria housing strategy on the following:

Incorporating the following provisions into the criteria for housing reserve fund applications.

1. all existing tenants are offered alternate rental housing at existing rent levels
2. No net loss of units at existing rent levels in the new building, subject to annual increases as permitted under the Residential Tenancy Act.

And that staff report include considerations for viability of smaller redevelopment projects.

**Amendment:**

**Moved By** Councillor Loveday

**Seconded By** Mayor Helps

strike out word "smaller"

**CARRIED UNANIMOUSLY**

**Amendment:**

**Moved By** Councillor Alto

**Seconded By** Councillor Potts

that staff be directed to do this work on a priority basis as part of the Victoria Housing Strategy.

**CARRIED UNANIMOUSLY**

**Main motion as amended:**

That Council direct staff to report back in the context of the next update on the Victoria housing strategy on the following:

Incorporating the following provisions into the criteria for housing reserve fund applications.

1. all existing tenants are offered alternate rental housing at existing rent levels;
2. No net loss of units at existing rent levels in the new building, subject to annual increases as permitted under the Residential Tenancy Act;

And that staff report include considerations for viability of redevelopment projects.

And that staff be directed to do this work on a priority basis as part of the Victoria Housing Strategy.

**CARRIED UNANIMOUSLY**

*Committee recessed at 10:51 a.m. and returned at 10:56 a.m.*

**F.4     778 Fort Street - Cannabis Provincial Licensing Referrals for Cloud Nine Collective**

Committee received a report dated March 7, 2019 from the City Clerk seeking a Council resolution in accordance with the requirements of the *Cannabis Control and Licensing Act* regarding an application by Cloud Nine Collective to obtain a provincial cannabis retail store licence at 778 Fort Street.

**Moved By** Councillor Potts  
**Seconded By** Councillor Loveday

That Council direct staff to provide the following response to the Liquor and Cannabis Regulation Branch:

1. Council supports the application of Cloud Nine Collective located at 778 Fort Street to receive a provincial cannabis retail store license providing the following comments on the prescribed considerations:
  - a. The Council recommends that the LCRB issue a cannabis retail store license to Cloud Nine Collective located at 778 Fort Street, subject to the condition that this license not be issued until after Cloud Nine Collective obtains a Development Permit for any proposed alterations to the building exterior that are required to operate the business.
  - b. The application has been reviewed by the Victoria Police Department, Bylaw Services Division, and Sustainable Planning and Community Development Branch and there are no site-specific comments in terms of impacts on the community.
  - c. The City solicited the views of residents by sending public notification letters to property owners and occupiers within 100 meters of this address and to the relevant neighbourhood association. The City sent 485 letters and received 4 letters. 2 letters support the application and 2 letters oppose the application. The City did not receive correspondence from the neighbourhood association.
  - d. A Development Permit is required to ensure alterations to the building exterior don't diminish the pedestrian experience and create safety concerns by obstructing the view from the sidewalk or street into the store.

**Amendment:**

**Moved By** Mayor Helps

**Seconded By** Councillor Isitt

Add number 2: That the letter be provided subject to the applicant's compliance with relevant City Permits and Bylaws.

**CARRIED UNANIMOUSLY**

**Main Motion as amended:**

That Council direct staff to provide the following response to the Liquor and Cannabis Regulation Branch:

1. Council supports the application of Cloud Nine Collective located at 778 Fort Street to receive a provincial cannabis retail store license providing the following comments on the prescribed considerations:
  - a. The Council recommends that the LCRB issue a cannabis retail store license to Cloud Nine Collective located at 778 Fort Street, subject to the condition that this license not be issued until after Cloud Nine Collective obtains a Development Permit for any proposed alterations to the building exterior that are required to operate the business.
  - b. The application has been reviewed by the Victoria Police Department, Bylaw Services Division, and Sustainable Planning and Community Development Branch and there are no site-specific comments in terms of impacts on the community.
  - c. The City solicited the views of residents by sending public notification letters to property owners and occupiers within 100 meters of this address and to the relevant neighbourhood association. The City sent 485 letters and received 4 letters. 2 letters support the application and 2 letters oppose the application. The City did not receive correspondence from the neighbourhood association.
  - d. A Development Permit is required to ensure alterations to the building exterior don't diminish the pedestrian experience and create safety concerns by obstructing the view from the sidewalk or street into the store.
2. That the letter be provided subject to the applicant's compliance with relevant City Permits and Bylaws.

**CARRIED UNANIMOUSLY**



**F.5     851 Johnson Street - Local Government Recommendation for Clarity Cannabis**

Committee received a report dated March 7, 2019 from the City Clerk seeking a Council resolution in accordance with the requirements of the Cannabis Control and Licensing Act regarding an application by Clarity Cannabis to obtain a provincial cannabis retail store licence at 851 Johnson Street.

**Moved By** Councillor Loveday  
**Seconded By** Councillor Dubow

That Council direct staff to provide the following response to the Liquor and Cannabis Regulation Branch:

1. Council supports the application of Clarity Cannabis located at 851 Johnson Street to receive a provincial cannabis retail store license providing the following comments on the prescribed considerations:

- a. The Council recommends that the LCRB issue a license to Clarity Cannabis located at 851 Johnson Street, subject to the condition that this license not be issued until after Clarity Cannabis obtains a Development Permit for any proposed alterations to the building exterior that are required to operate the business.
- b. The application has been reviewed by the Victoria Police Department, Bylaw Services Division, and Sustainable Planning and Community Development Branch and there are no site-specific comments in terms of impacts on the community.
- c. The views of residents were solicited through a mail-out to neighbouring property owners and occupiers within 100 meters of this address and to the relevant neighbourhood association. The City sent 951 letters and received 12 letters. 10 letters support the application and 2 letters oppose the application. The City did not receive correspondence from the neighbourhood association.
- d. A Development Permit is required to ensure alterations to the building exterior do not diminish the pedestrian experience and create safety concerns by obstructing the view from the sidewalk or street into the store.

**Amendment:**

**Moved By** Councillor Alto  
**Seconded By** Mayor Helps

To add: subject to the applicants compliance with relevant City Permits and Bylaws.

**Amendment to the amendment:**

**Moved By** Councillor Isitt  
**Seconded By** Mayor Helps

To add #2: That the letter be provided subject to the applicant's compliance with relevant City Permits and Bylaws.

**CARRIED UNANIMOUSLY**

**On the amendment:**

**CARRIED UNANIMOUSLY**

**On the main motion as amended:**

That Council direct staff to provide the following response to the Liquor and Cannabis Regulation Branch:

1. Council supports the application of Clarity Cannabis located at 851 Johnson Street to receive a provincial cannabis retail store license providing the following comments on the prescribed considerations:
  - a. The Council recommends that the LCRB issue a license to Clarity Cannabis located at 851 Johnson Street, subject to the condition that this license not be issued until after Clarity Cannabis obtains a Development Permit for any proposed alterations to the building exterior that are required to operate the business.
  - b. The application has been reviewed by the Victoria Police Department, Bylaw Services Division, and Sustainable Planning and Community Development Branch and there are no site-specific comments in terms of impacts on the community.
  - c. The views of residents were solicited through a mail-out to neighbouring property owners and occupiers within 100 meters of this address and to the relevant neighbourhood association. The City sent 951 letters and received 12 letters. 10 letters support the application and 2 letters oppose the application. The City did not receive correspondence from the neighbourhood association.
  - d. A Development Permit is required to ensure alterations to the building exterior do not diminish the pedestrian experience and create safety concerns by obstructing the view from the sidewalk or street into the store.
2. That the letter be provided subject to the applicant's compliance with relevant City Permits and Bylaws

FOR (8): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts and Councillor Young

OPPOSED (1): Councillor Thornton-Joe

**CARRIED (8 to 1)**

*Councillor Collins left the meeting at 12:00 p.m.*

**F.6     603 Gorge East Street - Local Government Recommendation for Clarity Cannabis**

Committee received a report dated March 7, 2019 from the City Clerk seeking a Council resolution in accordance with the requirements of the Cannabis Control and Licensing Act regarding an application by Clarity Cannabis to obtain a provincial cannabis retail store licence at 603 Gorge East Street.

**Moved By** Councillor Dubow

**Seconded By** Councillor Isitt

That Council direct staff to provide the following response to the Liquor and Cannabis Regulation Branch:

1. Council supports the application of Clarity Cannabis located at 603 Gorge East Street to receive a provincial cannabis retail store license providing the following comments on the prescribed considerations:

- a. The Council recommends that LCRB issue a cannabis retail store license to Clarity Cannabis located at 603 Gorge East Street.
- b. The application has been reviewed by the Victoria Police Department, Bylaw Services Division, and Sustainable Planning and Community Development Branch and there are no site-specific comments in terms of impacts on the community.
- c. The views of residents were solicited through a mail-out to neighbouring property owners and occupiers within 100 meters of this address and to the relevant neighbourhood association. The City sent 170 letters and received 7 letters. 7 letters support the application and one letter supports the application with some provisions. The City did not receive correspondence from the neighbourhood association.

**Amendment:**

**Moved By** Councillor Alto

**Seconded By** Councillor Isitt

add #2: That the letter be provided subject to the applicant's compliance with relevant City Permits and Bylaws

**CARRIED UNANIMOUSLY**

**On the main motion as amended:**

**CARRIED UNANIMOUSLY**

**F.7     1402 Douglas Street - Local Government Recommendation for The Original FARM**

Committee received a report dated March 7, 2019 from the City Clerk seeking a Council resolution in accordance with the requirements of the Cannabis Control and Licensing Act regarding an application by The Original FARM to obtain a provincial cannabis retail store licence at 1402 Douglas Street.

**Moved By** Councillor Potts  
**Seconded By** Councillor Alto

That Council direct staff to provide the following response to the Liquor and Cannabis Regulation Branch:

1. Council supports the application of The Original FARM located at 1402 Douglas Street to receive a provincial cannabis retail store license providing the following comments on the prescribed considerations:

- a. The Council recommends that the LCRB issue a license to The Original FARM located at 1402 Douglas Street, subject to the condition that this license not be issued until after The Original FARM obtains a Heritage Alteration Permit for any proposed alterations to the building exterior that are required to operate the business if required.
- b. The application has been reviewed by the Victoria Police Department, Bylaw Services Division, and Sustainable Planning and Community Development Branch and there are no site-specific comments in terms of impacts on the community.
- c. The views of residents were solicited through a mail-out to neighbouring property owners and occupiers within 100 meters of this address and to the relevant neighbourhood association. The City sent 334 letters and received 1 letter. The letter supports the application. The City did not receive correspondence from the neighbourhood association.
- d. A Heritage Alteration Permit is required for properties listed on the Victoria Heritage Register that are either heritage-registered, heritage-designated, or subject to a heritage conservation Covenant to conserve and enhance the heritage value, special character and the significant historic buildings, features, and characteristics of the Core Historic Development Permit Area.

**Amendment:**

**Moved By** Councillor Alto  
**Seconded By** Councillor Potts

add #2: That the letter be provided subject to the applicant's compliance with relevant City Permits and Bylaws

**CARRIED UNANIMOUSLY**

**Amendment:**

**Moved By** Councillor Alto  
**Seconded By** Mayor Helps

Strike out point D.

FOR (1): Councillor Young

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

**DEFEATED (1 to 7)**

**Amendment:**

**Moved By** Mayor Helps  
**Seconded By** Councillor Alto

To revise: D. Heritage Alteration may be required

**CARRIED UNANIMOUSLY**

**Main motion as amended:**

FOR (6): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Loveday, Councillor Potts and Councillor Young

OPPOSED (2): Councillor Isitt and Councillor Thornton-Joe

**CARRIED (6 to 2)**

*Committee recessed at 12:43 p.m. and returned at 1:18 p.m.*

*Councillor Dubow was not present when the meeting reconvened.*

*Councillor Collins returned to the meeting at 1:18 p.m.*

**F.8 3055A Scott Street - Local Government Recommendation for The Original FARM**

Committee received a report dated March 7, 2019 from the City Clerk seeking a Council resolution in accordance with the requirements of the Cannabis Control and Licensing Act regarding an application by The Original FARM to obtain a provincial cannabis retail store licence at 3055A Scott Street.

**Moved By** Councillor Isitt  
**Seconded By** Mayor Helps

That the matter be referred to an opportunity for public comment at a Council Meeting for Council's consideration.

That the notification radius be 100 meters from the subject site.

FOR (7): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Isitt, Councillor Loveday, Councillor Potts and Councillor Young

OPPOSED (1): Councillor Thornton-Joe

**CARRIED (7 to 1)**

**Motion to refer:**

**Moved By** Mayor Helps  
**Seconded By** Councillor Isitt

Refer F.9 to after H.1 until the Police Chief arrives.

**CARRIED UNANIMOUSLY**

*Councillor Dubow returned to meeting at 1:30 p.m.*

## **H. NEW BUSINESS**

### **H.1 Climate Emergency Declaration**

Committee received a report dated March 8, 2019 from Mayor Helps, Councillor Isitt and Councillor Loveday with correspondence from the Capital Regional District Board Chair encouraging the City of Victoria to join with all local governments in the region by declaring a climate emergency and work towards achieving carbon neutrality in each municipality and electoral area by 2030.

**Moved By** Mayor Helps  
**Seconded By** Councillor Isitt

That Council:

1. Declares a climate emergency and commits to the objective of achieving carbon neutrality in the City of Victoria by 2030.
2. Directs staff to report back at the next update on the Climate Leadership Plan on the resource implications and potential amendments to the plan necessary to meet this objective.

3. Requests that the Mayor write, on behalf of Council, to the Capital Regional District Board Chair, as well as Mayors and Councils of the 12 others municipalities in the Capital Region, advising them of this action and encouraging them to respond favourably to the CRD Board Chair's request to declare a climate emergency and work toward carbon neutrality in each municipality and electoral area by 2030.
4. Requests that the Mayor write to the Provincial Minister of the Environment, assert the City's support to help the Province close the 25% emissions gap in the *CleanBC Plan*, and call on the Province to provide the powers and resources to local governments to make the Region's 2030 target possible as outlined in Appendix A .
5. Requests that the Mayor write to the Federal Minister of the Environment, assert the City's support to help Canada meet its Nationally Determined Contribution target made in the Paris Agreement and call on the federal government to provide the powers and resources to local governments to make the Region's 2030 target possible as outlined in Appendix A.

**CARRIED UNANIMOUSLY**

**F. STAFF REPORTS**

**F.9 2019 Victoria Police Budget**

Committee received a report dated March 14, 2019 from the Chief Police Constable providing for information purposes, on financial and operational impacts on the Victoria Police Department, for Council to make a budgetary decision.

Council asked questions of staff and discussed the police budget.

**Moved By** Councillor Dubow  
**Seconded By** Councillor Collins

Meeting be extended until 3:00 p.m.

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Alto  
**Seconded By** Councillor Collins

Meeting be extended until 4:00 p.m.

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Isitt  
**Seconded By** Councillor Alto

That Council:

1. Requests that the Police Board pursues the following strategies to absorb the financial impact of two extraordinary new expenditures in 2019 (introduction of the Employer Health Tax and the decision of the Director of Police Services to mandate the hiring of 6 new officers):
  - a. Pursue cost-savings and efficiencies in Non-Staffing Expenditures outlined in pages 5 and 6 of the March 14<sup>th</sup> report (\$212,000);
  - b. Defer the proposed new Service Desk position until 2020 (\$75,000);
  - c. Pursue savings through consolidation of Exempt Management positions where possible (amount to be determined);
  - d. Authorize a one-time variation from the provision of the Framework Agreement respecting the allocation of VicPD's previous year's surplus funds, to allow for the one-time deployment of VicPD surplus funds in 2019 toward the unanticipated expenditures associated with introduction of the Employer Health Tax and the decision of the Director of Police Services to mandate the hiring of 6 new officers (up to \$503,000).
  - e. Reduce the allocation to the Capital Replacement Reserve, and defer a portion of replacement of vehicles and equipment, to account for any remaining amount required to cover these extraordinary one-time expenditures in 2019 (amount to be determined, depending on [c] and [d] above).
2. Requests that the Police Board provide a final budget reflecting these adjustments for consideration by Victoria and Esquimalt Councils.
3. Requests that the Township of Esquimalt considers authorizing a one-time variation from the provision of the Framework Agreement respecting the allocation of VicPD's previous year's surplus funds, to allow for the one-time deployment of VicPD surplus funds in 2019 toward the unanticipated expenditures associated with introduction of the Employer Health Tax and the decision of the Director of Police Services to mandate the hiring of 6 new officers.

**Motion to refer:**

**Moved By** Councillor Isitt

**Seconded By** Councillor Loveday

The matter be referred to next Thursday Committee of the Whole Meeting.

**Amendment:**

**Moved By** Mayor Helps

**Seconded By** Councillor Isitt



And that Council receive any legal advice regarding the modification of the framework agreement as proposed in the motion

**Amendment to the amendment:**

**Moved By** Councillor Isitt

**Seconded By** Councillor Collins

legal advice on the Director of Police Services' decision.

**CARRIED UNANIMOUSLY**

**On the Amendment:**

**CARRIED UNANIMOUSLY**

**On the Main Motion:**

That the matter be referred to next Thursday's COTW meeting and that Council receive any legal advice regarding the modification of the framework agreement as proposed in the motion and legal advice on the Director of Police Services' decision:

FOR (7): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Isitt, Councillor Loveday and Councillor Potts

OPPOSED (2): Councillor Thornton-Joe and Councillor Young

**CARRIED (7 to 2)**

**I. ADJOURNMENT OF COMMITTEE OF THE WHOLE**

**Moved By** Councillor Isitt

**Seconded By** Councillor Dubow

That the Committee of the Whole Meeting be adjourned at 3:29 p.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR