



MINUTES - VICTORIA CITY COUNCIL

June 27, 2019, 6:30 P.M.

Council Chambers, City Hall, 1 Centennial Square

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

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

STAFF PRESENT: J. Jenkyns - City Manager, C. Coates - City Clerk, S. Thompson - Deputy City Manager / Director of Finance, T. Zworski - City Solicitor, B. Eisenhauer - Head of Engagement, C. Havelka - Deputy City Clerk, A. Hudson - Acting Director of Sustainable Planning & Community Development, C. Mycroft - Manager of Executive Operations, P. Martin - Council Secretary, L. Taylor - Senior Planner, P. Bellefontaine - Assistant Director, Transportation, N. Sidhu - Assistant Director of Parks, Recreation, and Facilities, D. Atkinson - Deputy Fire Chief of Operations, H. McKeil - Housing Planner

A. APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Moved By Councillor Alto
Seconded By Councillor Collins

That the agenda be approved as amended.

Amendment:

Moved By Councillor Collins
Seconded By Councillor Dubow

That Ian Sutherland be added to the second Request to Address Council section of the agenda.

Amendment:

Moved By Councillor Collins
Seconded By Councillor Alto

That Jordan Milne be moved to the second Request to Address Council section of the agenda.

CARRIED UNANIMOUSLY

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

B. Poetry Reading

The Poet Laureate, John Barton, read a poem titled "The loneliness of Everett Klippert".

C. READING OF MINUTES

Moved By Councillor Loveday
Seconded By Councillor Alto

That the following minutes be adopted:

1. Minutes from the evening meeting held May 23, 2019
2. Minutes from the daytime meeting held June 13, 2019
3. Minutes from the evening meeting held June 13, 2019

CARRIED UNANIMOUSLY

D. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Alto
Seconded By Councillor Collins

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

D.2 Angus Stanfield: Property Tax

Outlined why Council should provide an operational grant to defray the property tax that has been levied against the Trafalgar/ProPatria Legion Branch #292.

D.4 Erin Flanagan: Development Permit

Outlined why Council should reconsider the motion passed June 6, 2019 regarding her development permit application and instead forward it to a public hearing along with the rezoning application.

E. PROCLAMATIONS

E.1 "Pride Week" - June 30 to July 7, 2019

Moved By Councillor Isitt
Seconded By Councillor Alto

That the following proclamation be endorsed:

1. "Pride Week" - June 30 to July 7, 2019

CARRIED UNANIMOUSLY

E.2 "Parachute National Injury Prevention Day" - July 5, 2019

Moved By Councillor Alto
Seconded By Councillor Collins

That the following proclamation be endorsed:

1. "Parachute National Injury Prevention Day" - July 5, 2019

CARRIED UNANIMOUSLY

F. PUBLIC AND STATUTORY HEARINGS

F.1 331 and 337 St. Charles Street: Development Variance Permit Application No. 00204

Development Variance Permit Application:

The City of Victoria will be considering the issuance of a Development Variance Permit for the land known as 331 & 337 St. Charles Street for the purpose of varying certain requirements of the *Zoning Regulation Bylaw*.

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

Leanne Taylor (Senior Planner): *Advised that the application is to subdivide two lots in order to create a third lot and construct a single-family dwelling with a secondary suite on the new lot.*

Mayor Helps opened the opportunity for public comment at 6:52 p.m.

Will Peere Boom and Nigel Trevethan (Applicant): Provided information regarding the application.

Insha Khan (Earl Street): Expressed concerns with the application, as it will require the removal of their detached garage which is partially on the neighbouring property.

Resident: Expressed concerns relating to potential parking issues, as the application will create increased density.

Mike Fanger (Foul Bay Road): Expressed concerns with the application, as the immediate neighbour will be affected by the development.

Timothy Stonhouse (Earle Street): Expressed concerns relating to potential parking issues, as the application will create increased density, in addition, concerns with the loss of green space.

Ross Curtis (Earle Street): Expressed concerns relating to potential parking issues, as the application will create increased density.

Karen Arris (Foul Bay Road): Expressed concerns with the application, due to the lack of community engagement and the negative impact the development will have on the immediate neighbour.

Council discussed the following:

- *Whether the applicant is able to request removal of an encroachment, and whether the applicant is planning on requesting removal.*
- *The shadow study and its impact on the neighbour to the west of the property.*
- *The engagement that was undertaken by the applicant with the neighbourhood.*
- *That there is not significant tree removal as a result of the development.*
- *Whether this development will have a significant impact on parking in the area.*

Mayor Helps closed the opportunity for public comment at 7:44 p.m.

Moved By Mayor Helps
Seconded By Councillor Dubow

That Council authorize the issuance of Development Variance Permit Application No. 00204 for 331 and 337 St. Charles Street, in accordance with:

1. Plans date stamped April 4, 2018.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the front yard setback of Lot A from 7.5m to 2.89m reduce the rear yard setback of Lot A from 9.1m to 4.56
 - ii. reduce the lot width of Lot B from 15.0m to 11.64m
 - iii. reduce the front yard setback of Lot C from 7.5m to 4.78m
 - iv. reduce the north side yard setback of Lot C from 2.78m to 1.54m
 - v. reduce the combined side yard setback of Lot C from 5.4m to 4.58m.
3. Revised site plan, to the satisfaction of the Director of Sustainable Planning and Community Development, correcting the Lot A parking stall dimensions to match the landscape plan.
4. The Development Permit lapsing two years from the date of this resolution.

Council discussed the following:

- *The lack of neighbourhood support.*
- *The importance of keeping current rental stock available.*
- *That there are no parking variances and that off-site parking available, which should mitigate many parking concerns.*
- *The need for family housing in the City.*
- *The potential impact on the most immediate neighbour.*

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

OPPOSED (3): Councillor Isitt, Councillor Thornton-Joe, and Councillor Young

CARRIED (6 to 3)

Council recessed from 7:57 p.m. until 8:04 p.m.

Councillor Alto withdrew from the meeting at 8:04 p.m. due to a non-pecuniary conflict of interest with the following item.

F.2 210 Gorge Road East: Rezoning Application No. 00620 and Development Permit with Variances Application No. 00076

Zoning Regulation Bylaw, Amendment Bylaw (No. 1167) No. 18-095

To rezone the land known as 210 Gorge Road East from the T-1 Zone, Limited Transient Accommodation District, to the R-89 Zone, Gorge Road Multiple Dwelling District, to permit a multi-unit residential building.

Development Permit Application:

The Council of the City of Victoria will also consider issuing a development permit for the land known as 210 Gorge Road East, in Development Permit Area 7A (Corridors) for the purposes of approving the exterior design and finishes for the multi-unit residential building, as well as landscaping.

F.2.a Public Hearing & Consideration of Approval

Leanne Taylor (Senior Planner): *Advised that the application is to allow for the construction of a six-storey, multiple-dwelling building consisting of rental units and supportive housing units.*

Mayor Helps opened the public hearing at 8:06 p.m.

Kathy Stinson (Applicant): Provided information regarding the application.

Avery Stenson (President of the Burnside Gorge Neighbourhood Association): Expressed concerns with the application, as it does not comply with the Burnside Gorge Neighbourhood Plan as well as the small size of the commercial coffee space.

Trays Onerick (Carroll Street): Expressed support for the application, due to the need for supportive housing.

Kelly Roth (Director of the Greater Victoria Coalition to End Homelessness): Expressed support for the application, due to the need for supportive and affordable housing.

Vicki Jackson (Gorge Road East): Expressed concerns with the application, as it does not comply with the Burnside Gorge Neighbourhood Plan.

(Albany Street): Expressed concerns with the application, as it does not comply with the Burnside Gorge Neighbourhood Plan as well as the small size of the commercial coffee space.

Heather Braisher (Rhoda Lane): Expressed support for the application, due to the supportive letters received by immediate neighbours, as well as the need for supportive and affordable housing.

Danielle (Washington Avenue): Expressed concerns with the application, due to the saturation of this type of housing in the neighbourhood as well as concerns with safety.

Mark (Carroll Street): Expressed concerns with the application, due to the saturation of this type of housing in the neighbourhood as well as concerns with safety.

John (Carroll Street): Expressed concerns with the application, due to the saturation of this type of housing in the neighbourhood as well as concerns with safety.

Dale (Cecelia Road): Expressed concerns with the application, due to the saturation of this type of housing in the neighbourhood as well as concerns with safety.

Byron Smith (Waterfront Crescent): Expressed concerns with the application, due to the saturation of this type of housing in the neighbourhood as well as concerns with safety.

James Munroe (Victoria Housing Strategy): Expressed support for the application, due to the need for supportive and affordable housing.

Lindsay Bruce (Carroll Street): Expressed concerns with the application, due to the saturation of this type of housing in the neighbourhood as well as concerns with safety.

Dean Strongitharm: Expressed support for the application, due to the need for supportive and affordable housing.

Janet Donald (On the Board of the Cool Aid Society): Expressed support for the application, due to the need for supportive and affordable housing.

Kathleen Perkin (Harriett Road): Expressed support for the application, due to the need for supportive and affordable housing.

Ron Rice (Executive Director of the Native Friendship Centre): Expressed support for the application, due to the need for supportive housing.

Resident: Expressed concerns with the application, as the mix is not consistent with the Victoria Housing First Strategy and the non-compliance with the Burnside Gorge Neighbourhood Plan.

Hugh (Balfour Avenue): Expressed concerns with the application, due to the saturation of this type of housing in the neighbourhood and the non-compliance with the Burnside Gorge Neighbourhood Plan.

Merinda (Albany Street): Expressed support for the application, due to the need and importance of supportive housing and community.

Willie (Balfour Avenue): Expressed concerns with the application, as it does not comply with the Burnside Gorge Neighbourhood Plan.

Adrian (Albany Street): Expressed concerns with the application, as it will not create a sense of community, the lack of compliance with the Burnside Gorge Neighbourhood Plan, and the issues with the proposed coffee shop.

Guy (Cecelia Street): Expressed concerns with the application, due to the saturation of this type of housing in the neighbourhood, as well as the lack of compliance with the Burnside Gorge Neighbourhood Plan.

Stephanie (Gorge Road East): Expressed concerns with the application, due to the saturation of this type of housing in the neighbourhood, as well as the lack of compliance with the Burnside Gorge Neighbourhood Plan.

Resident: Expressed concerns with the application, due to the saturation of this type of housing in the neighbourhood, as well as the lack of compliance with the Burnside Gorge Neighbourhood Plan.

Council discussed the following:

- *Whether the application is in line with the objectives of the Burnside Gorge Neighbourhood Plan.*
- *What Cool Aid has planned to mitigate any impact on neighbourhood.*
- *The breakdown of mixed income housing that will be provided, as outlined in the Housing Agreement.*
- *Whether the landscaping will be maintained by Cool Aid.*
- *Whether additional staff could be provided during the beginning transition of this development.*

Mayor Helps closed the public hearing at 10:04 p.m.

Council recessed from 10:05 p.m. until 10:12 p.m.

Moved By Councillor Isitt
Seconded By Councillor Loveday

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1167) No. 18-095

Council discussed the following:

- *The importance of the two communities integrating, for the betterment of the neighbourhood.*
- *That the new purpose-built development will allow Cool Aid to better support residents and the neighbourhood from an operational standpoint.*
- *The need for supportive and affordable housing in the City.*
- *The breakdown of mixed income housing that will be provided.*
- *The attractive design of the building.*
- *Concerns relating to residents not feeling safe in their community.*
- *The need for better healthcare supports from other levels of government.*
- *The disproportionate burden of shelter beds and supportive housing in the Burnside Gorge neighbourhood.*
- *The need for supportive and affordable housing in all neighbourhoods.*
- *Whether the applicant has sufficiently met the changes previously requested by Council.*

Motion to extend:

Moved By Councillor Isitt

Seconded By Councillor Dubow

That the meeting be extended to 12:00 a.m.

CARRIED UNANIMOUSLY

- *That this is the only Regional Housing First building proposed in the City of Victoria.*

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

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

Moved By Councillor Isitt

Seconded By Councillor Collins

That the following bylaw **be adopted**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1167) No. 18-095
2. Housing Agreement (210 Gorge Road) Bylaw (2019) No. 18-096

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

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

Moved By Councillor Loveday
Seconded By Councillor Potts

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

1. Plans date stamped April 17, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the required number of visitor parking spaces from 7 to 4
 - ii. reduce the required number of commercial parking spaces from 1 to 0
 - iii. reduce the surface parking space setback from a street boundary from 7.50m to 2.68m
 - iv. locate a gazebo in the front yard
 - v. reduce the separation space between the gazebo and the principal building from 2.40m to 1.55m
3. The Development Permit lapsing two years from the date of this resolution.

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

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

F.3 919 and 923 Caledonia Avenue: Rezoning Application No. 00622, Development Permit with Variance Application No. 00521, and Heritage Designation Application No. 000182

Zoning Regulation Bylaw, Amendment Bylaw (No. 1192) No. 19-061:

To rezone the land known as 919 and 923 Caledonia Avenue from the R-2 Zone, Two Family Dwelling District, to the R-92 Zone, Caledonia Residential District, to permit a multi-unit residential development.

Development Permit Application:

The Council of the City of Victoria will also consider issuing a development permit for the land known as 919 and 923 Caledonia Avenue, in Development Permit Area 3 (HC): Core Mixed-Use Residential for the purposes of approving the exterior design and finishes for the multi-unit residential development as well as landscaping.

Heritage Designation Application:

Under the provisions of the *Local Government Act*, the City of Victoria intends to designate the exterior of the building located at 919 Caledonia Avenue, legally described as Lot 6, Suburban Lot 7, Victoria City, Plan 2551, as protected heritage property, under Heritage Designation (919 Caledonia Avenue) Bylaw No. 19-044.

F.3.a Public Hearing & Consideration of Approval

Councillor Alto returned to the meeting at 11:03 p.m.

Leanne Taylor (Senior Planner): *Advised that the application is to retain and heritage-designate the existing single-family dwelling and construct a multiple-dwelling building consisting of residential rental units and an underground parkade.*

Mayor Helps opened the public hearing at 11:04 p.m.

Peter Hardcastle (Applicant): Provided information regarding the application.

Don Greer (Caledonia Avenue): Expressed concerns with the application, as it will greatly affect the outbuildings on his property and is not a good fit for the neighbourhood.

David Miller (North Park Street): Expressed concerns with the application, as it does not provide affordable housing for the neighbourhood and lack of consultation.

Council discussed the following:

- *The proposed landscaping.*
- *The relation between the proposed buildings and neighbouring properties.*

Mayor Helps closed the public hearing at 11:37 p.m.

Moved By Mayor Helps
Seconded By Councillor Loveday

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1192) No. 19-061
2. Heritage Designation (919 Caledonia Avenue) Bylaw No. 19-044

Council discussed the following:

- *That more density could be supported.*
- *The need for purpose-built market residential rental buildings.*
- *The lack of support by the immediate neighbours.*

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

OPPOSED (3): Councillor Collins, Councillor Dubow, and Councillor Potts

CARRIED (6 to 3)

Moved By Councillor Alto
Seconded By Councillor Loveday

That the following bylaw **be adopted**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1192) No. 19-061

2. Heritage Designation (919 Caledonia Avenue) Bylaw No. 19-044
3. Housing Agreement (919 and 923 Caledonia Avenue) Bylaw (2019) No. 19-062

CARRIED UNANIMOUSLY

Moved By Councillor Alto

Seconded By Councillor Loveday

That Council authorize the issuance of Development Permit with Variance Application No. 000521 for 919 and 923 Caledonia Avenue in accordance with:

1. Plans date stamped March 5, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the required number of residential parking spaces from 12 to 11.
3. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

F.4 2018 Annual Report

F.4.a Opportunity for Public Comment & Consideration of Approval

Susanne Thompson (Deputy City Manager / CFO): *Advised that the Annual Report provides a summary of the 2018 financial and operational activities for the City of Victoria. The report contains achievements, departmental reports, the audited financial statements as well as other financial and statistical information to assist citizens in understanding the City of Victoria's performance in 2018.*

Mayor Helps opened the opportunity for public comment at 11:47 p.m.

There were no persons present to speak on the 2018 Annual Report.

Mayor Helps closed the opportunity for public comment at 11:48 p.m.

Moved By Councillor Alto

Seconded By Councillor Potts

That Council receive this report for information.

CARRIED UNANIMOUSLY

Motion to extend:

Moved By Mayor Helps

Seconded By Councillor Isitt

That the meeting be extended to 1:00 a.m.

CARRIED UNANIMOUSLY

Council recessed from 11:48 p.m. until 11:56 p.m.

G. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

G.1 David Chard: Inclusionary Housing

Outlined why Council should follow the recommendations from staff and the third party consultant, when approving the Inclusionary Housing Policy.

G.2 Ian Sutherland: Inclusionary Housing

Outlined why Council should consider the importance of having the community amenity contribution funding directly benefit the downtown community, when approving the Inclusionary Housing Policy.

G.3 Jordan Milne: Inclusionary Housing

Outlined the importance of flexibility and why Council should approve the policy based on staff's recommendation of a 10% inclusionary rate instead of 20%, when approving the Inclusionary Housing Policy.

H. UNFINISHED BUSINESS

H.1 Inclusionary Housing and Community Amenity Policy

Moved By Councillor Isitt

Seconded By Councillor Loveday

1. That Council approve:
 - a. the project size threshold at 60 units
 - b. the proportion of cash-in-lieu CACs allocated to municipal reserve funds that support:
 - i. affordable housing at: 70%
 - ii. local amenities at: 30%
2. Adopt the Inclusionary Housing and Community Amenity Policy, 2019 as presented on April 11, 2019 (Attachment A)
3. Direct staff to:
 - a. apply the Inclusionary Housing and Community Amenity Policy, 2019 to rezoning applications received after June 13, 2019;
 - b. issue an Expression of Interest to non-profit housing and government agencies to purchase and/or operate inclusionary housing units;

- c. monitor the requirements for staff resources needed for policy implementation, administration and monitoring and report back in one year with requests for additional resources as needed; and
 - d. report back on policy results in three years following policy implementation (2022).
4. Change the requirement for onsite units for large projects from 10% to 20%.
 5. Allow projects to come forward with between 10% and 20% of inclusionary units if:
 - a. The applicant demonstrates that the inclusionary units will make the project not financially viable; or
 - b. The project is primarily comprised of 2 or 3 bedroom units; or
 - c. Economic analysis shows a different level of non-market rental or home ownership units is supportable within the project; or
 - d. There is an energy efficiency above the step code requirements.
 6. Consider development proposals with height and densities greater than the OCP through a bonus density of floor area provided that the additional height and density results in community amenities deemed appropriate by Council for the benefit of the community such as:
 - Affordable housing
 - Energy efficiency above the current BC Energy Step Code
 - Accessible housing (special needs housing as defined by the Local Government Act)
 - 2 and 3 bedroom units
 - Daycare facilities
 - Enhanced green space
 - Other provisions deemed appropriate by Council

Amendment:

Moved By Councillor Isitt

Seconded By Councillor Dubow

That point four be amended as follows:

Change the requirement for onsite units for large projects from 10% to ~~20~~ 30%.

Council discussed the following:

- *Balancing the need for affordable housing and the need for continued development in the City.*

FOR (2): Councillor Dubow, and Councillor Isitt

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

DEFEATED (2 to 7)

Amendment:

Moved By Mayor Helps

Seconded By Councillor Thornton-Joe

That point four be amended as follows:

Keep Change the requirement for onsite units for large projects from at 10% ~~to~~ **20%.**

FOR (4): Mayor Helps, Councillor Alto, Councillor Thornton-Joe, and Councillor Young

OPPOSED (5): Councillor Collins, Councillor Dubow, Councillor Isitt, Councillor Loveday, and Councillor Potts

DEFEATED (4 to 5)

Amendment:

Moved By Councillor Thornton-Joe

Seconded By Mayor Helps

That point 1.ii be amended as follows:

1. That Council approve:
 - b. the proportion of cash-in-lieu CACs allocated to municipal reserve funds that support:
 - i. affordable housing at: ~~70~~ **60%**
 - ii. local amenities at: ~~30~~ **40%**

FOR (4): Mayor Helps, Councillor Alto, Councillor Thornton-Joe, and Councillor Young

OPPOSED (5): Councillor Collins, Councillor Dubow, Councillor Isitt, Councillor Loveday, and Councillor Potts

DEFEATED (4 to 5)

On the motion:

1. That Council approve:
 - a. the project size threshold at 60 units
 - b. the proportion of cash-in-lieu CACs allocated to municipal reserve funds that support:
 - i. affordable housing at: 70%
 - ii. local amenities at: 30%
2. Adopt the Inclusionary Housing and Community Amenity Policy, 2019 as presented on April 11, 2019 (Attachment A)
3. Direct staff to:
 - a. apply the Inclusionary Housing and Community Amenity Policy, 2019 to rezoning applications received after June 13, 2019;
 - b. issue an Expression of Interest to non-profit housing and government agencies to purchase and/or operate inclusionary housing units;
 - c. monitor the requirements for staff resources needed for policy implementation, administration and monitoring and report back in one year with requests for additional resources as needed; and
 - d. report back on policy results in three years following policy implementation (2022).
4. Change the requirement for onsite units for large projects from 10% to 20%.
5. Allow projects to come forward with between 10% and 20% of inclusionary units if:

- a. The applicant demonstrates that the inclusionary units will make the project not financially viable; or
 - b. The project is primarily comprised of 2 or 3 bedroom units; or
 - c. Economic analysis shows a different level of non-market rental or home ownership units is supportable within the project; or
 - d. There is an energy efficiency above the step code requirements.
6. Consider development proposals with height and densities greater than the OCP through a bonus density of floor area provided that the additional height and density results in community amenities deemed appropriate by Council for the benefit of the community such as:
- Affordable housing
 - Energy efficiency above the current BC Energy Step Code
 - Accessible housing (special needs housing as defined by the Local Government Act)
 - 2 and 3 bedroom units
 - Daycare facilities
 - Enhanced green space
 - Other provisions deemed appropriate by Council

Moved By Councillor Isitt

Seconded By Councillor Loveday

That Councillor Dubow be allowed to speak a second time.

CARRIED UNANIMOUSLY

- *The need to send a clear and consistent message to applicants.*

Motion to extend:

Moved By Councillor Potts

Seconded By Councillor Collins

That the meeting be extended to 1:15 a.m.

CARRIED UNANIMOUSLY

Mayor Helps requested that each point be voted on separately.

Moved By Councillor Isitt

Seconded By Councillor Loveday

- That Council approve:
 - a. the project size threshold at 60 units
 - b. the proportion of cash-in-lieu CACs allocated to municipal reserve funds that support:
 - i. affordable housing at: 70%
 - ii. local amenities at: 30%

FOR (6): Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Isitt, Councillor Loveday, and Councillor Potts
OPPOSED (3): Mayor Helps, Councillor Thornton-Joe, and Councillor Young

CARRIED (6 to 3)

Moved By Councillor Isitt
Seconded By Councillor Loveday

- Adopt the Inclusionary Housing and Community Amenity Policy, 2019 as presented on April 11, 2019 (Attachment A)

FOR (6): Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Isitt, Councillor Loveday, and Councillor Potts
OPPOSED (3): Mayor Helps, Councillor Thornton-Joe, and Councillor Young

CARRIED (6 to 3)

Moved By Councillor Isitt
Seconded By Councillor Loveday

- Direct staff to:
 - a. apply the Inclusionary Housing and Community Amenity Policy, 2019 to rezoning applications received after June 13, 2019;
 - b. issue an Expression of Interest to non-profit housing and government agencies to purchase and/or operate inclusionary housing units;
 - c. monitor the requirements for staff resources needed for policy implementation, administration and monitoring and report back in one year with requests for additional resources as needed; and
 - d. report back on policy results in three years following policy implementation (2022).

FOR (6): Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Isitt, Councillor Loveday, and Councillor Potts
OPPOSED (3): Mayor Helps, Councillor Thornton-Joe, and Councillor Young

CARRIED (6 to 3)

Moved By Councillor Isitt
Seconded By Councillor Loveday

- Change the requirement for onsite units for large projects from 10% to 20%.

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

CARRIED (5 to 4)

Moved By Councillor Isitt
Seconded By Councillor Loveday

- Allow projects to come forward with between 10% and 20% of inclusionary units if:
 - a. The applicant demonstrates that the inclusionary units will make the project not financially viable; or
 - b. The project is primarily comprised of 2 or 3 bedroom units; or
 - c. Economic analysis shows a different level of non-market rental or home ownership units is supportable within the project; or
 - d. There is an energy efficiency above the step code requirements.

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)

Moved By Councillor Isitt
Seconded By Councillor Loveday

- Consider development proposals with height and densities greater than the OCP through a bonus density of floor area provided that the additional height and density results in community amenities deemed appropriate by Council for the benefit of the community such as:
 - Affordable housing
 - Energy efficiency above the current BC Energy Step Code
 - Accessible housing (special needs housing as defined by the Local Government Act)
 - 2 and 3 bedroom units
 - Daycare facilities
 - Enhanced green space
 - Other provisions deemed appropriate by Council

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

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

CARRIED (5 to 4)

Councillor Loveday provided Notice of Motion for July 4, 2019 COTW Meeting:

That Council consider as part of the 2020 budget discussions the allocation of some new assessed revenue for parks and greenspace acquisition and amenities in neighbourhoods where development is occurring.

H.2 Letters Regrading Restoration of Provincial Support for Libraries

Letters of response from British Columbia Municipalities regarding advocacy for the restoration of provincial funding for libraries.

Moved By Councillor Loveday
Seconded By Councillor Alto

That the correspondence regarding advocacy for the restoration of provincial funding for libraries be received for information.

CARRIED UNANIMOUSLY

I. REPORTS OF COMMITTEES

I.1 Committee of the Whole

I.1.a Report from the June 20, 2019 COTW Meeting

Mayor Helps advised that the following items would be deferred to the July 4, 2019 daytime council meeting:

- I.1.a.f. My Great Neighbourhood Grant - Spring Intake Report
- I.1.a.g Community and Seniors' Centres Annual Report for 2018
- I.1.a.h Demonstration of Voting Dashboard
- I.1.a.i Letter from the Minister of Environment and Climate Change Strategy
- I.1.a.j Fare-Free Public Transit for Young People

I.1.a.a 2330 Government Street - Rezoning Application No. 00682 (Burnside Gorge)

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in Rezoning Application No. 00682 for 2330 Government Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

CARRIED UNANIMOUSLY

Mayor Helps withdrew from the meeting at 1:02 a.m. due to a pecuniary conflict of interest with the following item, as the house she lives in is participating in this program. Councillor Thornton-Joe assumed the Chair in her absence.

I.1.a.b Exploring Solar Power for the City Facility at 1240 Gladstone Avenue

Moved By Councillor Isitt
Seconded By Councillor Dubow

That Council direct to staff to:

1. Explore the option of installing solar panels on the roof of the municipal facility at 1240 Gladstone Avenue;
2. Consider providing property owners in the city with the option of participating in a bulk purchase of solar panels on a cost recovery basis if it is deemed advisable to install solar panels on 1240 Gladstone Avenue or another municipal facility.

CARRIED UNANIMOUSLY

Mayor Helps returned to the meeting at 1:03 a.m. and assumed the Chair.

I.1.a.c 515 Foul Bay Road - Rezoning Application No. 00675 and Development Permit Application No. 00084 (Gonzales)

Moved By Councillor Loveday
Seconded By Councillor Alto

Rezoning Application No. 00675 for 515 Foul Bay Road

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00675 for 515 Foul Bay Road, 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:
 - a. A Housing Agreement to secure rental of the five unit house conversion for a ten year period and to ensure future Strata Bylaws could not restrict the rental of units, to the satisfaction of the Director of Sustainable Planning and Community Development.
 - b. A Section 219 Covenant to establish no build areas and tree protection.
 - c. A Section 219 Covenant to ensure the proposed building fire prevention sprinkler system is installed and maintained to the satisfaction of the Fire Chief.

Development Permit with Variances Application No. 00084 for 515 Foul Bay Road

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. 00675, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00084 for 515 Foul Bay Road, in accordance with:

1. Plans date stamped May 9, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Lot A (existing building):
 - a. Reduce the front setback from 7.5m to 0.0m

- b. Reduce the rear setback from 7.5m to 5.28m (to a wall with windows to habitable rooms) and from 4.0m to 3.23m
 - c. Reduce the north side setback from 7.5m to 0.0m
 - d. Reduce the required parking from 7 to 6 stalls,
 - ii. Lot B (new building):
 - a. Increase the maximum height from 5.00m to 7.58m
 - b. Increase the maximum number of storeys from 1 to 2
 - c. Reduce the front setback from 7.5m to 4.27m (to a wall with windows to habitable rooms) and from 4.0m to 2.50m.
- 3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

I.1.a.d 1900 Richmond Road - Rezoning Application No. 00651 and Development Permit Application No. 000531 Update (North Jubilee)

Moved By Councillor Alto

Seconded By Councillor Loveday

Rezoning Application No. 00651:

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 legal documents are prepared and executed:

- a. Statutory Right-of-Way of 1.82m off Fort Street
- b. Statutory Right-of-Way of 1.39m off Birch Street
- c. Statutory Right-of-Way of 4.53m off Richmond Road
- d. Statutory Right-of-Way of 1.44m off Ashgrove Street
- e. Housing Agreement to secure the building as rental in perpetuity and to secure the amenity spaces as noted on plans date stamped March 14, 2019.

Development Permit Application No. 000531:

That Council, after the Public Hearing for Rezoning Application No. 00651, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000531 for 1900-1912 Richmond Road, in accordance with:

- 1. Plans date stamped May 1, 2019.
- 2. Development meeting all Zoning Regulation Bylaw requirements.
- 3. Council authorizing anchor-pinning into the City Right-of-Way, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.

4. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

I.1.a.e Application to Change Hours of Licensed Service for Chuck's Burger Bar, Food Primary License at 101-538 Yates Street (Downtown)

Moved By Councillor Alto

Seconded By Councillor Collins

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 Chuck's Burger Bar located at 538 Yates Street to have hours of operation from 9:00 am to 12:00 am Sunday through Thursday and 9:00 am to 1:00 am Friday and Saturday, with the hours of the patio being until 12 am 7 days a week, with an occupant load of 100 persons.

Providing the following comments on the prescribed considerations:

- a. The impact of noise on the community near the establishment was considered in relation to the request and assumptions are the noise impacts would be comparable to previous licenced capacity and hours in the same location. The applicant's original request has been adjusted, reflecting community and staff inputs outlining concerns related to close proximity of residences and resource pressures.
- b. 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.
- 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 four letters in response to the request, all of which were opposed. One of the four was from the Downtown Residents Association.
- d. Council recommends the hours supported for the establishment be approved.

CARRIED UNANIMOUSLY

I.1.b Report from the June 27, 2019 COTW Meeting

Mayor Helps advised that the following items would be deferred to the July 4, 2019 daytime council meeting:

- I.1.b.b License for Use of Federal Property Agreement - Department of National Defence
- I.1.b.d Garden Suite Program Review and Next Steps
- I.1.b.e Project Update: Waterfront Public Realm Initiative
- I.1.b.f Johnson Street Bridge and Bastion Square Public Art Report
- I.1.b.g 709/711 Douglas Street (CityStudio Victoria)
- I.1.b.i Peer Informed Task Force and Mental Health and Addictions Strategy
- I.1.b.l Preventing Sexual Harassment and Sexual Assault in the City of Victoria

I.1.b.a Application to Change Hours of Licensed Service for Clark & Co. at 1002 Blanshard Street (Downtown)

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

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 Clarke & Co., located at 1002 Blanshard Street, to adjust hours of licensed service to 9:00 am to 1:00 am daily, with an occupant load of 32 persons.

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 in relation to the request, and assumptions are the noise impacts would be negligible based on experience with the operator, and nature of the request. The requested hours of operation in conjunction with the existing occupant load are not expected to result in negative impacts to the community.
- b. 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 embraces the combination of small occupant load and high quality of offerings, and provides a unique contribution to the richness, and diversity of offerings in the area.
- c. The views of residents were solicited via a mail out which included 249 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 supported or had no objection to the application.
- d. Council recommends the license be approved.

CARRIED UNANIMOUSLY

I.1.b.c 2915 Douglas Street - Temporary Use Permit Application No. 00014 (Burnside)

Moved By Councillor Loveday

Seconded By Councillor Thornton-Joe

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 Temporary Use Permit Application No. 00014 for 2915 Douglas Street, in accordance with:

1. Plans date stamped May 17, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the required number of parking spaces from 60 to 40.
3. Registration of a Section 219 Covenant on the adjoining properties located at 2905 and 2909 Douglas Street and 720, 730 and 740 Topaz Avenue to secure an additional 20 parking spaces in order to comply with the parking requirement for the proposed uses in the existing building at 2915 Douglas Street, to the satisfaction of the Director of Engineering and Public Works.
4. The Temporary Use Permit lapsing three years from the date of this resolution."

CARRIED UNANIMOUSLY

I.1.b.f Johnson Street Bridge and Bastion Square Public Art Report

Moved By Councillor Thornton-Joe

Seconded By Councillor Loveday

That Council:

1. Decline proceeding with the Orca Project in Triangle Island.
2. Approve the Welcome Pole request from Bastion Square Revitalization Association funded by the funds held in trust for the Bastion Square Revitalization Association.
3. Direct staff to hold a new design competition funded from the \$250,000 public art budget within the Johnson Street Bridge project.
4. Direct staff to relocate Commerce Canoe to Triangle Island.

CARRIED UNANIMOUSLY

I.1.b.h UBCM Motion to Allow Incorporated Municipalities to Institute Safe Speed Zones in Residential Areas

Moved By Councillor Alto

Seconded By Councillor Collins

That Council, with Vancouver, co-submit the below motion for consideration at UBCM, to be held in September, 2019:

WHEREAS currently, the Motor Vehicle Act (“MVA”) stipulates a speed limit of 50 kilometers per hour (“km/h”) within city limits;

WHEREAS the probability of pedestrian survival is about 90% if struck by a motor vehicle travelling at 30 km/h, while survival is reduced to 20% if struck by a motor vehicle travelling at 50 km/h;

WHEREAS lower speed limits are more compatible with active transportation, and create safer, better engaged, healthier and more inclusive communities;

WHEREAS in 2015, the BC Road Safety Strategy set out the goal of zero traffic fatalities and serious injuries and discussed safe speeds. In 2016, the Provincial Health Officer’s Annual Report also recommended a 30 km/h speed limit in urban areas;

WHEREAS in June 2016, as part of its position paper, Modernizing the BC Motor Vehicle Act, the British Columbia-based Road Safety Law Reform Group recommended: “A default provincial speed limit of 30 km/h for local (no centre line) streets should be included in the Motor Vehicle Act, with municipalities enabled to increase speed limits on local streets in a case by-case basis by by-law and posted signage.”;

WHEREAS in 2018, the provincial government’s B.C. Community Road Safety Toolkit recommended lower speed limits in downtown areas and residential roads; and under the Motor Vehicle Act, changes to default speed limits require street-by-street, block-by-block posted signage which could otherwise incur significant expense for local governments;

THEREFORE BE IT RESOLVED that the Minister of Transportation and Infrastructure be asked to consider an amendment to the Motor Vehicle Act that would allow incorporated municipalities to institute blanket speed zones in residential areas.

CARRIED UNANIMOUSLY

I.1.b.j Tax Relief for the Royal Canadian Legion Trafalgar Pro Patria Branch 292

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

1. That Council provide an immediate grant to the Royal Canadian Legion Trafalgar Pro Patria Branch No. 292, in the amount of \$36,481.12, to be paid from the 2019 contingency.
2. That this matter be referred to the Committee meeting when Finance presents the tax exemptions for 2020.

CARRIED UNANIMOUSLY

Moved By Councillor Alto

Seconded By Councillor Collins

Motion Arising

That Council submit the following motion for consideration at UBCM, to be held in September, 2019:

WHEREAS Royal Canadian Legion Branches around British Columbia have a history of community service, neighbourhood social service partnership, and are active contributors to their host municipalities and residents, including those with and without past or current military service;

WHEREAS most BC municipalities in which a Legion branch exists offer a mechanism to relieve tax payment, but do so in a variety of different ways (e.g. grants to offset tax payments, or exemptions based on different classes of assessments as defined and allowed by BC Assessment, or classifications of use etc.);

WHEREAS exemption applications to municipalities depend on widely variable municipal policies and consideration of differential tax assessments;

WHEREAS unexpected increases in property tax assessment jeopardize the future sustainability and operational capacity of Legion branches;

THEREFORE BE IT RESOLVED that the British Columbia Minister of Municipal Affairs and Housing be asked to work with the BC Assessment Authority and any other relevant agencies to consider a province wide policy and/or legislative change needed to provide exemptions to Legions in British Columbia from payment of property taxes.

CARRIED UNANIMOUSLY

Councillor Isitt withdrew from the meeting at 1:07 a.m. due to a potential non-pecuniary conflict of interest with the following item, as he wrote a letter of support for their request for provincial funding to expand childcare spaces.

**I.1.b.k 1661 Burton Avenue - Rezoning Application No.00692
(Oaklands)**

Moved By Councillor Loveday

Seconded By Councillor Alto

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00692 for 1661 Burton Avenue, 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 condition is met:

1. Preparation and execution of a Statutory Right-of-Way of 1.21m off Shakespeare Street and 1.17m off the laneway.

CARRIED UNANIMOUSLY

Councillor Isitt returned to the meeting at 1:08 a.m.

I.1.b.m Library Funding

Moved By Councillor Loveday

Seconded By Councillor Collins

That Council submit the following motion for consideration at UBCM, to be held in September, 2019:

WHEREAS libraries are a social justice equalizer that provide universal access to information and learning materials irrespective of income level and are now so much more than books, building community and a sense of inclusion,

AND WHEREAS funding rates have been frozen since 2009 and inflationary costs have increasingly been put on municipal property tax payers which is a regressive approach to funding public libraries. Municipalities face downloading from upper levels of government and have few tools to raise funds. Restoring funding to libraries supports the BC Government's agenda to eliminate poverty, improve access to education, and address social justice in BC.

THEREFORE BE IT RESOLVED that the Union of British Columbia Municipalities call on the Provincial Government to restore library funding to a level that reflects both inflationary cost increases since 2009 and the value of this system to the Province.

CARRIED UNANIMOUSLY

K. BYLAWS

K.1 Bylaw for Miscellaneous Bylaws Consequential Amendments

Moved By Councillor Alto
Seconded By Councillor Collins

That the following bylaw **be adopted**:

1. Miscellaneous Bylaws Consequential Amendments Bylaw 2019, No. 19-067

CARRIED UNANIMOUSLY

K.2 Bylaw for Vancouver Island Inter-Community Business Licensing

Moved By Councillor Alto
Seconded By Councillor Loveday

That the following bylaw **be adopted**:

1. Vancouver Island Inter-Community Business Licensing Bylaw No. 19-064

CARRIED UNANIMOUSLY

K.3 Bylaw for 701 Tyee Road: Development Permit with Variances Application No. 00080

Moved By Councillor Alto
Seconded By Councillor Collins

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

1. Housing Agreement (701 Tyee Road) Bylaw (2019) No. 19-052

CARRIED UNANIMOUSLY

N. QUESTION PERIOD

A question period was held.

O. ADJOURNMENT

Moved By Councillor Collins
Seconded By Councillor Alto

That the Council meeting adjourn.
TIME: 1:09 a.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR