



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

**June 20, 2019, 9:00 A.M.**

**COUNCIL CHAMBERS, CITY HALL, 1 CENTENNIAL SQUARE**

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

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

**ABSENT:** Mayor Helps

**STAFF PRESENT:** J. Jenkyns - City Manager, C. Coates - City Clerk, P. Bruce - Fire Chief, S. Thompson - Deputy City Manager / Director of Finance, T. Soulliere - Director of Parks, Recreation & Facilities, 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, C. Mycroft - Manager of Executive Operations, T. Zworski - City Solicitor, A. Johnston - Planner, L. Taylor - Senior Planner, M. Angrove - Planner, R. Morhart - Manager, Permits & Inspections, N. Sidhu - Assistant Director of Parks, Recreation & Facilities, J. O'Connor - Deputy Director of Finance; N. Sidhu – Assistant Director Parks Recreation & Facilities, and J. Brehaut – Manager Recreation Services

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

**Moved By** Councillor Alto  
**Seconded By** Councillor Dubow

That the agenda be approved.

#### **Amendment:**

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

That the Agenda of the June 20, 2019, Committee of the Whole meeting be amended as follows:

#### **Consent Agenda:**

**C.1 Minutes from the meeting held June 4, 2019**

**C.2 Minutes from the meeting held June 10, 2019**

**F.4 Proclamation – Pride Week**

**F.5 Proclamation – Parachute National Injury Prevention Day**

**Amendment to the Amendment:**

**Moved By** Councillor Alto

**Seconded By** Councillor Potts

That H.3 and E.2 be added to the consent agenda.

**CARRIED UNANIMOUSLY**

**On the amendment:**

**CARRIED UNANIMOUSLY**

**Main Motion as amended:**

That the Agenda of the June 20, 2019, Committee of the Whole meeting be amended as follows:

**Consent Agenda:**

**C.1 Minutes from the meeting held June 4, 2019**

**C.2 Minutes from the meeting held June 10, 2019**

**F.4 Proclamation – Pride Week**

**F.5 Proclamation – Parachute National Injury Prevention Day**

**H.3 Exploring Solar Power for the City Facility at 1240 Gladstone Avenue**

**E.2 2330 Government Street - Rezoning Application No. 00682 (Burnside Gorge)**

**CARRIED UNANIMOUSLY**

**B. CONSENT AGENDA**

That the following items be approved without further debate:

**C.1 Minutes from the Special Committee of the Whole Meeting of June 4, 2019**

**Moved By** Councillor Alto

**Seconded By** Councillor Loveday

That the minutes from the Special Committee of the Whole Meeting held June 4<sup>th</sup>, 2019, be adopted.

**CARRIED UNANIMOUSLY**

**C.2 Minutes from the Special Committee of the Whole Meeting of June 10, 2019**

**Moved By** Councillor Alto

**Seconded By** Councillor Loveday

That the minutes from the Special Committee of the Whole meeting held June 10<sup>th</sup> 2019 be adopted.

**CARRIED UNANIMOUSLY**

**F.4 Proclamation - Pride Week**

Committee received a report dated June 12th, 2019 from the City Clerk regarding a proclamation for Pride Week starting on the 30th of June 2019 and ending on the 7th of July 2019.

**Moved By** Councillor Alto

**Seconded By** Councillor Loveday

That the *Pride Week* proclamation be forwarded to the June 27, 2019 Council meeting for Council's consideration.

**CARRIED UNANIMOUSLY**

**F.5 Proclamation - Parachute National Injury Prevention Day**

Committee received a report dated June 12th, 2019 from the City Clerk regarding a proclamation for a Parachute National injury Prevention Day on the 5th of July.

**Moved By** Councillor Alto

**Seconded By** Councillor Loveday

That the *Parachute National Injury Prevention Day* proclamation be forwarded to the June 27, 2019 Council meeting for Council's consideration.

**CARRIED UNANIMOUSLY**

**H.3 Exploring Solar Power for the City Facility at 1240 Gladstone Avenue**

Committee received a report dated June 18th, 2019, from Councillor Isitt recommending that city staff explore the possibility of installing solar panels onto the city facility at 1240 Gladstone Avenue.

**Moved By** Councillor Alto

**Seconded By** Councillor Loveday

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**

**E.2     2330 Government Street - Rezoning Application No. 00682 (Burnside Gorge)**

The Committee received a report dated June 6th, 2019 from the Acting Director of Sustainable Planning and Community Development that presents Council with information, analysis, and recommendations for a Rezoning Application for the property located at 2330 Government Street. The report recommends that Council approve the application to allow for the rezoning in order to allow the construction of a brewpub on the lot.

**Moved By** Councillor Alto

**Seconded By** Councillor Loveday

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**

**E.     LAND USE MATTERS**

**E.1     515 Foul Bay Road - Rezoning Application No. 00675 and Development Permit Application No. 00084 (Gonzales)**

The Committee received a report dated May 30th, 2019 from the Acting Director of Sustainable Planning and Community Development presenting Council with information, analysis, and recommendations for a Rezoning Application and a Development Permit with Variances application for the property located at 515 Foul Bay Road. The proposal is to rezone the lot to allow for the building of five dwelling units, and then to subdivide the lot and develop a single family dwelling on the new lot.

**Moved By** Councillor Collins

**Seconded By** Councillor Loveday

**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**

**E.3 1900 Richmond Road - Rezoning Application No. 00651 and Development Permit Application No. 000531 Update (North Jubilee)**

The Committee received a report dated June 6th, 2019 from the Acting Director of Sustainable Planning and Community Development providing information, analysis, and recommendations regarding the applications to rezone and develop 1900 Richmond Road in order to provide for a five-story assisted living and

memory care building with ground floor commercial uses along Fort Street and Richmond Road.

Committee discussed:

- Retention of medical services
- The applicants contribution to the housing reserve fund
- The height of the building in relation to the surrounding street

**Moved By** Councillor Potts

**Seconded By** Councillor Alto

**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**

**E.4 Application to Change Hours of Licensed Service for Chuck's Burger Bar, Food Primary License at 101-538 Yates Street (Downtown)**

The Committee received a report dated April 30th, 2019 from the Acting Director of Sustainable Planning and Development providing the Committee with advice and a recommendation for Council to pass a resolution that would allow for an increase in the hours of operation for Chuck's Burger Bar.

Committee discussed:

- Noise concerns around patios and open doors on Yates Street

**Moved By** Councillor Thornton-Joe

**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 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.

**Amendment:**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Young

That the hours of the patio be until 11pm, 7 days a week.

**Amendment to the amendment:**

**Moved By** Councillor Collins

**Seconded By** Councillor Thornton-Joe

That the hours of the patio be until 12am, 7 days a week.

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

OPPOSED (2): Councillor Dubow, and Councillor Potts

**CARRIED (6 to 2)**

**On the Amendment:**

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

OPPOSED (2): Councillor Dubow, and Councillor Potts

**CARRIED (6 to 2)**

**Main Motion as amended:**

**Moved By** Councillor Thornton-Joe

**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 12am 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**

### **F. STAFF REPORTS**

#### **F.1 My Great Neighbourhood Grant - Spring Intake Report**

Committee received a report dated June 13, 2019 from the Head of Business and Community Relations regarding the Spring 2019 intake of applications for the My Great Neighbourhoods grant program for Council's consideration.

Committee discussed:

- A few errors in the tabulated numbers
- Lesser volume of applications from neighbourhoods with no community centres, or high-turnover community associations

**Moved By** Councillor Isitt

**Seconded By** Councillor Loveday

That Council approve 26 applications received for the spring intake of the 2019 My Great Neighbourhood Grant program as outlined in Table 1, 2, and 3.

## **CARRIED UNANIMOUSLY**

#### **F.2 Community and Seniors' Centres Annual Report for 2018**

Committee received a report dated May 17, 2019 from the Director of Parks, Recreation, and Facilities, presenting the 2018 data relating to the operation of community and seniors' centres.

Committee discussed:

- Use of City facilities and buildings by community associations
- Quality and amount of communication with neighbourhood associations

**Moved By** Councillor Dubow

**Seconded By** Councillor Collins

That Council receive this report on the operation of the community and seniors' centres for information.

## **CARRIED UNANIMOUSLY**

*Committee recessed at 10:41 a.m. and returned at 10:47 a.m.*

#### **F.3 Demonstration of Voting Dashboard (Verbal)**

Council received the presentation from the City Clerk and the Chief Information Officer.

Committee Discussed:

- Potential to also track Committee of the Whole votes
- Potential for the program to be used by other councils and boards

**Moved By** Councillor Isitt

**Seconded By** Councillor Loveday

That Council receive the report.

**CARRIED UNANIMOUSLY**

## **H. NEW BUSINESS**

### **H.1 Letter from the Minister of Environment and Climate Change Strategy**

A letter of response dated June 3, 2019, regarding Provincial climate leadership.

Committee discussed:

- Further communication in the future, notably around pipelines

**Moved By** Councillor Isitt

**Seconded By** Councillor Loveday

That the correspondence dated June 3, 2019 from the Minister of Environment and Climate Change Strategy be received for information.

**CARRIED UNANIMOUSLY**

### **H.2 Fare-Free Public Transit for Young People**

Committee received a report dated June 13th, 2019, from Councillors Isitt, Dubow, and Loveday concerning the recent approval of bus user fee elimination from Victoria Regional Transit Commission. The report includes a recommendation to create an alternative method for youth under 19 to receive the free transit services, particularly youth who are not in schools.

Committee Discussed:

- Resource implications of the proposal
- Importance of the proposal

**Moved By** Councillor Isitt

**Seconded By** Councillor Dubow

That Council directs staff to ensure that all residents of the City of Victoria who are under the age of 19 will have access to a pass for fare-free public transit no later than November 30, 2019, including provision of a City of Victoria service pass ("VicPass") or a similar mechanism for youth who may not be enrolled in a formal program of education or who may be enrolled in an alternate program of education.

**CARRIED UNANIMOUSLY**

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

**Moved By** Councillor Alto

**Seconded By** Councillor Loveday

That the Committee of the Whole Meeting be adjourned at 11:28 a.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR