

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD OCTOBER 3, 2019

For the Council meeting of October 10, 2019, the Committee recommends the following:

E.2 1210 Haultain Street: Rezoning Application No. 00688 and Development Permit with Variances Application No. 00113 (Oaklands)

Rezoning Application No. 00688

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00688 for 1210 Haultain Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by council and a Public Hearing date be set.

Development Permit with Variances Application No. 00113

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. 00688, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00113 for 1210 Haultain Street, in accordance with:

1. Plans date stamped August 7, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the minimum lot width from 15m to 14.47m;
 - ii. increase the number of storeys from 1.5 with a basement to 2 with a basement;
 - iii. reduce the minimum side yard (west) setback from 3m to 2.8m;
 - iv. reduce the minimum side yard (east) setback from 1.50m to 1.26m; and
 - v. reduce the minimum combined side yard setback from 4.5m to 4.06m.
3. The Development Permit lapsing two years from the date of this resolution."

E.3 120 Douglas Street: Heritage Alteration Permit No. 00019 (James Bay)

That Council consider the following motion:

"That Council authorize the issuance of Heritage Alteration Permit Application No. 00019 for 120 Douglas Street, in accordance with:

1. Plans date stamped July 5, 2019.
2. Council consent to changes to the Beacon Hill School Land Use Contract Bylaw No. 78-12 as per the plans identified above.
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Director, Sustainable Planning and Community Development.
4. Heritage Alteration Permit lapsing two years from the date of this resolution."

F.2 2020 Committee and Council Meeting Schedule

That Council approve the 2020 Committee of the Whole and Council meeting schedule attached to this report and make available to the public as required under Section 127 of the *Community Charter*.

E.1 1309 and 1315 Cook Street, 1100-1120 Yates Street, and 1109-1115 Johnson Street: Rezoning Application No. 00681 and Development Permit with Variances Application No. 00104 (Fernwood)

Rezoning Application No. 00681

That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the Local Government Act and the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00681 for 1309 & 1315 Cook Street, 1100-1120 Yates Street and 1109-1115 Johnson Street, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set once the following conditions are met:

- a. Preparation and execution of the appropriate legal agreements in order to secure the following:
 - i. that future strata corporations could not pass bylaws that would prohibit or restrict the rental of units to non-owners, in the 13 storey building, to the satisfaction of the Director of Sustainable Planning and Community Development;
 - ii. 104 dwelling units sold at 10% below-market value under BC Housing's Affordable Home Ownership Program and ensure the unit types include 12 studios, 55 one bedroom, 35 two-bedroom and 2 three-bedroom dwelling units of to the satisfaction of the Director of Sustainable Planning and Community Development;
 - iii. a daycare with a minimum floor area of 362m² is provided in the thirteen-storey building for a minimum of ten years to the satisfaction of the Director of Sustainable Planning and Community Development;
 - iv. a Statutory Right-of-Way of 2.45m on Johnson Street to the satisfaction of the Director of Engineering and Public Works;
 - v. construction of a bus shelter on Johnson Street to the satisfaction of BC Transit and the Director of Engineering and Public Works;
 - vi. construction of a traffic bulb on the northeast corner of Cook and Yates Street to the satisfaction of the Director of Engineering and Public Works;
 - vii. undergrounding the BC Hydro lines and associated infrastructure along the Yates Street frontage and that the applicant cover the City's portion of the cost under BC Hydro's Beautification Program to the satisfaction of the Director of Engineering and Public Work;
 - viii. purchase of two car share vehicles with assigned parking spaces on-site, 217 car share memberships (one per dwelling unit), an on-site bike share program consisting of ten electric bicycles, 48 electric charging stations in the long-term bicycle storage rooms, and 15 commercial parking spaces assigned to residential visitors after business hours and on weekends to the satisfaction of the Director of Engineering and Public Work; and
 - ix. that the applicant enter a reciprocal access agreement to allow pedestrians and vehicles to cross Parcel C in order to access the underground parkade on Parcel A and B.
- b. That the applicant explore opportunities to retain the Horse Chestnut tree on the Cook Street boulevard as part of the overall project to the satisfaction of the Director of Parks, Recreation and Facilities.
- c. That the City enter into an agreement with BC Housing and the applicant to ensure that 10% of the current fair market value of each unit sold under BC Housing's Affordable Home Ownership Program (secured as a second mortgage and registered on title) is allocated to the City at the time of resale of a dwelling unit and that the

- amenity contributions are secured in the City's Affordable Housing Reserve Fund to the satisfaction of the Director of Sustainable Planning and Community Development.
- d. That Council determine, pursuant to Section 475(1) of the Local Government Act that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.
 - e. That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the Local Government Act with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties, have been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.
 - f. That Council, specifically consider whether consultation is required under Section 475(2)(b) of the Local Government Act, and determine that no referrals are necessary with the Capital Regional District Board, Councils of Oak Bay, Esquimalt and Saanich, the Songhees and Esquimalt First Nations, the School District Board and the provincial and federal governments and their agencies due to the nature of the proposed amendment.
 - g. That Council give first reading to the Official Community Plan Amendment Bylaw.
 - h. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2017-2021 Financial Plan, the Capital Regional District Liquid Waste Management Plan and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
 - i. That Council give second reading to the Official Community Plan Amendment Bylaw.
 - j. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.

Development Permit with Variances Application No. 00104

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. 00681, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00104 for 1309 & 1315 Cook Street, 1100-1120 Yates Street and 1109-1115 Johnson Street, in accordance with:

1. Plans date stamped September 12, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - a. increase the height of the building on Parcel A from 40m to 42.76m for a rooftop structural wall projection; and
 - b. reduce the long-term commercial bicycle parking spaces from 5 to 0.
3. The Development Permit lapsing two years from the date of this resolution."

E.4 Request to amend Section 219 Covenant for 189 Dallas Road (Ogden Point) (James Bay)

That Council accept the request to amend the Section 219 Covenant to allow the temporary building to remain in place until November 8, 2022, and direct staff to amend

the Section 219 Covenant to reflect the new timeline, to the satisfaction of the Director of Sustainable Planning and Community Development and the City Solicitor.

E.5 Looking Back, Thinking Ahead: Lessons Learned from Victoria's Local Area Planning Program

That Council receive the report *Looking Back, Thinking Ahead: Lessons Learned from Victoria's Local Area Planning Program* for information.

E.6 Application for a Change to Hours of Licence Service for the Union Club of British Columbia, Liquor Primary License at 805 Gordon Street (Downtown)

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 the Union Club of British Columbia located at 805 Gordon Street to adjust opening hours from 11:00 a.m. to 9:00 a.m. daily with no change to existing closing hours of 1:00 a.m. Monday through Saturday and 12:00 a.m. Sunday, or the existing occupant load of 759 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 proportional in comparison to existing licence capacity and associated noise levels in the vicinity. The request, if approved affects only opening hours and the adjustment is not likely to cause impacts.
- b. If the application is approved, the impact on the community is expected to be positive economically as the approval supports operational flexibility for the establishment to host a variety of special events.
- c. The views of residents were solicited via a mail out which included 534 letters to neighbouring property owners and occupants within 100 metres of the licensed location and a notice posted at the property. The City received two letters in support of the application including one from the Downtown Residents Association.
- d. Council recommends the requested change to the license be approved.

F.1 Fare Free Youth Bus Pass Program - Update and Considerations

That Council:

1. Negotiate a reduced fare for a Victoria Youth bus pass pilot program via upcoming Victoria Regional Transit Commission (VRTC) meetings, at the rate of less than \$11.50 per month, paid by the City of Victoria with a duration of up to 1 year, beginning in November 2019.
2. That Council reiterates its support for fair free public transit for people under 19 being delivered regionally.
3. Direct staff to introduce an interim monthly youth bus pass program as outlined in this report, at the rate defined via the VRTC negotiated amount for Victoria youth applicants 18 and under, as soon as possible in 2019.
4. Refer the longer term, steady-state youth bus pass resource requirements to the 2020 Financial Planning process, in order to:
 - a. Develop a steady-state bus pass program to be implemented by August 31, 2020 to coincide with the start of the next academic year.
 - b. Reduce administrative costs and requirements to the City, BC Transit and school district and other educational partners.

H.1 Local Government Support for Urgent and Life Saving Resolutions in a Public Health Emergency

1. That Council write the Province to express strong support of the following resolutions and request the Province of British Columbia's timely and favourable consideration:

(B171) Safer Drug Supply to Save Lives

Whereas It has been two years since BC declared a public-health emergency due to increased overdoses, yet the death toll for those consuming substances continues to rise due to an unpredictable and highly-toxic drug supply;

And whereas people with opioid use disorder, a chronic relapsing medical condition, are at high risk of overdose- related harms including death and an estimated 42,200 people inject toxic substances in British Columbia, it is not possible for the treatment system to rapidly increase services fast enough to manage this number of people as "patients" within a medical treatment model given the many challenges in achieving and retaining the people on opioid use disorder treatment, people at risk of overdose in British Columbia do not have access to a safer alternative to the unpredictable, highly-toxic drug supply:

Therefore be it resolved that in an effort to save lives and reduce harm due to an unpredictable and highly-toxic drug supply, and as part of a holistic response to the public-health emergency, including prevention, treatment, and recovery, that the Province of British Columbia work with local communities, Health Authorities across the Province, the Ministry of Mental Health and Addictions, and the Ministry of Health ensure that people at risk of overdose harm have access to safer alternatives.

(B172) Observed Inhalation Sites for Overdose Prevention

Whereas British Columbia is currently experiencing an unprecedented public health emergency due to an unpredictable and highly-toxic drug supply, and smoking or inhalation is the second most common mode of consumption among all people who have died from a suspected illicit drug overdose and the most common mode of consumption among men and those between the ages of 15 and 29;

And whereas observed consumption services (i.e. supervised consumption services and overdose prevention services) are evidence-based harm reduction approaches shown to reduce overdose-related harm, and there is not adequate access to observed consumption services that provide space for inhalation where communities are facing crisis:

Therefore be it resolved that to ensure that people at risk of overdose across BC have access to observed consumption services that provide space for inhalation, that the Province of British Columbia fund and work through local communities, Health Authorities across the Province, the Ministry of Mental Health and Addictions and the Ministry of Health to provide these services as part of a holistic response to the public-health emergency, including prevention, treatment, and recovery.

2. And That Council write the UBCM executive expressing the City of Victoria's concern that these urgent and potentially life-saving advocacy resolutions were not considered at the UBCM Convention and requesting the UBCM executive's timely and favourable consideration of resolutions (B171) and (B172).

3. And That Council write to all UBCM member local governments requesting their endorsement of these resolutions and asking municipalities to write the Provincial Government to share their support.

Motion Arising:

That Council forward the City of Victoria's motions titled "Observed Inhalation Sites for Overdose Prevention" and "A Safer Drug Supply to Save Lives" to the Victoria Esquimalt Police Board and request their favourable consideration of the resolutions.