

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD SEPTEMBER 19, 2019

For the Council meeting of September 19, 2019, the Committee recommends the following:

E.6 Recommendation for Urban Earth Med Compassion Club at 2020 Douglas Street (Burnside-Gorge)

That Council direct staff to advise the Liquor and Cannabis Regulation Branch:

1. Council supports the application of Urban Earth Med Compassion Club at 2020 Douglas Street to receive a provincial cannabis retail store license with the following comments on the prescribed considerations:
 - a. The Council recommends that the LCRB issue a license to Urban Earth Med Compassion Club at 2020 Douglas Street, subject to the condition that this license not be issued until after Urban Earth Med Compassion Club obtains a Delegated 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 and the property has been zoned for retail sale of cannabis.
 - c. The views of residents were solicited through a mail-out to neighbouring property owners and occupiers within 100 metres of this address and to the relevant neighbourhood association. The City sent 136 letters and received 2 letters in response. Both letters share a concern about the sale of cannabis in this location. The City did not receive correspondence from the neighbourhood association.
 - d. A Delegated 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.

H.1 Council Member Motion - Enforcement of the CRD Clean Air Bylaw

Request that the City's CRD representatives ask that the CRD report to its Board on the number, distribution and capacity of its current bylaw enforcement staff, and further petition the CRD to hire additional staff necessary to adequately enforce the CRD Clean Air Bylaw.

H.3 Council Member Motion - Conference Attendance Request for Councillor Isitt - UBCM

That Council authorize the attendance and associated costs for Councillor Isitt to attend the Union of BC Municipalities (UBCM) annual meeting in Vancouver, BC, from September 23-27, 2019, with estimated costs as follows:

Registration: \$550
Transportation: \$250
Accommodation: \$1200
Means and Incidentals: \$240
Estimated total costs: \$2240

H.4 Council Member Motion - Conference Attendance Request for Councillor Isitt - Climate Caucus Summit

That Council retroactively authorize the attendance and associated costs for Councillor Isitt to attend the Climate Caucus Summit, which took place in Vancouver, BC, on August 13, 2019, with the following costs:

Transportation: \$250

Means and Incidentals: \$25

Estimated total costs: \$275

H.6 Council Member Motion - Conference Attendance Request for Councillor Potts - UBCM

That Council approve the attendance of the 2019 Union of BC Municipalities Convention and related expenses for Councillor Potts.

Estimated Expenses:

Travel: \$300

Incidentals: \$100

Conference registration: \$840

Total: \$1240

H.8 Council Member Motion - Conference Attendance Request for Councillor Dubow

That Council authorize the attendance and associated costs for Councillor Dubow to attend the 2019 Union of BC Municipalities Convention on September 23rd to September 27th, 2019.

The costs are as follows:

Transportation: \$150

Accommodation: \$1600

Registration: \$620

Incidentals: \$100

Total: \$2470

D.1 Permissive Tax Exemptions

That the Royal Canadian Legion Pro Patria Branch be exempted from all property taxes for the Class 8 taxable assessment for the years 2020 to 2022.

E.1 415 and 435 Michigan Street: Rezoning Application No. 00637 and Development Permit with Variances Application No. 00055

Rezoning Application No. 00637

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00637 for 415 and 435 Michigan 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:

1. An executed legal agreement in a form to the satisfaction of the City Solicitor, to secure all of the dwelling units on site as rental, in perpetuity.
2. An executed legal agreement in a form to the satisfaction of the City Solicitor, to secure two of the proposed one-bedroom rental dwelling units as below-market housing

(offered for rent at 30% of the gross annual household income for \$55,200 households, in perpetuity).

3. That Council direct staff to work with the applicant to revise the proposal to provide additional parking spaces and/or develop a comprehensive TDM package to mitigate the parking shortfall and submit revised plans to address inconsistencies in the project data table, and bring the revised proposal back to a future Committee of the Whole meeting.

Development Permit with Variances Application No. 00055

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. 00637, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00055 for 415 and 435 Michigan Street, in accordance with:

1. Plans date stamped June 4, 2019.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. increase the number of buildings permitted on one lot from one to three;
 - ii. reduce the front setback to buildings from 15m to 5.5m;
 - iii. reduce the front setback to canopies on a building from 12m to 5m;
 - iv. reduce the front setback to stairs on a building from 12m to 2.0m;
 - v. increase the site coverage from 14% to 23.6%;
 - vi. reduce the open site space from 40% to 31%;
 - vii. reduce the number of parking spaces (not visitor) from 221 to 130;
 - viii. reduce the number of parking spaces (visitor) from 22 to 11;
 - ix. permit accessory buildings in the side yard;
 - x. increase the floor area for an accessory building from 37m² to 54m².
3. Revised plans addressing inconsistencies in the project data table.
4. The Development Permit lapsing two years from the date of this resolution."

E.2 514 and 518 Sumas Street: Rezoning Application No. 00691 (Burnside-Gorge)

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00691 for 514 and 518 Sumas Street, 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. Prepare and execute a Housing Agreement to ensure that future Strata Bylaws cannot prohibit the rental of dwelling units.
2. Prepare and execute a legal agreement to secure a 1.172m Statutory Right-of-Way along the lane frontage.

E.3 1139 Burdett Avenue: Rezoning Application No. 00690 and Heritage Alteration Permit with Variances Application No. 00232 (Fairfield)

Rezoning Application No. 00690

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00690 for 1139 Burdett 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 Housing Agreement to secure rental of the dwelling units in perpetuity, to the satisfaction of the Director of Sustainable Planning and Community Development.

Heritage Alteration Permit with Variances Application No. 00232

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 Heritage Alteration Permit with Variances Application No. 00232 for 1139 Burdett Street, in accordance with:

1. Plans date stamped May 9, 2019, and the Heritage Restoration Plan date stamped July 8, 2019.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the minimum rear yard setback from 9.18m to 2.03m
 - ii. reduce the minimum side yard setback (east) from 2.19m to 1.50m
 - iii. increase the maximum height from 7.6m to 9.3m.
3. Heritage Alteration Permit lapsing two years from the date of this resolution."

E.4 2 Paul Kane Place: Development Permit Application No. 00544 and 1 Cooperage Place: Development Permit Application No. 000545 (Vic West)

1. That Council decline Development Permit Application No. 000544 for the property located at 2 Paul Kane Place; and
2. That Council decline Development Permit Application No. 000545 for the property located at 1 Cooperage Place.

Motion Arising:

That Council direct staff to work with the property owner to install signage indicating that the Statutory Right of Way is a public walkway.

E.5 Official Community Plan Annual Review 2018

That Council:

1. Receive the Official Community Plan Annual Review 2018 and City of Victoria 2018 Housing Report for information and direct staff to communicate the findings and highlights to the public.
2. Direct staff to undertake an updated housing demand forecast and OCP capacity assessment.
3. Direct staff to report back with recommendations for using the contributions accrued in the Downtown Heritage Seismic Upgrade Reserve Fund.

F.1 Tenant Assistance Policy Review and Enhancements

That Council direct staff to:

1. Amend the Tenant Assistance Policy to:
 - a. Update compensation structure for market rental housing to be based on length of tenancy at either:
 - i. the higher of CMHC average rent for the City of Victoria (as identified in CMHC's Annual Rental Market Report, adjusted annually) or the tenant's existing rent; or
 - ii. free rent in a different building.
 - b. Update compensation structure for non-market or social housing to be based on length of tenancy and tenant's existing rents, where compensation on free rent in a different building is preferred.

- c. Add moving expense option for 3+ bedroom units at \$1,000.
 - d. Where right of first refusal applies, moving expenses are covered for both the move out and return to the building.
 - e. "Vulnerable Tenants" to be referred to as "Tenants Requiring Additional Assistance" with additional supports identified.
2. Consider an additional 1 FTE for the Tenant Ambassador Position as part of the 2020 Financial Planning process.
 3. Report back to Council following any significant changes to the *Residential Tenancy Act* that may impact provisions outlined in the Tenant Assistance Policy.
 4. That staff undertake further engagement with the Renters Advisory Committee and report back to Council on preliminary information for tenant engagement.

H.2 Council Member Motion - Advocacy for Legislation to Recover Municipal Costs Arising from Climate Change

That Council requests that the Mayor write, on behalf of Council, to the Premier of British Columbia, asking that the Government of British Columbia consider introducing legislation to support local governments in recovering a portion of costs incurred in relation to climate change.

H.5 Council Member Motion - Accessible Voting

That Council direct staff to:

1. Make an accessible voting machine available for the next municipal election or by-election on polling day and that it be located at City Hall or another equally central polling location;
2. Widely publicize these accessibility options well in advance of polling day.

H.7 Council Member Motion - Temporary Accommodation of Peers Victoria Resources Society

Recognizing the importance of Peers Victoria Resources Society in preventing violence and providing support and counselling resources for vulnerable individuals in the City, that Council directs City staff to work with Peers Victoria Resources Society to determine if a temporary office space can be secured for their use (with minimal expense) for the period of October 1, 2019 to December 31, 2019 at the City's Old Island Saw Building on Bridge Street; and if so confirmed by staff that this can be accommodated, Council further authorizes the Mayor and City Clerk to execute a lease or license agreement, the terms of which are acceptable to the City Solicitor, for the space during the term at a rent that is affordable to them.