



MINUTES – VICTORIA CITY COUNCIL

MEETING OF THURSDAY, AUGUST 27, 2015, AT 7 P.M.

<u>PLACE OF MEETING:</u>	Council Chambers, City Hall
<u>PRESENT:</u>	Mayor Helps in the Chair, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Madoff, Thornton-Joe and Young
<u>STAFF PRESENT:</u>	J. Johnson, City Manager; P. Bruce, Fire Chief; B. Dellebuur, Acting Assistant Director, Transportation & Parking Services; K. Hamilton, Director, Citizen Engagement and Strategic Planning; C. Havelka, Council Secretary; J. Jenkyns, Deputy City Manager; A. Meyer, Assistant Director, Sustainable Planning and Community Development; C. Mycroft, Executive Assistant to the City Manager; T. Soulliere, Director, Parks and Recreation; S. Thompson, Director, Finance; J. Tinney, Director, Sustainable Planning and Community Development; R. Woodland, Corporate Administrator

APPROVAL OF AGENDA

The Corporate Administrator outlined changes to the agenda.

It was moved by Councillor Madoff, seconded by Councillor Loveday, that the agenda be approved as amended.

Carried Unanimously

POETRY READING

Yvonne Blomer, Poet Laureate, read her poem "*Late August*".

MINUTES

It was moved by Councillor Isitt, seconded by Councillor Alto, that the Regular Council meeting minutes of July 23, 2015, be approved.

Carried Unanimously

PUBLIC CONSULTATION

Amendment to the 2015 Financial Plan

Mayor Helps opened the hearing at 7:06 p.m.

Robert Woodland (Corporate Administrator): Advised that prior to adoption of Bylaw No. 15-063, which amends the 2015 Financial Plan, Council must provide an opportunity for public input on the bylaw.

Jaclyn Casler: She has reviewed previous meetings on the Johnson Street Bridge Replacement Project and suggested Council take a more professional approach with these updates. She suggested the scope for the upcoming public realm engagement should be broader than a charrette.

Martin Pratt: Asked if the City has an in-house lawyer to confirm whether the City is bound to the bridge project cost increases?

Mayor Helps advised that Council had received legal advice.

Eleanor Freeze: Expressed concerns regarding the money spent on the bridge when people are homeless.

Mayor Helps closed the hearing at 7:15 p.m.

PROCLAMATIONS

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that the following Proclamations be endorsed:

1. "Childhood Cancer Awareness Month" – September 2015
2. "Literacy Month" – September, 2015
3. "Prostate Cancer Awareness Month" – September, 2015
4. "Kidsport Week" – September 6-13, 2015
5. "Environmental Public Health Week" – September 21-25, 2015

Carried Unanimously

COMBINED DEVELOPMENT APPLICATIONS

1. 324 Chester Avenue

1. Public Hearing - Zoning Regulation Bylaw, Amendment Bylaw (No. 1042)

To rezone the land known as 324 Chester Avenue from the R1-B Zone, Single Family Dwelling District, to the R1-B-GS2 Zone, Single Family Dwelling with Garden Suite for Plus Sites District, to permit a garden suite above an existing garage.

New Zone: R1-B-GS2 Zone, Single Family Dwelling with Garden Suite for Plus Sites District

Legal Description: Lot A, Fairfield Farm Estate, Victoria City, Plan VIP85250

Existing Zone: R1-B Zone, Single Family Dwelling District

2. Hearing - Development Permit with Variances Application

The Council of the City of Victoria will also consider issuing a Development Permit for the land known as 324 Chester Avenue, in Development Permit Area 15E: Intensive Residential – Garden Suites, for the purposes of approving the exterior design and finishes for the garden suite as well as landscaping and associated variances with respect to the height of the garden suite.

The Development Permit will vary the following requirements of the Zoning Regulation Bylaw R1-B-GS2 Zone, Single Family Dwelling with Garden Suite for Plus Sites District:

- Part 1.113.4(a): Height of a garden suite from 5.5m to 5.6m
- Part 1.113.4(b): Number of storeys of a garden suite from 1.5 storeys to 2 storeys.

Mayor Helps opened the public hearing at 7:16 p.m.

Alison Meyer (Assistant Director, Development Services, Sustainable Planning and Community Development): This is a rezoning application to permit the construction of a garden suite above a garage and to permit two variances related to height.

Paul Osborne, 324 Chester (Applicant): Described the neighbourhood, the houses and rental apartments adjacent to his property and noted the regulations that permit a garden suite and how Council may want to consider amendments to the regulations. He described the new zone and the variances they are proposing, as well as the design, parking and the landscaping. He advised that the public's response to their application has been positive but there should be a change in process due to the cost and time required to process this type of application.

Mayor Helps closed the public hearing at 7:37 p.m.

2. Bylaw Approval

It was moved by Councillor Loveday, seconded by Councillor Isitt, that the following bylaws **be given third reading:**

Zoning Regulation Bylaw, Amendment Bylaw (No. 1042)

Councillor Loveday said he supports the application as it is sensitive infill which adds housing with little impact to the neighbourhood. He noted that the Housing Affordability Task Force has made recommendations to facilitate garden suite applications and staff will report back on this.

Councillor Isitt said he supports the application noting that garden suites alone won't address the housing affordability crisis.

Councillor Coleman said he supports the application and said garden suites are low density infill and though they weren't envisioned above garages, this is a creative response to what is permitted.

Councillor Madoff said she supports the application but advised she is not in favour of removing the public hearing aspect of garden suite applications because the public needs to comment on possible impacts to adjacent properties.

Carried Unanimously

3. Bylaw Approval:

It was moved by Councillor Loveday, seconded by Councillor Isitt, that the following bylaw **be adopted:**

Zoning Regulation Bylaw, Amendment Bylaw (No. 1042)

Carried Unanimously

4. Application Approval:

It was moved by Councillor Loveday, seconded by Councillor Isitt, that Council authorize Development Permit with Variances No. 00471 for 324 Chester Avenue. Carried Unanimously

2. **1002-1008, 1012 Pandora Avenue**

1. **Public Hearing - Zoning Regulation Bylaw, Amendment Bylaw (No. 1005)**

To rezone the land known as 1002-1008 and 1012 Pandora Avenue from the CA-1 Zone, Pandora Avenue Special Commercial District and the R-2 Zone, Two Family Dwelling District, to the CA-75 Zone, Pandora Vancouver Mixed Use District., to permit a mixed use commercial and residential building.

New Zone: CA-75 Zone, Pandora Vancouver Mixed Use District
Legal Description: Lot 1, Suburban Lot 15, Victoria City, Plan 22437
Lot 2, Suburban Lot 15, Victoria City, Plan 22437 except Parcel A (DD C70855)
Existing Zone: CA-1 Zone, Pandora Avenue Special Commercial District
R-2 Zone, Two Family Dwelling District

Mayor Helps opened the public hearing at 7:44 p.m.

Alison Meyer (Assistant Director, Development Services, Sustainable Planning and Community Development): This is a rezoning application to rezone the application known as St. Andrews School to a new zone that allows ground floor commercial, with residential above, with four stories fronting Mason Street and six stories fronting Pandora Avenue. She described the current zoning on the site and advised there is a concurrent Development Permit application.

Mark Kopinya, (Blue Sky Properties (Applicant): Advised that they have changed the proposal in response to neighbourhood concerns and he described the setbacks, massing, and how the design adheres to the Official Community Plan (OCP) with the height below what's permitted in the zone. He also described the landscaping, bike lanes, the walkability of the proposal, traffic calming amenities and how the traffic egress and access on Mason Street were adjusted to minimize traffic impact. He provided a shadowing study, advising there is no impact on Mason Street from spring to fall. Eleven non-market rental units are being voluntarily provided with this proposal and he outlined how this compares with units provided in the Capital Park project.

Councillor Thornton-Joe asked what the difference is between LEED silver and LEED silver equivalent.

Mark Kopinya: Described the requirements to meet LEED silver standards.

Councillor Isitt asked about previous traffic volumes for the school and asked for information about vehicle access and egress for the school.

Brad Dellebuur (Acting Assistant Director, Transportation & Parking Services: Advised that as this is a new proposal it has to comply with current access regulations.

Councillor Alto asked about the restriction on delivery trucks on Mason Street and Cook Street.

Mark Kopinya: The restricted weight for trucks is 10,000 lbs.

Councillor Alto asked if eleven non-market units was a fixed number.

Mark Kopinya: Advised that this makes up a large contribution without any City assistance.

Councillor Madoff asked what is the largest truck that could turn onto Vancouver Street.

Peter Joyce, Traffic Engineer, Bunt & Associates: Provided information regarding the size of trucks that could access the property from Vancouver Street.

Councillor Loveday asked how much the non-market units would rent for and how that compares with the Capital Park project.

Mark Kopinya: Advised how the Capital Park project is governed differently than this project and how affordability is achieved through suite size. They will be affordable in comparison to other projects.

Charles Joerin (North Park Street): Read a letter which is the official view of the North Park Neighbourhood Association (NPNA), which is opposed to the project due to the massing and large footprint it will have. He spoke about traffic concerns and that the proposal does not meet community objectives.

Didi Mitchell (North Park Street): Continued to read the letter, advising the project is not affordable to North Park residents and there was no meaningful public consultation.

Martin Pratt (Hillside Avenue): Said the proposal strikes a balance as more housing is needed, and if they would have three storeys on Mason Street to reduce shading. He said all traffic should be moved to Pandora Avenue.

Bill Valentine (Woodburn Avenue): Said to maintain a vibrant Victoria, development decisions need to be for a broader benefit of the City and this proposal is supportable as it sufficiently benefits the interests of downtown.

Michael Bradly (Elford Street): Is the property manager at this site and says the project is needed as a catalyst for change, noting the social issues on the site.

Susan Quipp (Michigan Street): Said this type of high end housing is not needed and there is ten-year limit on the building being used for rental. She described how the current site could be used for social programs and micro-housing.

Stephen Portman (Queens Avenue): Doesn't support this proposal but the site needs to be redeveloped to become a place where people of all income levels can live and where the highest and best public use is considered.

Jessie Rucker (Mason Street): Doesn't support this proposal as it conflicts with the OCP, greenway and strategic plan and he also has concerns about the traffic. The size of the building will shade the Mason Street garden.

Joseph Calenda (Frechette Street): Spoke about good planning and this application should be approved because it is good planning which should trump neighbourhood objections.

John Laszczyk (View Street): Is the Rector of St. Andrews Church which provides services for the homeless. The proposal for the St. Andrews site is supportable and the OCP calls for development in this area and downtown Victoria has to grow to become vibrant.

Alan Gallupe (Jackson Street): Is on the Board of the NPNA and said the proposal didn't allow real community input and doesn't have community support and isn't forward thinking in terms of addressing environmental and social issues, noting the many people who petitioned against the proposal.

Wendy Payne (Woodstock Avenue): She walks in this area and doesn't feel safe and believes density will bring more people to the area, which will help. This proposal is a compromise and should be accepted.

Angela Moran (Mason Street): Said she opposes this proposal and described the urban farm that has grown to a successful business. The proposal is too large and the footprint should be broken up and another development is needed to align with the NPNA vision.

Joka van den Beeg (Mason Street): Said the issues of concern are in the OCP summary that calls for community gardens and sustainable growth, with affordable housing through innovation. This project is not sustainable and the traffic issues, massing and loss of green space, mean it should be rejected.

Jenny Hyslop (Stanley Avenue): Read a letter from Maurita Prato from Lifecycles Project Society noting the importance of the Mason Street farm and a development is needed that addresses the needs of the NPNA and the farm. The OCP supports food production and this proposal is not in alignment with that plan.

Tristan Trotter (Mason Street): Doesn't support the proposal as they didn't change the plans for the store or built space, which is too dense and it will impact this quiet neighbourhood. The transition to the neighbourhood is lacking and there are many traffic concerns.

Bev Pylyk (Pandora Avenue): She works for the Island Catholic School and she supports the proposal as presented as it's in the best interest of the community.

Brian Robertson (Cook Street): Is the senior minister of the Open Door and said the voice of the community should be heard and the proponent should go back to the table and make the project work.

Ed Chwyl (Arbutus Road): Past Chair of the Conservatory of Music said the proposal will be a positive catalyst for the area and he noted the annual taxes it will bring to the City. The proposal responded to community concerns and should be supported.

Judith Spice (Prior Street): Said the community is not safe at night and neither is the park. The project should be supported as the development will improve the area.

Jenny Farkas (Queens Avenue): Is a member of the NPNA Board said the neighbourhood wants density, affordable housing and innovation but this project is a bad fit for the neighbourhood.

Dennis Oliver (North Park Avenue): The proposal is too large and the school building can be saved.

Bruce Carter (Victoria Chamber of Commerce): Noted the community consultation that developed the OCP and that density is called for at this urban site. The developer has made

improvements and this will increase the supply of housing at no cost to the city. The bike lane on Pandora Avenue won't allow access there.

Alison Acker (Toronto Street): Is on the Coalition to End Homelessness and she is against this proposal as it is not good enough.

Josh Christopher (Queens Avenue): Said a big box store is not needed in this area and will impact small businesses. They need to wait for a proposal supported by the community and one that fosters small businesses.

Brett Black (Fisgard Street): He has always found the neighbourhood to be friendly and doesn't support the proposal. A mixed-housing project is needed that meets neighbourhood concerns.

Roy Cullen (Chair of Victoria Conservatory of Music): Noted the social issues in this area and that a positive investment in the community would change that culture and this proposal is that type of project. The developer has responded to concerns and has also made an affordable housing allowance.

Jane Butler-McGregor (CEO Victoria Conservatory of Music): Said she supports this project which will bring positive investment, energy and jobs to the area and the new residents will bring broader benefits to the community.

Council recessed at 10:01 p.m. and reconvened at 10:09 p.m.

Tony Joe (Wilson Street): Said this won't solve affordable housing issues but fills a gap in the rental housing continuum. This development will add vibrancy to the neighbourhood, noting that a future application could be less favourable.

Dan Greco (Oak Bay Avenue): Is the Chairman for Anawim House and supports the rezoning application as affordable housing is needed in Victoria and it will ease the demand for rental housing. The density will also make the area safer.

Harold Stanley (Caledonia Avenue): Said the North Park village epitomizes what the OCP wants to see in a community for walkability and liveability and this steps over the bounds for acceptable development. There will be an increase in traffic and it will impact the Mason Street farm and playground, and the large retail space is not supportable.

Jesse Brown (Balmoral Road): Spoke about the future of the Mason Street farm that is an integral part of the community and the developer didn't properly engage the stakeholders and did not make core changes in their earlier plan and this plan is not supportable.

Mike Simpson (Balmoral Road): Is opposed to the application and there is an opportunity to set a high standard of community engagement and this developer is not consulting the community in that manner. The proposal didn't change and it doesn't respect farmers and the units are not affordable.

Jennifer Bagelman (Cook Street): Is opposed to the project and the increased traffic is not in keeping with the greenway plan, cycling plan or OCP, and the lack of citizen engagement provides the grounds to reject the application.

Jodi Siksworth (Green Street): Is opposed to the development and the neighbourhood is safe and the people there are part of the community. They don't want the area gentrified like some areas and there is the opportunity to create something positive for the community.

Sara Stallard (Mason Street): Said she has never felt unsafe in this neighbourhood and any ills will not be solved by this development. Franklin Park will be shaded and so will the farm. There are issues with traffic turning into Mason Street and they need to support local businesses not a big retailer.

Geoff Courtnall (Yates Street): Said new investment is needed in the community and this proposal will help to clear up issues in the area. Bosa gives to the community they work in and this new building will give back to the community and add to the neighbourhood.

Rob Reid (Vancouver Street): Said he saw Harris Green become safer with commercial development and this proposal is a good plan and there is a need for housing so the overall benefits this brings to the City is supportable.

David Marshall (Fort Street): Said the proposal is largely consistent with the OCP and noted that the design of the development and traffic flow has been revised. This is a good project that will revitalize the neighbourhood and incorporates innovative programs.

Don Evans (Pandora Avenue): Is the Executive Director of Our place and supports the proposal that will build a vibrant community where there is a vacant property. The retail component will provide jobs and the 200 units will make a difference with the low vacancy rate in Victoria.

Motion to Extend Past 11 p.m.

It was moved by Councillor Isitt, seconded by Councillor Loveday, to extend the Council meeting past 11 p.m. Carried Unanimously

Mayor Helps advised that the hearing may be adjourned to another evening as there are at least 40 more people waiting to speak at this hearing.

Tony Mathews (Mason Street): Said the area does have issues but things have improved and Bosa has spoken to them and he supports the development.

Heather Benning (Vancouver Street): Is concerned how the development will impact the farm and would like to see some development and densification, but something that contributes to the neighbourhood; she is discouraged by this development.

Mani Benning (Vancouver Street): Said densification is important to keep downtown vibrant but it has to be innovative and there is room for innovation to have something they can be proud of.

Mariko Ihara (Duke Road): Read from a letter from Anastasia Holland that expressed concerns about the proposed development and increased traffic and the housing offered is not affordable. This will impact established business and the proposal is not in touch with what the community needs. Speaking for herself, she also has many concerns and doesn't support the current proposal and would like a better proposal with more community green space and housing.

Sue Goldsach (Lampson Street): Said people with businesses in the area may feel pushed out due to the economic and social issues, and this development will bring in diverse people, as it has a balance of retail with low cost housing and will make people feel safe.

Morgan Purvis-Bellamano (Graham Street): Said people are investing in the City and development and density are needed, but this kind of opposition shows they have to do better to represent the community and there can be economic growth without disrupting values.

David Gramlich (North Park Street): Said he supports this development and it will provide what's needed in the community and it is economically feasible and will provide jobs. It may not meet everyone's wishes, but if this is turned down it will be many years before anyone else develops it.

Ernesto Mendez (Vision Way): Said this development adds to the community and invites a wide demographic into downtown Victoria, as it provides development and planning at a neighbourhood scale and is sustainable for the urban environment.

Motion to Adjourn the Hearing

It was moved by Councillor Isitt, seconded by Councillor Alto, that the public hearing be adjourned and continue on Thursday, September 17, 2015 at 7:30 p.m.

Robert Woodland (Corporate Administrator): Said Council is adjourning the hearing to continue on a specific day. Between today and September 17, 2015, Council must not receive written or verbal submissions from the public or applicant on this application outside of the hearing. Comments on the development proposal can be sent to publichearings@victoria.ca or written correspondence can be sent to Legislative Services at Victoria City Hall. If members of the public have questions about the process, they can contact Legislative Services.

Carried unanimously

Council recessed at 11:32 p.m. and reconvened at 11:37 p.m.

HEARINGS – REQUESTS TO ADDRESS COUNCIL

It was moved by Councillor Loveday, seconded by Councillor Isitt, that the following speaker be permitted to address Council. Carried Unanimously

1. **David Calder re: Permissive Tax Exemption for Gorge Rowing Club:**
Described the history and programs of the Gorge Rowing Club and their obligation to pay property taxes for two parcels of land. They have applied for a Property Tax Exemption which staff recommended not be approved and he asked Council to reconsider staff's recommendation.

UNFINISHED BUSINESS

1. **Development Permit with Variances Application No. 000385 for 759 Yates Street**
Council received a report dated August 13, 2015 that informed Council that the necessary conditions that would authorize the issuance of the Development Permit with Variances for the property located at 759 Yates Street have been fulfilled.

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, that Council direct staff to give notice and set a hearing to allow an opportunity for public comment for Development Permit with Variances No. 000385 for 759 Yates Street. Carried Unanimously

2. **Development Permit with Variances Application No. 000388 for 80 Saghalie Road**
Council received a report dated August 13, 2015 that informed Council that the necessary conditions that would authorize the issuance of the Development Permit with Variances for the property located at 80 Saghalie Road have been fulfilled.

Motion:

It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that Council direct staff to give notice and set a hearing to allow an opportunity for public comment for Development Permit with Variances No. 000388 for 80 Saghalie Road. Carried Unanimously

3. **Development Permit with Variances Application No. 000352 for 2353 Douglas Street**
Council received a report dated August 19, 2015 that informed Council that the necessary conditions that would authorize the issuance of the Development Permit with Variances Application for the property located at 2353 Douglas Street have been fulfilled.

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that after giving notice and following an opportunity for public comment, that Council consider the following motion:

- “1. Plans date stamped May 8, 2014 and June 4, 2014.
2. Development meeting all Zoning Regulation Bylaw requirements with the following variance:
 - Schedule “C”, Section 7.2 (h) relaxation of the width of landscaped area requirement from 0.60m to Nil for a trellis and climbing vines.
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of staff.
4. The Development Permit lapsing two years from the date of this resolution.” Carried Unanimously

Councillor Lucas withdrew from Council Chambers at 11:46 p.m. due to an indirect pecuniary conflict of interest in the following items as she oversees all liquor operations at the Hotel Rialto.

4. **Rezoning Application No. 00461 and Heritage Alteration Permit No. 00192 for 816 Government Street and 811-813 Wharf Street**
Council received a report dated August 13, 2015 that informed Council that the necessary conditions that would permit Rezoning Application No. 00461 and Heritage Alteration Permit No. 00192 for the property located at 816 Government Street and 811-813 Wharf Street to proceed to a hearing have been fulfilled.

Motion:

It was moved by Councillor Alto, seconded by Councillor Coleman, that Council direct staff to give notice and set a meeting to allow an opportunity for public comment for Rezoning Application No. 00461 and Heritage Alteration Permit No. 00192 for the property located at 816 Government Street and 811-813 Wharf Street, with the following amended motion replacing the previous Council resolution of April 30, 2015, as it pertains to Heritage Alteration Permit Application No. 00192:

1. That Council consider giving first and second reading to the Heritage Revitalization Agreement Bylaw (HRA Bylaw)
2. That Council consider referring the HRA Bylaw for consideration at a Public Hearing.
3. Following consideration of the Zoning Regulation Bylaw Amendment and the HRA Bylaw pertaining to Rezoning Application No. 00461 for 816 Government Street and 811-813 Wharf Street and if they are approved that Council consider the following motion:

“That Council authorize the issuance of the Heritage Alteration Permit Application No. 00192 for 816 Government Street, in accordance with:

1. Plans titled “Revised Drawings” and date stamped July 22, 2015.
2. Heritage Building Proposed Interventions date stamped April 7, 2015.
3. Heritage Revitalization Agreement Bylaw.
4. Development meeting all *Zoning Regulation Bylaw* requirements, except for a variance to the height permitted in the proposed new zone from 17.70m to 27.84m as recommended in Rezoning Application No. 00461 for 816 Government Street and 811-813 Wharf Street.
5. Final plans to be generally in accordance with plans identified above as amended to the satisfaction of staff.
6. The Heritage Alteration Permit lapsing two years from the date of this resolution.”

Carried Unanimously

Councillor Lucas returned to the meeting at 11:47 p.m.

5. **Development Permit Application No. 000418 for 254 Belleville Street**
Council received a report dated August 13, 2015 that presented Council with a revised recommendation for consideration in relation to a Development Permit Application for the property located at 254 Belleville Street. On April 30, 2015, Council agreed to issue the Development Permit subject to:

A Section 219 Covenant, in a form satisfactory to the City Solicitor, being registered on title requiring that the food truck be removed from the property after a period of not more than five years or upon completion and occupancy of a new terminal building, whichever occurs first, to the satisfaction of the Assistant Director, Development Services Division, Sustainable Planning and Community Development.

The applicant has informed staff that they are unable to allow the Section 219 Covenant to be registered on the property and have provided the City with a Letter of Understanding in its place.

Motion:

It was moved by Councillor Young, seconded by Councillor Alto, that Council authorize the issuance of Development Permit Application No. 000418 for 254 Belleville Street, in accordance with:

1. Plans date stamped March 20, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. The Development Permit lapsing two years from the date of this resolution. Carried Unanimously

6. Update on Rezoning Application No. 00404 and Development Permit Application No. 000323 for 2636, 2638 and 2642 Shelbourne Street

Council received a report dated August 13, 2015 that updated Council on the status of conditions set by Council Rezoning Application No. 00404 and Development Permit Application No. 000323 for 2636, 2638 and 2642 Shelbourne Street, and to recommend the bylaw be adopted and the Development Permit be approved.

Motion:

It was moved by Councillor Alto, seconded by Councillor Coleman, that Council:

1. Adopt *Zoning Regulation Bylaw, Amendment Bylaw (No. 1010)* for Rezoning Application No. 00404 for the property located at 2636-2642 Shelbourne Street, and;
2. Authorize the issuance of Development Permit Application No. 00323 for 2636, 2638 and 2642 Shelbourne Street in accordance with:
 - a. Plans date stamped March 12, 2014, as amended February 26, 2015;
 - b. Development meeting all *Zoning Regulation Bylaw* requirements, except for:
 - i) Part 2.138.6.c - rear yard setback reduced from 4.0m to 3.66m
 - ii) Part 2.138.6.d - side yard setbacks (north and south) reduced from 4.0m to 2.5m
 - iii) Part 2.138.6.f - separation space between buildings reduced from 5.0m to 3.02m
 - iv) Schedule C - total number of stalls reduced from 18 to 15 stalls;
 - c. Landscaping refinements to the rear yard and the addition of permeable paving for the main drive aisle, to the satisfaction of staff;
 - d. Final improvements in the public Right-of-Way (sidewalk and boulevard) to the satisfaction of staff;
 - e. Final plans to be generally consistent with the plans identified above, to the satisfaction of staff.

Carried Unanimously

REPORTS OF THE COMMITTEES

1. Governance and Priorities Committee – August 20, 2015

1. Use of City Hall for TedxVictoria – November 21

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council approves the use of the City Hall Antechamber and Council Chamber by TedxVictoria for a public event on Saturday, November 21 between 9:00 a.m. and 6:00 p.m., subject to security costs of up to \$500 being covered by TedxVictoria. Carried Unanimously

2. Johnson Street Bridge Public Realm Areas

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council direct staff to proceed with public engagement on urban design of the public realm in fall 2015 and to report back to Council with a public realm design and corresponding budget options. Carried Unanimously

3. Strategic Real Estate Review – Report August 2015

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council:

1. Direct staff to implement and operationalize the Strategic Real Estate function for the City of Victoria as outlined in the Urban Systems August 2015 report.
2. That a six-month Strategic Real Estate Implementation report come forward to the Governance and Priorities Committee in April 2016.
3. Direct staff to release \$40,000 from the strategic priorities fund for implementation in 2015.
4. Pursue highest and best use while employing the triple bottom line approach.

Carried Unanimously

4. Johnson Street Art on Parkades Selection

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council approve the decision of the selection panel naming Susan Point and Thomas Cannell winners of the Johnson Street Art on Parkades competition. Carried Unanimously

5. Closing City Right of Way – Clawthorpe Park

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council instructs City staff to:

1. Draft a bylaw closing the part of Clawthorpe Avenue that is already integrated into Clawthorpe Park and removing its highway dedication for Council's consideration of three readings and adoption.
2. Make an application to remove internal lot lines on Plan VIP1222 in order to create a single lot from Lots 23 to 28.
3. File a plan dedicating as park the two new lots created by implementation of the above recommendations. Carried Unanimously

6. Mayor's Art and Innovation Award Jury

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council select Councillor Loveday to join the Mayor and five other community members on the jury for the Mayor's Arts and Innovation Awards as described in the motion dated August 13, 2015. Carried Unanimously

7. National Pharmacare Program

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council approve the following motion:

WHEREAS the City of Victoria has been recognized and demonstrated its commitment to the importance of healthy citizens as the foundation of a healthy, engaged and economically vibrant community;

AND WHEREAS over 3 million Canadians, including many in our local communities, do not take medicines prescribed by doctors because they cannot afford to purchase them;

AND WHEREAS Canada is currently the only country with a national medicare program that does not have a national pharmacare program;

AND WHEREAS the risk of having no insurance for medicines is particularly high among lower income Canadians, including many workers in the City of Victoria with precarious and seasonal employment;

AND WHEREAS research suggests that adding a national pharmacare program to our national health care system would lower costs to businesses by as much as \$8 billion per year, with a corresponding competitive advantage for Canadian companies;

AND WHEREAS the creation of a national pharmacare program could produce substantial cost savings for local government expenditures on employee benefits;

AND WHEREAS a national prescription drug formulary would support better quality prescribing, including reducing dangerous and inappropriate prescribing to Canadian seniors;

AND WHEREAS a National Pharmacare plan is sound policy, both economically and socially.

THEREFORE BE IT RESOLVED THAT the City of Victoria places itself on the record supporting the creation of a National Pharmacare program as an extension of Canadian Medicare, to improve the health outcomes of local residents, ensure fairness in access to medicine, and provide for greater efficiency and effectiveness in Canada's health care system.

BE IT FURTHER RESOLVED THAT the City of Victoria calls on the Government of British Columbia to work with other Provinces and the Federal Government to develop and implement a National Pharmacare program;

AND BE IT FURTHER RESOLVED THAT Council requests that the Mayor convey this decision to the Prime Minister of Canada, the federal Minister of Health, the Premier of British Columbia, the provincial Minister of Health, and members of the legislative assembly and members of parliament representing districts within the City of Victoria;

AND BE IT FURTHER RESOLVED THAT the City of Victoria submits this resolution for consideration at the 2016 conventions of the Association of Vancouver Island and Coastal Communities and the Union of British Columbia Municipalities. Carried Unanimously

8. Accessibility Working Group

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council approve the following motion:

BE IT RESOLVED THAT Council approves the formation of an Accessibility Working Group.

BE IT FURTHER RESOLVED THAT Council adopts the Terms of Reference attached to the motion dated August 13, 2015, for the Accessibility Working Group and directs staff to convene a meeting of the working group as soon as practicable. Carried Unanimously

9. Conference Attendance Request

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council authorizes the attendance and associated costs for Mayor Lisa Helps, Councillor Marianne Alto and Councillor Chris Coleman to the Union of British Columbia Municipalities Conference to be held in Vancouver, September 21 to 25, 2015.

Councillor Loveday advised that he and Councillor Isitt are also attending the UBCM conference and they'd like approval to attend as well. Mayor Helps requested they formally submit a motion at the next GPC meeting.

Carried Unanimously

10. Amendment to the 2015 – 2018 Strategic Plan: Socially Responsible Investments and Pension Funds

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council direct staff to report back on the implications of adding to the 2015 – 2018 Strategic Plan the actions related to the motion Socially Responsible Investments and Pension Funds. Carried

For:

***Mayor Helps, Councillors Alto, Coleman, Isitt,
Loveday, Lucas, Madoff and Thornton-Joe***

Against:

Councillor Young

11. 2016 Permissive Tax Exemptions

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council approve:

1. That all applications for permissive tax exemption detailed in table 2 of the report dated August 6, 2015, for the 2016 tax year be approved.
2. That permissive tax exemptions detailed in table 4 of the report dated August 6, 2015, be approved.
3. That Council direct staff to prepare a 2016 permissive tax exemption bylaw for Council approval.

Councillor Loveday asked if staff could look at the application from the Gorge Rowing Club and see if the dock is eligible for a Permissive Tax Exemption, as outlined by Mr. Calder.

Susanne Thompson (Director of Finance): Advised that she will report back on this application.

Carried Unanimously

12. Accessibility Working Group

Council received a motion dated August 27, 2015 from Councillors Loveday and Isitt that requested Council appoint two Council members to the Accessibility Working Group.

Motion:

It was moved by Councillor Isitt, seconded by Councillor Lucas, that Council appoint Councillors Loveday and Alto as non-voting members of the Accessibility Working Group. Carried Unanimously

2. Planning and Land Use Committee – August 27, 2015

1. Development Permit Application No. 000435 for 254 Belleville Street

It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that Council authorize the issuance of Development Permit Application No. 000435 for 254 Belleville Street, in accordance with:

1. Plans date stamped July 13, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. The Development Permit lapsing two years from the date of this resolution.

Carried Unanimously

2. Development Variance Permit No. 00153 for 239 Menzies Street

It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

“That Council authorize the issuance of Development Variance Permit Application No. 00153 for 239 Menzies Street, in accordance with:

1. *Plans date stamped June 19, 2015.*
2. *Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:*
 - *Schedule C Section 16.C.12 – Parking requirement for an additional 20 seats in the existing restaurant relaxed from 6 parking stalls to 2 parking stalls.*
3. *The Development Permit lapsing two years from the date of this resolution.”*

Carried Unanimously

3. Development Permit with Variances Application No. 000382 for 2560 Quadra Street

It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

“That Council authorize the issuance of Development Permit Application No. 000382 with Variances for 2560 Quadra Street, in accordance with:

1. *Plans date stamped June 11, 2015.*
2. *Development meeting all Zoning Regulation Bylaw requirements except for the following variances:*
 - a. *Schedule C, total number of parking stalls reduced from 21 to 9, with provision for one visitor parking space.*
 - b. *Setback from Quadra Street reduced from 6.0m to 3.2m for the third floor (C1-QV Zone, Section 4.52).*
 - c. *Setback from the south side yard reduced from 3.55m to nil (C1-QV Zone, Section 4.52).*
3. *Review by Advisory Design Panel with particular attention to the single loaded corridors as a design approach.*
4. *The applicant entering into a Car Share agreement with MODO to secure car share membership for each unit of the project.*
5. *Final plans to the satisfaction of the Director of Engineering and Public Works for any works within the Statutory Right-of-Way.*

6. *Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director of Development Services.*
7. *The Development Permit lapsing two years from the date of this resolution."*

Carried Unanimously

4. Rezoning Application No. 00483 for 2550 Rock Bay Avenue

It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that Council instruct staff to prepare the necessary *Zoning Regulation Bylaw Amendment* that would authorize the proposed development outlined in Rezoning Application No. 00483 for 2550 Rock Bay Avenue, that first and second reading of the *Zoning Regulation Bylaw Amendment* be considered by Council and a Public Hearing date be set.

Carried Unanimously

5. Development Variance Permit Application No. 00155 for 2550 Rock Bay Avenue

It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00155 for 2550 Rock Bay Avenue, in accordance with:

1. *Plans date stamped July 30, 2015.*
2. *Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:*
 - *Schedule C Section 16 – Required parking spaces relaxed from 8 parking spaces (3 for manufacturing, 2 for offices and 3 for cabinet display and sales) to 5 parking spaces*
3. *The Development Variance Permit lapsing two years from the date of this resolution."*

Carried Unanimously

Councillor Lucas withdrew from Council Chambers at 11:59 p.m. due to an indirect pecuniary conflict of interest in the following items as she oversees all liquor operations at the Hotel Rialto.

6. Application for a Permanent Change to the Hours of Licensee Retail Store – Cascadia Fine Wines, Ales & Spirits – 2631 Quadra Street

It was moved by Councillor Isitt, seconded by Councillor Alto, that Council, after conducting a review with respect to noise and community impacts regarding the application to amend liquor sales hours for the Licensee Retail Store business of Cascadia Fine Wines Ales and Spirits, Liquor License No. 195499, located at 2631 Quadra Street, approves:

1. The application of Cascadia Fine Wines Ales and Spirits to operate their Licensee Retail Store business during the hours of 9:00am to 11:00pm daily.
2. Instructs the Corporate Administrator to notify the General Manager of the Liquor Control and Licensing Branch (LCLB) of this decision so that the LCLB can amend the provincial Retail Store Liquor Licence accordingly.

Carried Unanimously

Councillor Lucas returned to the meeting at 12:00 midnight

7. Development Variance Permit Application No. 00154 for 1610 Hillside Avenue

It was moved by Councillor Alto, seconded by Councillor Loveday, that after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00154 for 1610 Hillside Avenue, in accordance with:

1. *Plans date stamped July 29, 2015.*
2. *The following variances to the Sign Bylaw:*
Vary the size allowance for two of the Canadian Tire signs from 9m² each to 12.9m² and 14.2m² each."

Councillor Isitt said the Canadian Tire sign could conform to the Sign Bylaw.

Carried

For:

Mayor Helps, Councillors Alto, Coleman, Lucas, Madoff and Thornton-Joe and Young

Against:

Councillors Isitt and Loveday

8. Rezoning Application No. 00444 for 1745 Rockland Avenue

It was moved by Councillor Alto, seconded by Councillor Lucas, that Council instruct staff to prepare the necessary *Zoning Regulation Bylaw Amendment* that would authorize the proposed development outlined in Rezoning Application No. 00444 for 1745 Rockland Avenue, that first and second reading of the *Zoning Regulation Bylaw Amendment* be considered by Council and a Public Hearing date be set.

Carried

For:

Mayor Helps, Councillors Alto, Coleman, Lucas, and Thornton-Joe

Against:

Councillors Isitt, Loveday, Madoff and Young

9. Development Permit Application No. 000357 for 1745 Rockland Avenue

It was moved by Councillor Alto, seconded by Councillor Lucas, that Council consider the following motion, after the Public Hearing for Rezoning Application #00444, if it is approved:

“That Council authorize the issuance of Development Permit Application No. 000357 for 1745 Rockland, in accordance with:

1. *Plans date stamped June 25, 2015.*
2. *Development meeting all Zoning Regulation bylaw requirements.*
3. *The Development Permit lapsing two years from the date of this resolution.*
4. *That Council authorize the Mayor and Corporate Administrator to execute the documents, in the form satisfactory to the City Solicitor, necessary to remove the Right-of-Way from the title of the property located at 1745 Rockland Avenue, prior to the issuance of a Building Permit.”* Carried

For:

**Mayor Helps, Councillors Alto,
Coleman, Lucas, and Thornton-Joe**

Against:

Councillors Isitt, Loveday, Madoff and Young

10. Development Permit with Variances Application No. 000426 for 951 Johnson Street

It was moved by Councillor Lucas, seconded by Councillor Alto,

1. That Council refer the Application to the Advisory Design Panel, with a request that the Panel pay particular attention to the following:
 - The appropriateness of the height of the street walls, with particular emphasis on the transition to the adjacent building to the west of Johnson Street.
 - The height of the podium corner at the intersection of Johnson Street and Vancouver Street, with opportunities to increase the building mass in this location.
 - Potential CPTED concerns associated with the primary residential entrance on Johnson Street.
 - The appropriateness of the building separation distances between the proposed building and the adjacent four-storey residential building to the west.
2. Following this referral and after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

“That Council authorize the issuance of Development Permit Application No. 000426 with Variances for 951 Johnson Street, in accordance with:

 1. *Plans date stamped August 4, 2015.*
 2. *Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:*
 - a. *Section 3.67.5(2) - increase the building height from 30m to 50m;*
 - b. *Section 3.67.5(2) - increase the number of storeys from 10 storeys to 17 storeys;*
 3. *The submission of revised plans that address comments from the Advisory Design Panel to the satisfaction of City staff.*
 4. *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 staff.*
 5. *Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff.*
 6. *The Development Permit lapsing two years from the date of this resolution.”*

Councillor Isitt asked why the access and egress is designated for Vancouver Street rather than Johnson Street.

Brad Dellebuur (Acting Assistant Director, Transportation & Parking Services): He believes it is because it is a lower classified street but he will review the file.

Amendment:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that the Part 2 of motion be amended as follows:

That Council consider the following motion:

2. Following this referral and after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

“That Council authorize the issuance of Development Permit Application No. 000426 with Variances for 951 Johnson Street, in accordance with:

 1. *Plans date stamped August 4, 2015.*
 2. ***That staff report back on the advisability of providing access and egress from Johnson Street, rather than Vancouver Street, to avoid contributing to increased motor-vehicle traffic volumes on the Vancouver Street greenway.***
 3. *Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:*
 - a. *Section 3.67.5(2) - increase the building height from 30m to 50m;*
 - b. *Section 3.67.5(2) - increase the number of storeys from 10 storeys to 17 storeys;*
 4. *The submission of revised plans that address comments from the Advisory Design Panel to the satisfaction of City staff.*
 5. *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 staff.*
 6. *Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff.*
 7. *The Development Permit lapsing two years from the date of this resolution.”*

On the amendment:

Carried Unanimously

On the main motion as amended:

Carried Unanimously

11. Victoria Housing Fund Application for 3211 – 3223 Quadra Street (Cottage Grove)

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that Council approve a grant from the Victoria Housing Fund in the amount of \$112,000 to the Victoria Cool Aid Society to assist in the development of 45 units of affordable rental housing within the project to be constructed at 3211 – 3223 Quadra Street, on the following conditions:

1. The grant will be eligible for payment to the Victoria Cool Aid Society upon approval of the grant by Council.
2. The grant is to be repaid by the Victoria Cool Aid Society if the project does not proceed.
3. The Victoria Cool Aid Society will ensure that the City of Victoria receives public recognition for its role as a financial contributor to this housing project by identifying the City of Victoria as a contributor on publications and documents related to the project and at public events related to the development, completion and operation of this project.
4. Upon project completion, the applicant submits a final report to the Sustainable Planning & Community Development department.
5. The Victoria Cool Aid Society enter into an unregistered agreement to use the full grant amount to fund the construction of the Cottage Grove project as per its grant application and to return the grant funds to the City of Victoria should the project not be completed and operating within 36 months of approval of this grant request.

Councillor Young said that Victoria doesn't have the resources to provide grants to assist housing in other municipalities.

Councillor Thornton-Joe noted the high cost of managing homelessness and this grant is modest but will help ensure this housing project proceeds.

Councillor Coleman noted that this is similar to the CRD park levy which provides a similar, regional benefit.

Carried

For:

**Mayor Helps, Councillors Alto, Coleman, Isitt,
Loveday, Lucas, Madoff and Thornton-Joe**

Against:

Councillor Young

MOTIONS

1. To Set Public Hearings for the Council Meeting of Thursday, September 10, 2015:

It was moved by Councillor Madoff, seconded by Councillor Alto, that the following Public Hearings be held in Council Chambers, City Hall, on **THURSDAY, SEPTEMBER 10, 2015, at 7 p.m.:**

1. Development Permit with Variances Application No. 000352 for 2353 Douglas Street
2. Development Permit with Variances Application No. 000385 for 759 Yates Street
3. Development Permit with Variances Application No. 00388 for 80 Saghalie Road
4. Development Permit with Variances Application No. 000425 for 755 Caledonia Avenue

Carried Unanimously

Councillor Lucas withdrew from Council Chambers at 12:12 a.m. due to an indirect pecuniary conflict of interest in the following matters regarding 816 Government Street and 811-813 Wharf Street as she oversees all liquor operations at the Hotel Rialto.

It was moved by Councillor Coleman, seconded by Councillor Loveday, that the following Public Hearing be held in Council Chambers, City Hall, on **THURSDAY, SEPTEMBER 10, 2015, at 7 p.m.:**

1. Rezoning Application No. 00461 for 816 Government Street and 811-813 Wharf Street

Carried Unanimously

BYLAWS

1. FIRST READING

It was moved by Councillor Coleman, seconded by Councillor Loveday, that the following bylaws **be given first reading:**

Zoning Regulation Bylaw, Amendment Bylaw (No. 1046)

The purpose of this bylaw is to rezone the land known as 2280 Forbes Street to permit a two-lot subdivision and construction of one new small lot house.

Zoning Regulation Bylaw, Amendment Bylaw (No. 1044)

The purpose of this bylaw is to rezone the land known as 816 Government Street to permit increased density in exchange for heritage conservation measures and permit additional uses of brewery, distillery and liquor retail store.

Heritage Designation (816 Government and 811-813 Wharf Street) Bylaw

The purpose of this bylaw is to designate the exterior of the building known as the Customs House as protected heritage property.

Heritage Revitalization Agreement (816 Government Street) Bylaw

The purpose of this bylaw is to authorize a Heritage Revitalization Agreement for 816 Government Street and 811-813 Wharf Street.

Housing Agreement (816 Government Street) Bylaw

The purpose of this bylaw is to authorize a Housing Agreement for 816 Government Street and 811-813 Wharf Street. Carried Unanimously

2. SECOND READING

It was moved by Councillor Coleman, seconded by Councillor Loveday, that the following bylaws be **given second reading:**

Zoning Regulation Bylaw, Amendment Bylaw (No. 1046)

Zoning Regulation Bylaw, Amendment Bylaw (No. 1044)

Heritage Designation (816 Government and 811-813 Wharf Street) Bylaw

Heritage Revitalization Agreement (816 Government Street) Bylaw

Housing Agreement (816 Government Street) Bylaw

Carried Unanimously

3. THIRD READING

It was moved by Councillor Coleman, seconded by Councillor Loveday, that the following bylaw be **given third reading:**

Housing Agreement (816 Government Street) Bylaw

Carried Unanimously

Councillor Lucas returned to the meeting at 12:14 a.m.

4. ADOPTION

It was moved by Councillor Coleman, seconded by Councillor Loveday, that the following bylaws be adopted:

Housing Agreement (2014 Government Street) Bylaw

The purpose of this bylaw is to authorize an amendment to an agreement for rental housing for 577 Pembroke Street, 2014 Government Street and 2018 Government Street

Five Year Financial Plan Bylaw, 2015 Amendment Bylaw (No. 1)

The purpose of this bylaw is to propose amendments to Schedules 3 and 4 of the Five Year Financial Plan Bylaw, 2015 to increase the Johnson Street Bridge Replacement Project Fund.

Carried Unanimously

QUESTION PERIOD

A question period was held.

CLOSED MEETING

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council convene a closed meeting that excludes the public under Section 12(6) of the Council Bylaw for the reason that the following agenda items deal with matters specified in Sections 12(3) and/or (4) of the Council Bylaw; namely:

Section 12(3)(c) - Labour relations or employee relations.

Section 12(3)(e) - The acquisition, disposition or expropriation of land and/or improvements, if the Council considers that disclosure might reasonably be expected to harm the interests of the City.

Carried Unanimously

ADJOURNMENT

It was moved by Councillor Loveday, seconded by Councillor Lucas, that the Council meeting adjourn.

Time: 12:43 a.m.

Carried Unanimously

CERTIFIED CORRECT:

CORPORATE ADMINISTRATOR

MAYOR OF THE CITY OF VICTORIA