



MINUTES – VICTORIA CITY COUNCIL

MEETING OF THURSDAY, MARCH 22, 2018, AT 6:30 P.M.

<u>PLACE OF MEETING:</u>	Council Chambers, City Hall
<u>PRESENT:</u>	Mayor Helps in the Chair, Councillors Alto, Coleman, Loveday, Madoff, Thornton-Joe, and Young.
<u>ABSENT:</u>	Councillors Isitt and Lucas.
<u>STAFF PRESENT:</u>	J. Jenkyns - Acting City Manager; C. Coates - City Clerk; P. Bruce – Fire Chief; S. Thompson – Director of Finance; F. Work – Director of Engineering & Public Works; N. Sidhu – Assistant Director of Parks, Recreation, & Facilities; A. Hudson – Assistant Director of Community Planning; T. Zworski - City Solicitor; B. Eisenhauer - Head of Engagement; C. Havelka – Deputy City Clerk; C. Mycroft – Manager of Executive Operations; L. Taylor – Senior Planner; A. Johnston – Senior Planner; P. Martin - Council Secretary.

APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, that the agenda be approved as amended.

Carried Unanimously

READING OF MINUTES

Motion:

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

1. Minutes from the evening meeting held January 11, 2018
2. Minutes from the evening meeting held January 25, 2018
3. Minutes from the evening meeting held February 8, 2018

Carried Unanimously

Poet Laureate, Yvonne Blomer, read a poem titled "Allergies for the earth".

REQUESTS TO ADDRESS COUNCIL

Motion:

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that the following speakers be permitted to address Council.

Carried Unanimously

1. **Donna Friedlander: Changes to Vehicles for Hire Bylaw**
Outlined why Council should allow the company to renew the carriage stand leases for a ten year term.

2. **Stephanie Rathwell and Ainsley Viggers: Memorializing the Johnson Street Bridge**
 Outlined why Council should reclaim steel from the Johnson Street Bridge in order to memorialize the old bridge.
3. **David Mason: Seagull Nesting in Downtown Victoria**
 Outlined why Council should make the installation of anti-nesting rooftop solutions for seagull nesting mandatory for flat roofs in Old Town Victoria.
4. **Robert McConnell: Proposed Cook Street Cycle Lanes and Emergency Vehicle Response Times**
 Outlined why Council should review the Cook Street cycle lanes and their impact on emergency vehicle response times.
5. **Chris Zmuda: Negligent of City Administration**
 Outlined why Council should review the allowance of cannabis dispensaries in the City.

PROCLAMATIONS

Motion:

It was moved by Councillor Coleman, seconded by Councillor Loveday, that the following proclamation be endorsed:

1. "Parkinson's Awareness Month" – April 2018

Carried Unanimously

Motion:

It was moved by Councillor Coleman, seconded by Councillor Loveday, that the following proclamation be endorsed:

1. "Barbershop Harmony Quartet Week" – April 8 to 14, 2018

Carried Unanimously

Motion:

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

1. "Autism Awareness Day" – April 2, 2018

Carried Unanimously

PUBLIC AND STATUTORY HEARINGS

Councillor Loveday withdrew from the meeting at 7:04 p.m. due to a potential non-pecuniary conflict of interest with the following item, as the applicant is a family friend.

1. **Rezoning Application No. 00606 for 350 Sylvia Street**

1. **Public Hearing**

Rezoning Application No. 00606

To rezone the land known as 350 Sylvia Street from the R-2 Zone, Two Family Dwelling District, to the R1-45 Zone, Sylvia Street Conversion District, to permit a second plumbing fixture in an accessory building.

New Zone: R1-45 Zone, Sylvia Street Conversion District

Legal description: Lot 15, Beckley Farm, Victoria City, Plan 293, Except Part in Plan EPP59717

Existing Zone: R-2 Zone, Two Family Dwelling District

Leanne Taylor (Senior Planner): Advised that the application is to add a second plumbing fixture to an accessory building.

Mayor Helps opened the public hearing at 7:05 p.m.

Sarah Hilliard (Applicant): Provided information regarding the application, advising of the necessity for the second plumbing fixture in the accessory building.

There were no persons present to speak to the proposed bylaw.

Mayor Helps closed the public hearing at 7:07 p.m.

2. **Bylaw Approval**

Motion:

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

1. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1135) No. 18-007*

Carried Unanimously

3. **Bylaw Approval**

Motion:

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that the following bylaw **be adopted:**

1. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1135) No. 18-007*

Carried Unanimously

Councillor Loveday returned to the meeting at 7:08 p.m.

2. **Rezoning Application No. 00569 and Development Permit with Variances Application No. 00044 for 540 Discovery Street and 2000 & 2010 Government Street**

1. **Public Hearing**

Rezoning Application No. 00569

To amend the existing M-G-3 Zone, Government Light Industrial 3 District, by adding a brewpub as a permitted use in the zone.

Legal description: Lot 1 of Lots 514, 515, 516 and 517, Victoria City, Plan 22293

Existing Zone: M-G-3 Zone, Government Light Industrial 3 District

2. **Development Permit with Variances Application No. 00044**

The Council of the City of Victoria will also consider issuing a development permit for the land known as 540 Discovery Street and 2000 and 2010 Government Street, in Development Permit Area 10B (HC): Rock Bay Heritage for the purposes of exterior changes and approving a sign.

The Development Permit will vary the following requirements of the Zoning Regulation Bylaw and the Sign Bylaw:

- Part 7.45, Section 4(1): reduce the width of access at the street from 5m to 4.36m;
- Schedule C, Section C and D: reduce the required number of parking spaces from 45 to 5;
- Sign Bylaw No. 14-097, Part 4, Section 18(4): to allow the sign to project above and over the wall to which it is attached;
- Sign Bylaw No. 14-097 Part 4 Section 18(7): increase the width of a projecting sign at its base from 0.40m to 0.58m.

Leanne Taylor (Senior Planner): *Advised that the application is for a tasting room and relocation of liquor retail sales area.*

Mayor Helps opened the public hearing at 7:09 p.m.

Mike Moody (Architect): Provided information regarding the application, advising of how the existing area would be extended into the new location, and for a change to the zoning so that a brewpub can be a permitted use.

Matt (Applicant): Provided information regarding the application, advising that the permitted use of a brewpub would allow them to operate a tasting room.

Mike Moody (Architect): Provided information regarding the application, advising of the requested variances in relation to the proposed signage.

There were no persons present to speak to the proposed bylaw.

Mayor Helps closed the public hearing at 7:24 p.m.

3. **Bylaw Approval**

Motion:

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

1. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1134) No. 18-016*

Carried Unanimously

4. **Bylaw Approval**

Motion:

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that the following bylaw **be adopted:**

1. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1134) No. 18-016*

Carried Unanimously

5. **Development Permit with Variances Approval**

Motion:

It was moved by Councillor Loveday, seconded by Councillor Alto, that Council authorize the issuance of Development Permit Application No. 00044 for 540 Discovery Street and 2000 & 2010 Government Street, in accordance with:

1. Plans date stamped July 13, 2017.

2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Part 7.45, Section 4(1): reduce the width of access at the street from 5m to 4.36m;
 - ii. Schedule C, Section C and D: reduce the required number of parking spaces from 45 to 5;
 - iii. Sign Bylaw No. 14-097, Part 4, Section 18(4): to allow the sign to project above and over the wall to which it is attached;
 - iv. Sign Bylaw No. 14-097 Part 4 Section 18(7): increase the width of a projecting sign at its base from 0.40m to 0.58m;
3. The Development Permit lapsing two years from the date of this resolution.
4. Register a Section 219 Covenant on the property located at 513 Pembroke Street to secure this lot for employee parking from the brewery located at 540 Discovery and 2000/2010 Government Street.

Carried Unanimously

3. Rezoning Application No. 00608 and Development Permit Application No. 000523 for 323 Skinner Street

1. Public Hearing

Rezoning Application No. 00608

To rezone the land known as 323 Skinner Street from the R1-B Zone, Single Family Dwelling District, to the R1-46 Zone, Skinner Street Daycare District, to permit a daycare accommodating no more than 32 children.

New Zone: R1-46 Zone, Skinner Street Daycare District

Legal description: PID: 018-736-581, Lot 2, Section 31, Esquimalt District, Plan VIP58823

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

2. Development Permit Application No. 000523

The Council of the City of Victoria will also consider issuing a development permit for the land known as 323 Skinner Street, in Development Permit Area 16: General Form and Character for the purposes of approving the general form and character of the proposed daycare building.

Leanne Taylor (Senior Planner): *Advised that the application is for a childcare centre with the capacity for up to 32 children.*

Mayor Helps opened the public hearing at 7:30 p.m.

Ivana Tunklova (Applicant): Provided information regarding the application, advising of how the running of the childcare centre would not negatively affect the neighbourhood.

Rita Godran (Skinner Street): Expressed support for the application as childcare spots are needed within the City, but expressed concerns relating to a potential commercial look of the building.

Kevin Kong (Rainer Street): Expressed concerns relating to the application due to the number of children, and traffic and parking concerns.

David Walmsley (Skinner Street): Expressed concerns relating to the application due to the potential commercial look of the building, and the increased traffic.

Joy Jones (Mary Street): Expressed concerns relating to the application, as she shares a driveway with the subject property, and due to the number of children.

Chad (Mary Street): Expressed concerns relating to the application, as the commercial use is not appropriate for the residential neighbourhood, and concerns relating to the shared driveway.

Andree Chenier (Raynor Avenue): Expressed concerns relating to the application, as the commercial use is not appropriate for the residential neighbourhood, and due to the increased traffic.

Martin Townsend (Raynor Avenue): Expressed concerns relating to the application, as the commercial use is not appropriate for the residential neighbourhood.

Andrea Merrick (Catherine Street): Expressed concerns relating to the application, as the increased traffic will create safety concerns for neighbouring children, and the heritage properties in the neighbourhood should be protected from commercial development.

Alison Ghee (Mary Street): Expressed concerns relating to the application, as the increased traffic will create safety concerns.

Council discussed the following:

- *Concerns relating to the shared driveway with the neighbouring property.*
- *Whether the drop-off and pick-up of children will create increased traffic in the neighbourhood.*
- *That a daycare is considered a community service, not a commercial activity.*

Councillor Loveday withdrew from the meeting at 8:20 p.m. and returned at 8:22 p.m.

- *Whether there is sufficient yard space for a daycare, as per provincial regulations.*

Mayor Helps closed the public hearing at 8:25 p.m.

3. **Bylaw Approval**

Motion:

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

1. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1143) No. 18-027*

Council discussed the following:

- *The need for childcare in the Victoria West community.*
- *The lack of consultation with the neighbours and resulting neighbourhood concerns.*
- *Whether there is sufficient capacity for outdoor space for the number of children.*
- *Concerns relating to the potential increased traffic and relating safety concerns.*

Carried

For: Mayor Helps, Councillors Alto, Coleman, and Loveday

Opposed: Councillors Madoff, Thornton-Joe, and Young

5. **Bylaw Approval**

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, that the following bylaw **be adopted:**

1. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1143) No. 18-027*

Carried

For: Mayor Helps, Councillors Alto, Coleman, and Loveday

Opposed: Councillors Madoff, Thornton-Joe, and Young

6. **Development Permit with Variances Approval**

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, that Council authorize the issuance of Development Permit Application No. 000523 for 323 Skinner Street subject to submission of supplementary plans identifying the proposed sustainability features, to the satisfaction of the Director of Sustainable Planning and Community Development, in accordance with:

1. Plans date stamped December 15, 2017.
2. The development meeting all *Zoning Regulation Bylaw* requirements.
3. The Development Permit lapsing two years from the date of this resolution.

Carried

For: Mayor Helps, Councillors Alto, Coleman, and Loveday
Opposed: Councillors Madoff, Thornton-Joe, and Young

Council recessed at 8:50 p.m. and reconvened at 8:56 p.m.

REQUESTS TO ADDRESS COUNCIL

Motion:

It was moved by Councillor Loveday, seconded by Councillor Coleman, that Alex Peaker be moved to become speaker number one.

Carried Unanimously

Motion:

It was moved by Councillor Loveday, seconded by Councillor Coleman, that Robert Laurie be moved to become speaker number two.

Carried Unanimously

Motion:

It was moved by Councillor Loveday, seconded by Councillor Coleman, that the following speakers be permitted to address Council.

Carried Unanimously

1. **Robert Laurie: Hardship**

Outlined why Council should reconsider the application at 2612 Bridge Street, as they provide a benefit to the community.

2. **Margarita Dominguez: Animal Rescue Mention in Bylaws**

Outlined why Council should consider feral and stray cats in relation to amendments to the Animal Control Bylaw.

Mayor Helps withdrew from the meeting at 9:09 p.m. due to a potential non-pecuniary conflict of interest with the following item, as she owns seven chickens. Councillor Thornton-Joe assumed the Chair in her absence.

3. **Wei Tu: Strong Opposition to Bylaw Change Regarding Restricting Number of Hens**

Outlined why Council should not restrict the number of allowed hens in the Animal Control Bylaw.

4. **Mario Soares: Stop Discrimination Against Poor**

Outlined why Council should not restrict the number of allowed hens in the Animal Control Bylaw.

5. **Steve McBride: Quit Prejudice Against Renters**

Outlined why Council should not restrict the number of allowed hens in the Animal Control Bylaw.

6. **Doug Rosson: Animal Control Bylaw**
Outlined why Council should not restrict the number of allowed hens in the Animal Control Bylaw.
7. **Susie Ewing: Bylaw Change to Oppress Less Fortunate**
Outlined why Council should not restrict the number of allowed hens in the Animal Control Bylaw.
8. **Nick Anderson: Bylaw Change to Oppress Less Fortunate**
Outlined why Council should not restrict the number of allowed hens in the Animal Control Bylaw.
9. **Chris Wilcox: Animal Control Bylaw Amendment**
Outlined why Council should not restrict the number of allowed hens in the Animal Control Bylaw.
10. **Ian Basko: Bylaw Change to Oppress Less Fortunate**
Outlined why Council should not restrict the number of allowed hens in the Animal Control Bylaw.
11. **Samuel Nadeau: Bylaw Change to Accommodate the Rich**
Outlined why Council should not restrict the number of allowed hens in the Animal Control Bylaw.
12. **Benjamin Havelock: Freedom for Urban Country Life**
Outlined why Council should not restrict the number of allowed hens in the Animal Control Bylaw.
13. **Sarah Elewa: Why Does Council Want to Change the Chicken Bylaw**
Outlined why Council should not restrict the number of allowed hens in the Animal Control Bylaw.
14. **Jeff Rogers: Council Needs to Help Those Who Are in Need**
Outlined why Council should not restrict the number of allowed hens in the Animal Control Bylaw.
15. **Colin Massey: The Whole World Goes Green**
Outlined why Council should not restrict the number of allowed hens in the Animal Control Bylaw.
16. **Julian Carl Schmidt: Chicken Bylaw Amendment is Bias**
Outlined why Council should not restrict the number of allowed hens in the Animal Control Bylaw.
17. **Roger Iwadbile: Hens Restriction**
Outlined why Council should not restrict the number of allowed hens in the Animal Control Bylaw.
18. **Larry Kahn: Rockland Avenue**
Outlined why Council should not restrict the number of allowed hens in the Animal Control Bylaw.
19. **Deborah Sheinbaum: Rockland Avenue**
Outlined why Council should not restrict the number of allowed hens in the Animal Control Bylaw.

Mayor Helps returned to the meeting at 9:44 p.m. and assumed the Chair.

20. **Alex Peaker: Proposed Emergency Station for Johnson Street**
Outlined why Council should hold public consultation for the proposed emergency station.

UNFINISHED BUSINESS

1. **Rise and Report from Closed Meeting for Information**
 - a. **From the November 9, 2017 Closed Council Meeting:**
New Lease - 748 Johnson - Korean Fusion Restaurant

That Council authorize the Mayor and City Clerk to execute a lease with 550269 B.C. Ltd (dba Korean Fusion) and guarantor Ji Eung Kim for the premises at 748 Johnson Street, in a form satisfactory to the City Clerk, for a period of five (5) years commencing December 01, 2017 at a base rent of \$24,528.00 per annum for the first two (2) years rising to \$25,754.40 in Year 3, rising to \$26,338.40 in Year 4 and rising to \$26,931.01 in Year 5, subject to the publication of the statutory notices required by the Community Charter.

b. From the November 9, 2017 Closed Council Meeting:

New Lease - 744 Johnson - Scruples Perfumes

That Council authorize the Mayor and City Clerk to execute a lease with Scruples Perfumes Ltd. (Inc. #BC0310808) and guarantor George T. Molner for the premises at 744 Johnson Street, in a form satisfactory to the City Clerk, for a period of five (5) years commencing December 01, 2017 at a base rent of \$18,848.00 per annum for the first two (2) years rising to \$19,790.40 in Year 3, rising to \$20,226.88 in Year 4 and rising to \$20,673.28 in Year 5, subject to the publication of the statutory notices required by the Community Charter.

c. From the November 9, 2017 Closed Council Meeting:

New Lease - 738 Johnson - Study Wise

That Council authorize the Mayor and City Clerk to execute a lease with Study Wise International Student Centre Victoria Ltd. (Inc. #BC0840833) and guarantor Sang Woo Park for the premises at 738 Johnson Street, in a form satisfactory to the City Clerk, for a period of five (5) years commencing December 01, 2017 at a base rent of \$16,891 per annum for the first two (2) years rising to \$17,735.55 in Year 3, rising to \$18,126.71 in Year 4 and rising to \$18,526.76 in Year 5, subject to the publication of the statutory notices required by the Community Charter.

d. From the November 9, 2017 Closed Council Meeting:

New Lease - 726 Johnson - Sockeye Sushi

That Council authorize the Mayor and City Clerk to execute a lease with Keun Ho Kim (dba Sockeye Sushi) for the premises at 726 Johnson Street, in a form satisfactory to the City Clerk, for a period of five (5) years commencing December 01, 2017, which terms will reflect a base rent of \$42,693.00 per annum for the first two (2) years rising to \$44,827.65 in Year 3, rising to \$45,844.15 in Year 4 and rising to \$46,880.98 in Year 5, with the base rent in Year 1 being reduced by \$35,069.25 to reflect a tenant improvement credit, subject to the publication of the statutory notices required by the Community Charter.

REPORTS OF COMMITTEES

1. Committee of the Whole – March 15, 2018

1. Development Variance Permit No. 00208 for 3147 Douglas Street

Motion:

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

“That Council authorize the issuance of Development Variance Permit Application No. 00208 for 3147 Douglas Street, in accordance with:

1. Plans date stamped January 23, 2018.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the rear yard setback along Douglas Street from 6.00m to 4.85m for the cantilevered canopies.
3. The Development Variance Permit lapsing two years from the date of this resolution.

Councillor Loveday withdrew from the meeting at 9:49 p.m.

Carried Unanimously

2. 2018 Micro Grant Applications

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, that Council approve the eligible Micro Grant applications outlined in Appendix A.

Carried Unanimously

3. Attendance Request for Association of Vancouver Island Coastal Communities Conference

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, that Council authorize the attendance and associated costs for Councillor Loveday to the AVICC conference to be held in Victoria, April 13 to 15, 2018.

The approximate cost for attending is:

Registration	\$320.25
Incidentals	\$50.00
Approximate Cost	\$370.25.

Carried Unanimously

4. Attendance Request for Federation of Canadian Municipalities Conference

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, that Council authorize the attendance and associated costs for Councillor Loveday to the FCM conference to be held in Halifax, May 31 to June 4, 2018.

The approximate cost for attending is:

Registration	\$1000
Transportation	\$800
Accommodation	\$900.00
Meals	\$240.00
Approximate Cost	\$2940.00.

Carried Unanimously

5. Assertive Community Treatment Teams & Integrate Police Officers

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Coleman, that Council allocate \$217,000 one-time request for the 2-year pilot for the expansion to Mental Health Integration.

Carried

For: Mayor Helps, Councillors Coleman, Madoff, and Thornton-Joe
Opposed: Councillors Alto and Young

6. Project Update: Crystal Pool and Wellness Centre Replacement Project

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that Council receive the project update report dated February 23, 2018 on the Crystal Pool and Wellness Centre Replacement Project.

Carried Unanimously

7. Rezoning Application No. 00565 for 2612 Bridge Street

Motion:

It was moved by Councillor Madoff, seconded by Councillor Young, that Council decline Rezoning Application No. 00565 for the property located at 2612 Bridge Street.

Carried Unanimously

8. Updated Emergency Plan

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, that Council approve the updated Victoria Emergency Plan.

Carried Unanimously

9. Festival Investments Grant 2018 Allocations

Motion:

It was moved by Councillor Madoff, seconded by Councillor Coleman:

1. That Council approve the Festival Investment Grant allocations as recommended in Appendix 1 and 2 for total cash grants of \$222,380 and in-kind grants of up to \$107,000 including the \$15,000 in-kind contribution for Car Free Day already approved by Council.
2. That Council review the Festival Investment Grant Policy once every five years, starting in 2019.

Carried Unanimously

2. Committee of the Whole – March 22, 2018

1. Attendance at the High Ground: Communities for All Conference, March 23/24, 2018

Motion:

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that Council authorize the attendance and associated costs for Councillor Alto to attend the High Ground: Communities for All Conference in Vancouver, BC, on March 23 and 24, 2018.

Carried Unanimously

2. Attendance at the Association of Vancouver Island Coastal Communities 2018 Annual Convention and AGM (April 13-15, 2018)

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, that Council authorize the attendance and associated costs for Councillor Thornton-Joe to attend the AVICC Conference to be held in Victoria April 13-15, 2018.

Carried Unanimously

3. Songhees Nation 10 Year Strategic Plan

Motion:

It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that Council refer the Songhees Nation's Strategic Plan to the City Manager to review with the Director's team to look at how the work the City is doing in their strategic plan might support the Songhees Nation's Strategic Plan.

Carried Unanimously

4. **Rezoning Application No. 00612 & Development Permit with Variances Application No. 00053 for 63 Boyd Street**

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto:

Rezoning Application No. 00612

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00612 for 63 Boyd 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. 00053

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. 00053, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00612 for 63 Boyd Street, in accordance with:

1. Plans date stamped February 28, 2018
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:

Proposed Lot A

- i. Reduce the side yard setback (south west) for an accessory building from 0.6m to 0.0m
- ii. Increase the maximum height of from 7.5m to 8.03m

Proposed Lot B

- i. Reduce the side yard setback (north east) for an accessory building from .06m to 0.0m.
 - ii. Increase the maximum height from 7.5m to 8.03m
3. The Development Permit lapsing two years from the date of this resolution."

Carried

For: Mayor Helps, Councillors Alto, Coleman, Thornton-Joe, and Young
Opposed: Councillor Madoff

5. **Victoria Fire Department Headquarters Replacement Budget Approval**

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, that Council approve allocating \$35.9 million from the City's Debt Reduction Reserve, for inclusion in the 2018 - 2022 Financial Plan, for the procurement of a new Fire Department Headquarters to be located at a new parcel fronting Johnson Street, near Cook Street.

Carried Unanimously

6. **Sightseeing Vehicle Parking Stands - Management Review Update**

Motion:

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that Council direct staff to:

1. Amend and implement the City's procurement process for bus sightseeing stands to include allocation to buses with at least 1998 emissions performance, with incentives towards zero emissions, as outlined in this report
2. Continue to promote Streets and Traffic Bylaw compliance with other on-street parking types/times related to bus tours;

3. Amend the Vehicles for Hire Bylaw to reflect the successful proponents of the procurement process; and
4. Report back to Council during the 2019 financial planning process, or after one year after implementation, to report on program issues, performance, considerations and investment priorities.

Motion to postpone:

It was moved by Councillor Alto, seconded by Councillor Coleman, that Council postpone consideration of the motion, until a response from staff regarding the maximum term has been received.

On the motion to postpone:
Carried Unanimously

7. Parking Stand Allocations for Horse Drawn Vehicles

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Coleman, that Council direct staff to:

1. Extend the parking stand allocations of the Horse Drawn Carriage Parking Stands for four years until December 31, 2021.

Amendment:

It was moved by Councillor Thornton-Joe, seconded by Councillor Coleman, that the motion be amended as follows:

That Council direct staff to:

1. Extend the parking stand allocations of the Horse Drawn Carriage Parking Stands for ~~four~~ **eight** years until December 31, ~~2021~~ **2025**.

Amendment to the amendment:

It was moved by Councillor Thornton-Joe, seconded by Councillor Madoff, that the amendment be amended as follows:

That Council direct staff to:

1. Extend the parking stand allocations of the Horse Drawn Carriage Parking Stands for ~~four~~ **eight** years until December 31, ~~2021~~ **2025, with staff coming back in four years with a review of fees.**

On the amendment to the amendment:
Carried Unanimously

On the amendment:
Carried

For: Mayor Helps, Councillors Coleman, Madoff, and Thornton-Joe
Opposed: Councillors Alto and Young

Amendment:

It was moved by Mayor Helps, seconded by Councillor Thornton-Joe, that the motion be amended as follows:

That Council direct staff to:

1. Extend the parking stand allocations of the Horse Drawn Carriage Parking Stands for ~~eight~~ **five** years until December 31, ~~2025~~ **2022, with staff coming back in four years with a review of fees with an option to renew up to eight years.**

On the amendment:
Defeated Unanimously

Amendment:

It was moved by Councillor Alto, seconded by Councillor Coleman, that the motion be amended as follows:

That Council direct staff to:

1. Extend the parking stand allocations of the Horse Drawn Carriage Parking Stands for ~~eight a period of five~~ years until December 31, ~~2025 2022~~, ~~with staff coming back in four years with a review of fees.~~

On the amendment:
Carried

For: Mayor Helps, Councillors Alto, Coleman, Thornton-Joe, and Young
Opposed: Councillor Madoff

Amendment:

It was moved by Councillor Young, seconded by Mayor Helps, that the motion be amended as follows:

That Council direct staff to:

1. Extend the parking stand allocations of the Horse Drawn Carriage Parking Stands for a period of five years until December 31, 2022, **and that the yearly fee be determined by the cost of on-street parking.**

On the amendment:
Carried Unanimously

Main motion as amended:

That Council direct staff to:

1. Extend the parking stand allocations of the Horse Drawn Carriage Parking Stands for a period of five years until December 31, 2022, and that the yearly fee be determined by the cost of on-street parking.

On the main motion as amended:
Carried Unanimously

Motion to lift from the table:

It was moved by Councillor Coleman, seconded by Councillor Alto, that Council lift the postponed motion from the table.

On the motion to lift from the table:
Carried Unanimously

8. Sightseeing Vehicle Parking Stands - Management Review Update

Motion:

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that Council direct staff to:

1. Amend and implement the City's procurement process for bus sightseeing stands to include allocation to buses with at least 1998 emissions performance, with incentives towards zero emissions, as outlined in this report
2. Continue to promote Streets and Traffic Bylaw compliance with other on-street parking types/times related to bus tours;
3. Amend the Vehicles for Hire Bylaw to reflect the successful proponents of the procurement process; and
4. Report back to Council during the 2019 financial planning process, or after one year after implementation, to report on program issues, performance, considerations and investment priorities.

The Director of Engineering and Public Works advised Council of the maximum term, and that a review would be required.

Carried

For: Mayor Helps, Councillors Alto, Coleman, Madoff, and Thornton-Joe
Opposed: Councillor Young

9. Street Vending Review Project

Motion:

It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that Council:

1. Direct staff to proceed with bylaw amendments to the Street Vendor Bylaw, Streets and Traffic Bylaw and Park Regulation Bylaw to permit a seasonal pilot project to enable bicycle vending from May 1 to December 31, 2018, with the following amendment:
 - a. extend the limit to stay in one place to 1 hour
2. Direct staff to report back in Quarter 1 of 2019 with street vending policy and regulatory recommendations for Council approval.

Carried Unanimously

10. Annual Parking Services Update

Motion:

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

3. Approve increases to rates for parkades and update as follows to take effect June 1, 2018:
 - a. Parkade hourly parking rates
 - i. Daily maximums
 1. Centennial, Johnson, View and Broughton \$16
 2. Yates \$17.50
4. Direct staff to update the Parking Rates Policy to reflect approved daily and monthly rate increases
5. Direct staff to develop a communications plan to share information regarding any approved changes to the parking system and rates

Carried Unanimously

BYLAWS

1. Bylaws for Official Community Plan Amendments and Rezoning Application for 1201 Fort Street and 1050 Pentrelew Place

Motion:

It was moved by Councillor Alto, seconded by Councillor Coleman, that the following bylaw **be given first and second reading:**

- a. *Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 23) No. 18-014*

Carried

For: Mayor Helps, Councillors Alto, Coleman, Thornton-Joe, and Young
Opposed: Councillor Madoff

Motion:

It was moved by Councillor Alto, seconded by Councillor Coleman, that the following bylaw **be given first and second reading:**

- b. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1140) No. 18-015*

Carried

For: Mayor Helps, Councillors Alto, Coleman, Thornton-Joe, and Young
Opposed: Councillor Madoff

Motion:

It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that the following bylaw **be given first, second, and third reading:**

- c. *Housing Agreement (1201 Fort Street and 1050 Pentrelew Place – Affordable Housing) Bylaw (2018) No. 18-042*

Carried

For: Mayor Helps, Councillors Alto, Coleman, Thornton-Joe, and Young
Opposed: Councillor Madoff

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that the following bylaw **be given first, second, and third reading:**

- d. *Housing Agreement (1201 Fort Street and 1050 Pentrelew Place – No Rental Restrictions) Bylaw (2018) No. 18-043*

Carried

For: Mayor Helps, Councillors Alto, Coleman, Thornton-Joe, and Young
Opposed: Councillor Madoff

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, 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. 00525, if it is approved, consider the following updated motion:

“That Council authorize the issuance of Development Permit with Variances Application No. 00035 for 1201 Fort Street and 1050 Pentrelew Place, in accordance with:

1. Plans date stamped **January 19, 2018**.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - a. increase the maximum height for Building A from 12.00m to 21.42m
 - b. increase the maximum height for Building B from 12.00m to **15.20m**
 - c. reduce the Fort Street setback for Building A from 10.50m to **6.42m** (to the building)
 - d. reduce the west setback for Building A from 10.71m to 4.00m (to parkade structure) and **9.90m (to building)**
 - e. reduce the west setback for Building B from 7.56m to **0.65m** (to ground floor parking area) and **5.50m (to building)**
3. Refinement of balcony materials on Buildings A and B to the satisfaction of the Director of Sustainable Planning and Community Development.
4. The Development Permit lapsing two years from the date of this resolution.”

Carried

For: Mayor Helps, Councillors Alto, Coleman, Thornton-Joe, and Young
Opposed: Councillor Madoff

2. **Bylaw for Development Cost Charges Reserve Establishment**

Motion:

It was moved by Mayor Helps, seconded by Councillor Alto, that the following bylaw **be adopted:**

- a. *Development Cost Charges Reserve Establishment Bylaw No. 18-040*

Carried Unanimously

QUESTION PERIOD

A question period was held.

ADJOURNMENT

Motion:

It was moved by Councillor Alto, seconded by Councillor Coleman, that the Council meeting adjourn.

Time: 10:27 p.m.

Carried Unanimously

CERTIFIED CORRECT:

CITY CLERK

MAYOR