

MINUTES OF THE
COMMITTEE OF THE WHOLE MEETING
HELD THURSDAY, SEPTEMBER 21, 2017, 9:00 A.M.

1. THE CHAIR CALLED THE MEETING TO ORDER AT 9:00 A.M.

Committee Members Present: Mayor Helps (Chair), Councillors Alto, Coleman, Isitt, Loveday, Madoff, Thornton-Joe, and Young

Absent: Councillor Lucas

Staff Present: J. Jenkyns – Deputy City Manager; C. Coates – City Clerk; C. Havelka – Deputy City Clerk; T. Zworski – City Solicitor; S. Thompson – Director of Finance; J. Jensen – Head of Human Resources; T. Soulliere – Director of Parks, Recreation, & Facilities; F. Work – Director of Engineering & Public Works; B. Eisenhauer – Head of Engagement; C. Royle – Deputy Fire Chief; A. Hudson – Assistant Director of Community Planning; A. Meyer – Assistant Director of Development Services; C. Mycroft – Manager of Executive Operations; J. Lockhart – Manager of Revenue; L. Westinghouse – Manager of Accounting; N. Reddington – Senior Cultural Planner; S. Young – Climate & Environmental Sustainability Specialist; L. Milburn – Senior Planner, Housing Policy; S. Jamison – Legislative Planning Analyst; K. Bouris – Senior Planner; D. Miller – Community Energy Specialist; M. Angrove – Planner; C. Medd – Planner ; A. M. Ferguson – Recording Secretary

2. APPROVAL OF AGENDA

Motion: It was moved by Councillor Coleman, seconded by Councillor Alto, that the Agenda of the September 21, 2017, Committee of the Whole meeting be approved.

Amendment: It was moved by Councillor Alto, seconded by Councillor Coleman, that the Agenda of the September 21, 2017, Committee of the Whole meeting be amended as follows:

Item No. 17 - Short Term Vacation Rentals, be moved to after Item No. 11

On the amendment:
CARRIED UNANIMOUSLY 17/COTW

Amendment: It was moved by Councillor Coleman, seconded by Councillor Isitt, that the Agenda of the September 21, 2017, Committee of the Whole meeting be amended as follows:

Item No. 20 – Workshop: Fairfield Neighbourhood Plan - Emerging Directions, be moved to after the land use matters

On the amendment:
CARRIED UNANIMOUSLY 17/COTW

Amendment: It was moved by Councillor Coleman, seconded by Councillor Alto, that the Agenda of the September 21, 2017, Committee of the Whole meeting be amended to include a Council Member motion from Councillor Young for the following item:

Item No. 15 – UBCM Attendance Requests

On the amendment:
CARRIED UNANIMOUSLY 17/COTW

Amendment: It was moved by Councillor Coleman, seconded by Councillor Alto, that the Agenda of the September 21, 2017, Committee of the Whole meeting be amended as follows:

Consent Agenda:

Item No. 5 - Development Permit with Variance Application No. 00046, No. 00047 and No. 00048 for 1032, 1038, and 1044 Harling Lane (Fairfield)

Item No. 6 - Development Variance Permit Application No. 00184 for 1265 Vista Heights (Hillside-Quadra)

Item No. 13 – Proclamation: "Fire Prevention Week 2017" - October 8 to 14, 2017

Item No. 14 – Proclamation: "Occupational Therapy Month" October 2017

Item No. 15 - UBCM Attendance Requests

On the amendment:
CARRIED UNANIMOUSLY 17/COTW

Mayor Helps requested that the amendment question be recalled and that Item No. 6 be removed from the consent agenda.

Amendment: It was moved by Councillor Coleman, seconded by Councillor Alto, that the Agenda of the September 21, 2017, Committee of the Whole meeting be amended as follows:

Consent Agenda:

Item No. 5 - Development Permit with Variance Application No. 00046, No. 00047 and No. 00048 for 1032, 1038, and 1044 Harling Lane (Fairfield)

Item No. 13 – Proclamation: "Fire Prevention Week 2017" - October 8 to 14, 2017

Item No. 14 – Proclamation: "Occupational Therapy Month" October 2017

Item No. 15 - UBCM Attendance Requests

On the amendment:
CARRIED UNANIMOUSLY 17/COTW

Main motion as amended:

That the amended Agenda of the September 21, 2017 Committee of the Whole Meeting be approved with the following amendments:

Other Items:

Item No. 17 - Short Term Vacation Rentals, be moved to after Item No. 11

Item No. 20 – Workshop: Fairfield Neighbourhood Plan - Emerging Directions, be moved to after the land use matters

Item No. 15 – UBCM Attendance Requests, include Council member motion from Councillor Young

Consent Agenda:

Item No. 5 - Development Permit with Variance Application No. 00046, No. 00047 and No. 00048 for 1032, 1038, and 1044 Harling Lane (Fairfield)

Item No. 13 – Proclamation: "Fire Prevention Week 2017" - October 8 to 14, 2017

Item No. 14 – Proclamation: "Occupational Therapy Month" October 2017

Item No. 15 - UBCM Attendance Requests

On the main motion as amended:
CARRIED UNANIMOUSLY 17/COTW

3. CONSENT AGENDA

Motion: It was moved by Councillor Coleman, seconded by Councillor Alto, that the following items be approved without further debate:

3.1 Development Permit with Variance Application No. 00046, No. 00047 and No. 00048 for 1032, 1038, and 1044 Harling Lane (Fairfield)

Committee received a report dated September 7, 2017, from the Director of Sustainable Planning and Community Development regarding an application to legalize the construction of an outdoor feature (arbour) constructed on each lot.

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, consider the following motions:

1032 Harling Lane

"That Council authorize the issuance of Development Permit with Variances Application No. 00046 for 1032 Harling Lane in accordance with:

1. Plans date stamped July 21, 2017
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the front yard setback from 18m to 17.30m for an outdoor feature (arbour)
 - ii. reduce the separation distance from 2.4m to 1.58m for the arbour from the dwelling.
3. The Development Permit lapsing two years from the date of this resolution."

1038 Harling Lane

"That Council authorize the issuance of Development Permit Application with Variances No. 00047 for 1038 Harling Lane in accordance with:

1. Plans date stamped July 21, 2017
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the front yard setback from 18m to 17.20m for an outdoor feature
 - ii. reduce the separation distance from 2.4m to 1.72m for the arbour from the dwelling.
3. The Development Permit lapsing two years from the date of this resolution."

1044 Harling Lane

"That Council authorize the issuance of Development Permit Application with Variances. No. 00048 for 1044 Harling Lane in accordance with:

1. Plans date stamped July 21, 2017.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the front yard setback from 18m to 17.27m
 - ii. reduce the separation distance from 2.4m to 1.68m for the arbour from the dwelling.
3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY 17/COTW

3.2 Proclamation: "Fire Prevention Week 2017" - October 8 to 14, 2017

Committee received a report dated September 12, 2017, from the City Clerk regarding a proclamation for Fire Prevention Week 2017 on October 8 – 14, 2017.

Motion: It was moved by Councillor Coleman, seconded by Councillor Alto, that the Fire Prevention Week 2017 Proclamation be forwarded to the September 21, 2017 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY 17/COTW

3.3 Proclamation: "Occupational Therapy Month" October 2017

Committee received a report dated September 12, 2017, from the City Clerk regarding a proclamation for Occupational Therapy Month in October 2017.

Motion: It was moved by Councillor Coleman, seconded by Councillor Alto, that the Occupational Therapy Month 2017 Proclamation be forwarded to the September 21, 2017 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY 17/COTW

3.4 UBCM Attendance Requests

Committee received Council member motions from Mayor Helps, Councillors Alto, Coleman, Isitt, and Young regarding recommendations for authorization to attend the Union of BC Municipalities Conference 2017 in Vancouver.

Motion: It was moved by Councillor Coleman, seconded by Councillor Alto, that Council approve costs for accommodation, transportation, and incidentals for Mayor Helps to attend the Union of BC Municipalities Conference 2017 in Vancouver.

CARRIED UNANIMOUSLY 17/COTW

Motion: It was moved by Councillor Coleman, seconded by Councillor Alto, that Council approve costs for accommodation, transportation, and incidentals for Councillor Marianne Alto to attend the Union of BC Municipalities Conference 2017 in Vancouver.

CARRIED UNANIMOUSLY 17/COTW

Motion: It was moved by Councillor Coleman, seconded by Councillor Alto, that Council approve costs for accommodation, transportation, and incidentals for Councillor Chris Coleman to attend the Union of BC Municipalities Conference 2017 in Vancouver.

CARRIED UNANIMOUSLY 17/COTW

Motion: It was moved by Councillor Coleman, seconded by Councillor Alto, that Council approve costs for accommodation, transportation, and incidentals for Councillor Ben Isitt to attend the Union of BC Municipalities Conference 2017 in Vancouver.

CARRIED UNANIMOUSLY 17/COTW

Motion: It was moved by Councillor Coleman, seconded by Councillor Alto, that Council approve costs for accommodation, transportation, and incidentals for Councillor Geoff Young to attend the Union of BC Municipalities Conference 2017 in Vancouver.

CARRIED UNANIMOUSLY 17/COTW

4. LAND USE MATTERS

4.1 Rezoning Application No. 00589 for 229 Government Street & Development Permit with Variances Application No. 00589 for 229 Government Street (James Bay)

Committee received reports dated September 7, 2017, from the Director of Sustainable Planning and Community Development regarding an application to allow for a garden suite above a garage on a duplex lot.

Committee discussed:

- Design adjustments that could make the proposal supportable.
- Lack of support from the directly affected neighbours.

Motion: It was moved by Councillor Madoff, seconded by Councillor Isitt, that Council decline Application No. 00589 for the property located at 229 Government Street.

DEFEATED 17/COTW

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

Motion: It was moved by Mayor Helps, seconded by Councillor Loveday, that Council refer Application No. 00589 for the property located at 229 Government Street back to staff to work with the applicant to achieve the following principles:

- ensure the height is no more than 1.5 storeys
- reorient the front door to the front of the property
- attention to the overall height and overlook
- remove the deck entrance
- re-site the building slightly.

Committee discussed:

- The notion that this type of development is a good way to densify neighbourhoods in a positive way.
- Lack of alignment with the garden suite policy.

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

That Council refer Application No. 00589 for the property located at 229 Government Street back to staff to work with the applicant to achieve, **at a minimum**, the following principles:

- ensure the height is no more than 1.5 storeys

- reorient the front door to the front of the property
- attention to the overall height and overlook
- remove the deck entrance
- re-site the building slightly.

On the amendment:
CARRIED UNANIMOUSLY 17/COTW

Main motion as amended:

That Council refer Application No. 00589 for the property located at 229 Government Street back to staff to work with the applicant to achieve, at a minimum, the following principles:

- ensure the height is no more than 1.5 storeys
- reorient the front door to the front of the property
- attention to the overall height and overlook
- remove the deck entrance
- re-site the building slightly.

On the main motion as amended:
CARRIED 17/COTW

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

4.2 Development Permit with Variance Application No. 00006 for 584 John Street (Burnside-Gorge)

Committee received a report dated September 7, 2017, from the Director of Sustainable Planning and Community Development regarding an application to construct a five-storey warehouse building with accessory office use.

Committee discussed:

- Concerns about the building being used for commercial use in contravention of the zoning and how this issue would be enforced.

Motion: It was moved by Councillor Alto, seconded by Councillor Loveday, 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 Permit Application No. 00006. for 584 John Street, in accordance with:

1. Plans date stamped September 16, 2016.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce parking requirement from one stall per 93m² of warehouse/wholesale use to one stall per 190.m²; and
 - ii. reduce loading space requirement from one space to nil.
3. Provision of a legal agreement securing the provision of bus passes, bicycle parking and other Transportation Demand Management measures as offered by the applicant to the satisfaction of the City Solicitor.
4. The Development Permit lapsing two years from the date of this resolution."

Committee discussed:

- Concerns about the zoning for the area and whether Council is achieving the goals for this area with the present zoning.
- Desire for the applicant to address the concerns raised by the community association and to advise Council of the proposed business model for the site.

Councillor Loveday withdrew from the meeting 9:46 p.m.

CARRIED UNANIMOUSLY 17/COTW

4.3 Development Variance Permit Application No. 00184 for 1265 Vista Heights (Hillside-Quadra)

Committee received a report dated September 7, 2017, from the Director of Sustainable Planning and Community Development regarding an application to construct a new single-family dwelling with a secondary suite.

Table: It was moved by Councillor Isitt, seconded by Councillor Madoff, that Council table consideration of the following motion until further information is received on the location of the existing site servicing:
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. 00184 for 1265 Vista Heights, in accordance with:

1. Plans date stamped August 23, 2017.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. relaxation to permit a roof deck
 - ii. reduce the front yard setback from 7.50m to 5.00m
 - iii. increase the maximum parking stall area grade from 8% to 10.50%.
3. Registration of a Section 219 Covenant on title to ensure the roof deck is used solely for the purposes pertaining to sustainable environmental initiatives, including but not limited to, solar panels and green roofs.
4. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY 17/COTW

Committee recessed at 9:52 a.m. and reconvened at 9:57 a.m.

5. Workshop

5.1 Fairfield Neighbourhood Plan - Emerging Directions

Committee received a report dated August 28, 2017, from the Director of Sustainable Planning and Community Development regarding emerging plan directions for the Fairfield Neighbourhood Plan and options for future growth and heritage conservation.

Committee discussed:

- The need for clarification on population projections for future planning, goals, and objectives.

Councillor Young withdrew from the meeting at 10:19 a.m. and returned to the meeting at 10:20 a.m.

Committee discussed:

- Concerns about losing the diversity of housing with allowing development of up to four-storeys.
- Ensuring urban villages are not penetrating neighbourhoods.
- Rental retention and affordable housing opportunities.
- Proposed densities for various areas of the neighbourhood and the proposed bicycle facility throughout the neighbourhood.
- Evaluating neighbourhood boundaries and the size of the Fairfield neighbourhood.

Councillor Isitt withdrew from the meeting at 11:02 a.m. and returned at 11:07 a.m.

Committee discussed:

- Reviewing approaches to heritage preservation and the potential to designate the area as an economic revitalization area.

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

1. Approve, in-principle, the emerging directions as a basis for preparing the draft Fairfield Neighbourhood Plan, which directs:
 - a. some growth in and around Cook Street Village (buildings up to four storeys in height) and some growth directed to the northwest part of Fairfield (buildings from six to 10 storeys in height).

Amendment: It was moved by Councillor Madoff, seconded by Councillor Thornton-Joe, that the motion be amended to include the following point:

That Council:

1. Approve, in-principle, the emerging directions as a basis for preparing the draft Fairfield Neighbourhood Plan, which directs:
 - b. for staff to clarify which areas west of Cook Street are appropriate for apartments up to 4 storeys and which stock is appropriate for housing diversity**

On the amendment:

CARRIED UNANIMOUSLY 17/COTW

Amendment: It was moved by Councillor Isitt, seconded by Councillor Loveday, that the motion be amended to include the following point:

That Council:

1. Approve, in-principle, the emerging directions as a basis for preparing the draft Fairfield Neighbourhood Plan, which directs:

- c. **Examine opportunities for pre-zoning and/or differential density entitlements for different housing types (strata ownership, purpose built market rental, purpose built market rental with non-market units, entire non-market building)**

Amendment to the amendment:

It was moved by Mayor Helps, seconded by Councillor Alto, that the amendment be amended further as follows:

That Council:

1. Approve, in-principle, the emerging directions as a basis for preparing the draft Fairfield Neighbourhood Plan, which directs:
 - c. **Examine opportunities for pre-zoning and/or differential density entitlements for different housing types (strata ownership, purpose built market rental, purpose built market rental with non-market units, entire non-market building) in the northwest corner**

On the amendment to the amendment:
CARRIED UNANIMOUSLY 17/COTW

Councillor Loveday withdrew from the meeting at 11:16 a.m. and returned at 11:17 a.m.

On the amendment:
CARRIED 17/COTW

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

Main motion as amended:

That Council:

1. Approve, in-principle, the emerging directions as a basis for preparing the draft Fairfield Neighbourhood Plan, which directs:
 - a. some growth in and around Cook Street Village (buildings up to four storeys in height) and some growth directed to the northwest part of Fairfield (buildings from six to 10 storeys in height)
 - b. for staff to clarify which areas west of Cook Street are appropriate for apartments up to 4 storeys and which stock is appropriate for housing diversity
 - c. Examine opportunities for pre-zoning and/or differential density entitlements for different housing types (strata ownership, purpose built market rental, purpose built market rental with non-market units, entire non-market building) in the northwest corner

On the main motion as amended:
CARRIED UNANIMOUSLY 17/COTW

Motion: It was moved by Councillor Madoff, seconded by Mayor Helps, that Council identify all four areas for future consideration.

Committee discussed:

- Desire for education on heritage principles to increase understanding in the neighbourhood.

CARRIED UNANIMOUSLY 17/COTW

Committee recessed at 11:28 a.m. and reconvened at 11:35 a.m.

Councillor Alto was not present at the time the meeting reconvened.

Motion: It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that the Development Variance Permit Application No. 00184 for 1265 Vista Heights matter be lifted from the table.

CARRIED UNANIMOUSLY 17/COTW

6. LAND USE MATTERS CONTINUED...

6.1 Information on Postponement Motion for Development Variance Permit Application No. 00184 for 1265 Vista Heights (Hillside-Quadra)

Committee received information from staff regarding the location of the existing site servicing from staff and an overview of the decision to remove the Gary Oak Tree on the site.

Councillor Alto returned to the meeting at 11:36 a.m.

Motion: It was moved by Councillor Alto, seconded by Councillor Young, 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. 00184 for 1265 Vista Heights, in accordance with:

1. Plans date stamped August 23, 2017.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. relaxation to permit a roof deck
 - ii. reduce the front yard setback from 7.50m to 5.00m
 - iii. increase the maximum parking stall area grade from 8% to 10.50%.
3. Registration of a Section 219 Covenant on title to ensure the roof deck is used solely for the purposes pertaining to sustainable environmental initiatives, including but not limited to, solar panels and green roofs.
4. The Development Permit lapsing two years from the date of this resolution."

Committee discussed:

- Concerns about the loss of a protected tree and the viability of the current building on site.

CARRIED 17/COTW

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

Against: Councillor Isitt

Motion: It was moved by Mayor Helps, seconded by Councillor Thornton-Joe, that that the Agenda of the September 21, 2017, Committee of the Whole meeting be amended as follows:

Item No. 10 - Site Options for the Lebanese Emigrant Statue, be considered as the next item

CARRIED UNANIMOUSLY 17/COTW

7. STAFF REPORTS

7.1 Site Options for the Lebanese Emigrant Statue

Committee received a report dated September 7, 2017, from the Deputy City Manager regarding the Lebanese Emigrant statue.

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

1. Approve Centennial Park for installation of the Lebanese Emigrant statue, a gift from the World Lebanese Cultural Union.
2. Direct staff to create a Service Agreement with the WLCU-BC to ensure all funding associated with installation, as well as a donation of 10% of the assessed value of the statue for the ongoing maintenance will be provided by the WLCU-BC.

Committee discussed:

- The preference of the Lebanese Cultural Union for placement at Centennial Park.

CARRIED 17/COTW

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

7.2 Official Community Plan Amendments to Align with Gonzales Neighbourhood Plan

Committee received a report dated September 1, 2017, from the Director of Sustainable Planning and Community Development regarding proposed amendments to the OCP and the public review of the proposed Gonzales Neighbourhood Plan.

Committee discussed:

- Zoning changes for the neighbourhood that do not require OCP amendments.

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

1. Consider consultation under Section 475(1) and 475(2) of the Local Government Act and direct staff to undertake consultation with those affected by the proposed amendments to the Official Community Plan through online consultation, a public open house, and a meeting with owners of property

- within proposed heritage conservation areas, concurrent with public review of the proposed Gonzales Neighbourhood Plan.
2. Consider consultation under Section 475(2)(b) of the Local Government Act and direct staff:
 - a. to refer the proposed Official Community Plan amendments to the Songhees Nation, the Esquimalt Nation, the School District Board, the Council of Oak Bay, Island Health Board of Directors; and
 - b. that no referrals are necessary to the Capital Regional District Board, or the provincial or federal governments.
 3. Direct staff to prepare Official Community Plan amendment bylaws following consultation to adjust urban place designations, adjust development permit area boundaries and guidelines, and create a new heritage conservation area in accordance with feedback received on the proposed Official Community Plan amendments.
 4. Refer the proposed Gonzales Neighbourhood Plan to the meeting of Council at which the above Official Community Plan amendments Public Hearing is held, for consideration of final approval.
 5. Following approval of the proposed Gonzales Neighbourhood Plan, rescind the Gonzales Neighbourhood Community Plan (2002).

Amendment: It was moved by Councillor Madoff, seconded by Councillor Coleman, that the motion be amended to include the following point:

4. **Direct staff to create Development Permit Area Guidelines for Small Urban Villages at Fairfield Road, Wildwood Avenue and Lilian Street.**

On the amendment:
CARRIED UNANIMOUSLY 17/COTW

Amendment: It was moved by Councillor Alto, seconded by Mayor Helps, that the motion be amended to include the following point:

5. **Direct staff to develop appropriate tools to make secondary suites permissible in the neighbourhood.**

On the amendment:
CARRIED UNANIMOUSLY 17/COTW

Committee discussed:

- Concerns about the transitions with allowing multi-unit buildings on Fairfield Road.

Main motion as amended:

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

That Council:

1. Consider consultation under Section 475(1) and 475(2) of the Local Government Act and direct staff to undertake consultation with those affected by the proposed amendments to the Official Community Plan through online consultation, a public open house, and a meeting with owners of property within proposed heritage conservation areas, concurrent with public review of the proposed Gonzales Neighbourhood Plan.

2. Consider consultation under Section 475(2)(b) of the Local Government Act and direct staff:
 - a. to refer the proposed Official Community Plan amendments to the Songhees Nation, the Esquimalt Nation, the School District Board, the Council of Oak Bay, Island Health Board of Directors; and
 - b. that no referrals are necessary to the Capital Regional District Board, or the provincial or federal governments.
3. Direct staff to prepare Official Community Plan amendment bylaws following consultation to adjust urban place designations, adjust development permit area boundaries and guidelines, and create a new heritage conservation area in accordance with feedback received on the proposed Official Community Plan amendments.
4. Direct staff to create Development Permit Area Guidelines for the Small Urban Villages at Fairfield Road, Wildwood Avenue and Lilian Street.
5. Direct staff to develop appropriate tools to make secondary suites permissible in the neighbourhood.
6. Refer the proposed Gonzales Neighbourhood Plan to the meeting of Council at which the above Official Community Plan amendments Public Hearing is held, for consideration of final approval.
7. Following approval of the proposed Gonzales Neighbourhood Plan, rescind the Gonzales Neighbourhood Community Plan (2002).

On the main motion as amended:

CARRIED 17/COTW

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

7.3 2018 - 2019 Permissive Property Tax Exemptions

Committee received a report dated September 12, 2017, from the Director of Finance regarding the proposed permissive tax exemptions for the 2018-2019 tax years.

Motion: It was moved by Councillor Coleman, seconded by Mayor Helps, that Council:

1. Approve all applications for permissive property tax exemption detailed in Table 2 for the 2018 - 2019 tax years.
2. Direct staff to prepare a 2018 - 2019 permissive property tax exemption bylaw for Council's consideration.

Committee discussed:

- Concerns related to the timeline and impact of the proposed supportive housing facility at the Tally Ho location.

Mayor Helps suggested that the applications for the Victoria Cool Aid Society be voted on separately as follows.

Motion: It was moved by Councillor Coleman, seconded by Mayor Helps, that Council:

1. Approve applications for permissive property tax exemption detailed in Table 2 for the 2018 - 2019 tax years, from the following applicants:
 - Victoria Social Innovation Centre
 - Victoria Truth Centre
 - Winners Chapel International
2. Direct staff to prepare a 2018 - 2019 permissive property tax exemption bylaw for Council's consideration.

CARRIED UNANIMOUSLY 17/COTW

Postpone: It was moved by Councillor Young, seconded by Councillor Coleman, that the following motion be postponed until October 12, 2017:

That Council:

1. Approve applications for permissive property tax exemption detailed in Table 2 for the 2018 - 2019 tax years, from the following applicants:
 - Victoria Cool Aid Society, Application 1
 - Victoria Cool Aid Society, Application 2

DEFEATED 17/COTW

For: Councillors Coleman, Thornton-Joe, and Young

Against: Mayor Helps, Councillors Alto, Isitt, Loveday, and Madoff

Motion: It was moved by Councillor Coleman, seconded by Mayor Helps, that Council:

1. Approve applications for permissive property tax exemption detailed in Table 2 for the 2018 - 2019 tax years, from the following applicants:
 - Victoria Cool Aid Society, Application 1
 - Victoria Cool Aid Society, Application 2

CARRIED 17/COTW

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

Against: Councillor Young

Committee recessed at 12:37 p.m. and reconvened at 1:15 p.m.

7.4 Climate Change Leadership Plan Update

Committee received a report dated September 14, 2017, from the Director of Engineering and Public Works regarding an update on the climate change leadership plan.

Committee discussed:

- Encouraging the retro-fitting of existing buildings rather than demolition through the implementation of step code for building performance.

Motion: It was moved by Councillor Isitt, seconded by Mayor Helps, that Council accept this Climate Action Program Update report for information.

Committee discussed:

- Various initiatives to reduce greenhouse gas emissions and to limit impacts on the environment including a need to make transit more efficient and affordable.

CARRIED UNANIMOUSLY 17/COTW

Councillor Loveday withdrew from the meeting at 1:56 p.m.

Mayor Helps excused herself from the meeting at 1:56 p.m. due to a non-pecuniary conflict of interest with the next two items, as she previously resided in a residence that contained a short term rental. Councillor Alto assumed the Chair in her absence.

Councillor Madoff excused herself from the meeting at 1:56 p.m. due to a pecuniary conflict of interest as she operates a bed and breakfast out of her home.

Councillor Loveday returned to the meeting at 1:56 p.m.

7.5 Short Term Rental Business Regulations and Enforcement Strategy

Committee received a report dated September 19, 2017, from the City Clerk regarding a proposed regulatory framework for short term rentals in the City of Victoria, including business regulations and an enforcement strategy.

Committee discussed:

- Consideration of requiring a hotel tax for all short term rentals.

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

1. Approve the proposed short term rental regulatory framework, as described in this report, which allows short-term rentals in principal residences, subject to a business licence and compliance with operating requirements;
2. Direct staff to engage stakeholders on the proposed business regulations, and report back to Council in Q 4 of 2017 with the bylaws required to enact these regulations; and,
3. Direct staff to report back to Council in Q 1 of 2018 with an implementation plan, including schedule, resourcing proposal, and impacts to the financial plan.

Committee discussed:

- Increasing housing stock for residents and ensuring minimal impacts to neighbourhoods.

CARRIED UNANIMOUSLY 17/COTW

8. NEW BUSINESS

8.1 Short Term Vacation Rentals

Committee received a Council member motion dated September 19, 2017, from Councillor Young regarding recommendations for advocacy to the provincial government to make changes to legislation and regulations relating to short term rentals.

- Motion:** It was moved by Councillor Young, seconded by Councillor Isitt, that Victoria Council request the Provincial government to make changes to legislation and regulations to ensure that:
1. property used substantially for short term vacation rental (stvr) purposes is classified as commercial property for purposes of municipal property taxes; and that
 2. the right to legal non-conforming use of residentially zoned units in a strata building is determined on the basis of use of those individual strata lots, not (as at present) on the basis of existing use in other parts of the building .

CARRIED UNANIMOUSLY 17/COTW

- Motion:** It was moved by Councillor Coleman, seconded by Councillor Alto, that the meeting be extended to 3:30 p.m.

CARRIED UNANIMOUSLY 17/COTW

9. STAFF REPORTS CONTINUED...

9.1 Proposed Amendments to the Parks Regulation Bylaw

Committee received a report dated September 13, 2017, from the City Clerk, City Solicitor, and the Director of Parks, Recreation, and Facilities regarding amendments to the *Parks Regulation Bylaw* to better regulate the use and operation of the parks.

- Motion:** It was moved by Mayor Helps, seconded by Councillor Young, that Council direct staff to bring forward to the September 21 Council meeting amendments to the Parks Regulation Bylaw including the following new provisions:
1. Ability to temporarily close a park or part of a park;
 2. Prohibition on interference with City workers engaged in clean-up, maintenance or other work in a park;
 3. Establishment of a time limit on occupation of a park or part of a park;
 4. Authority to impound property unlawfully left in a park;
 5. Ability to apply for permits to carry out protests and other expressive activities in a park; and
 6. Consequential and housekeeping amendments.

- Amendment:** It was moved by Mayor Helps, seconded by Councillor Madoff, that the motion be amended to include the following:

7. Give police and bylaw the authority to take down structures that are not taken down at 7:00 a.m. as per the current provisions in the bylaw
8. Scrap the 6 hour limit, 100m move provision
9. Scrap the \$25 fee to get possessions back
10. Police and bylaw to report in a public quarterly update about the number of times per quarter this new authority is exercised.

Committee discussed:

- Ensuring staff have the authority to manage parks appropriately and to ensure the City does not house another tent city.
- Achieving a welcoming space for all users of City parks.
- Engaging the provincial government to create housing solutions.
- Concerns about potential inequality of enforcement for those occupying the parks for more than 6 hours.

On the amendment:
DEFEATED 17/COTW

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

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

That Council direct staff to bring forward to the September 21 Council meeting amendments to the Parks Regulation Bylaw including the following new provisions:

1. Ability to temporarily close a park or part of a park;
2. Prohibition on interference with City workers engaged in clean-up, maintenance or other work in a park;
3. ~~Establishment of a time limit on occupation of a park or part of a park;~~
4. Authority to impound property unlawfully left in a park;
5. Ability to apply for permits to carry out protests and other expressive activities in a park; and
6. Consequential and housekeeping amendments.

Amendment to the amendment:

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

That Council direct staff to bring forward to the September 21 Council meeting amendments to the Parks Regulation Bylaw including the following new provisions:

1. Ability to temporarily close a park or part of a park;
2. Prohibition on interference with City workers engaged in clean-up, maintenance or other work in a park;
3. ~~Establishment of a time limit on occupation of a park or part of a park;~~ **Give police and bylaw the authority to take down structures that are not taken down at 7:00 a.m. as per the current provisions in the bylaw**
4. Authority to impound property unlawfully left in a park;
5. Ability to apply for permits to carry out protests and other expressive activities in a park; and
6. Consequential and housekeeping amendments.

Committee discussed:

- Concerns about putting bylaw officers at risk with allowing them to remove shelters due to noncompliance.
- Desire to create tools that enable staff to enforce the bylaw without placing undue hardship on those sheltering in parks.

On the amendment to the amendment:
DEFEATED UNANIMOUSLY 17/COTW

On the amendment:
CARRIED 17/COTW

For: Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Madoff, and Thornton-Joe
Against: Councillor Young

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

That Council direct staff to bring forward to the September 21 Council meeting amendments to the Parks Regulation Bylaw including the following new provisions:

1. Ability to temporarily close a park or part of a park;
2. Prohibition on interference with City workers engaged in clean-up, maintenance or other work in a park;
3. Authority to impound property unlawfully left in a park;
4. Ability to apply for permits to carry out protests and other expressive activities in a park; and
5. ~~Consequential and housekeeping amendments.~~

On the amendment:
DEFEATED 17/COTW

For: Councillor Isitt
Against: Mayor Helps, Councillors Alto, Coleman, Loveday, Madoff, and Thornton-Joe, and Young

Amendment: It was moved by Councillor Thornton-Joe, seconded by Mayor Helps, that the motion be amended to include the following:

6. **Send the bylaw to the Province thanking them for their commitment on the issue of homelessness, mental illness and addictions and asked them to continue to do more to address these issues and to lessen the impact on our parks;**
7. **Thank TAPS for their letter and ask them, in their experience to offer some solutions on the issues that the park bylaw amendments attempt to address prolonged use and occupation in the absence of sufficient housing;**
8. **Direct staff to report back in a year to see if other amendments need to be considered.**

Amendment to the amendment:

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

6. ~~Send the bylaw to the Province thanking them for their commitment on the issue of homelessness, mental illness and addictions and asked them to continue to do more to address these issues and to lessen the impact on our parks;~~ **To develop an effective lobbying approach to the province on the issue of tenting in parks and housing and homelessness;**
7. Thank TAPS for their letter and ask them, in their experience to offer some solutions on the issues that the park bylaw amendments attempt to address prolonged use and occupation in the absence of sufficient housing;
8. Direct staff to report back in a year to see if other amendments need to be considered.

On the amendment to the amendment:
CARRIED UNANIMOUSLY 17/COTW

On the amendment:
CARRIED 17/COTW

For: Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Madoff, and Thornton-Joe
Against: Councillor Young

Amendment: It was moved by Mayor Helps, seconded by Councillor Alto, that the motion be amended in the following point:

That Council direct staff to bring forward to the September 21 Council meeting amendments to the Parks Regulation Bylaw including the following new provisions:

3. Authority to impound property unlawfully left in a park **and waive the fee to return impounded property;**

On the amendment:
CARRIED 17/COTW

For: Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Madoff, and Thornton-Joe
Against: Councillor Young

Amendment: It was moved by Mayor Helps, seconded by Councillor Alto, that the motion be amended to include the following point:

9. **Direct police and bylaw to report publicly at the next quarterly update on the implementation of the new direction.**

On the amendment:
CARRIED 17/COTW

For: Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Madoff, and Thornton-Joe
Against: Councillor Young

Motion: It was moved by Councillor Isitt, seconded by Councillor Alto, that the meeting be extended to 4:30 p.m.

CARRIED UNANIMOUSLY 17/COTW

Mayor Helps agreed to call the vote on the motion separately as follows:

Main motion as amended:

That Council direct staff to bring forward to the September 21 Council meeting amendments to the Parks Regulation Bylaw including the following new provisions:

1. Ability to temporarily close a park or part of a park;

On the main motion as amended:

CARRIED 17/COTW

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

Against: Councillor Isitt

Main motion as amended:

That Council direct staff to bring forward to the September 21 Council meeting amendments to the Parks Regulation Bylaw including the following new provisions:

2. Prohibition on interference with City workers engaged in clean-up, maintenance or other work in a park;

On the main motion as amended:

CARRIED UNANIMOUSLY 17/COTW

Main motion as amended:

That Council direct staff to bring forward to the September 21 Council meeting amendments to the Parks Regulation Bylaw including the following new provisions:

3. Authority to impound property unlawfully left in a park and waive the fee to return impounded property;

On the main motion as amended:

CARRIED 17/COTW

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

Against: Councillors Alto, Isitt, and Loveday

Main motion as amended:

That Council direct staff to bring forward to the September 21 Council meeting amendments to the Parks Regulation Bylaw including the following new provisions:

4. Ability to apply for permits to carry out protests and other expressive activities in a park;

On the main motion as amended:

CARRIED 17/COTW

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

Against: Councillors Alto, Isitt, and Loveday

Main motion as amended:

That Council direct staff to bring forward to the September 21 Council meeting amendments to the Parks Regulation Bylaw including the following new provisions:

5. Consequential and housekeeping amendments.

On the main motion as amended:

CARRIED 17/COTW

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

Against: Councillor Alto

Main motion as amended:

That Council direct staff to bring forward to the September 21 Council meeting amendments to the Parks Regulation Bylaw including the following new provisions:

6. To develop an effective lobbying approach to the province on the issue of tenting in parks and housing and homelessness;

On the main motion as amended:

CARRIED UNANIMOUSLY 17/COTW

Main motion as amended:

That Council direct staff to bring forward to the September 21 Council meeting amendments to the Parks Regulation Bylaw including the following new provisions:

7. Thank TAPS for their letter and ask them, in their experience to offer some solutions on the issues that the park bylaw amendments attempt to address prolonged use and occupation in the absence of sufficient housing;

On the main motion as amended:

CARRIED 17/COTW

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

Against: Councillor Young

Main motion as amended:

That Council direct staff to bring forward to the September 21 Council meeting amendments to the Parks Regulation Bylaw including the following new provisions:

8. Direct staff to report back in a year to see if other amendments need to be considered.

On the main motion as amended:

CARRIED UNANIMOUSLY 17/COTW

Main motion as amended:

That Council direct staff to bring forward to the September 21 Council meeting amendments to the Parks Regulation Bylaw including the following new provisions:

9. Direct police and bylaw to report publicly at the next quarterly update on the implementation of the new direction.

On the main motion as amended:
CARRIED UNANIMOUSLY 17/COTW

Committee discussed:

- The need to take interim steps while housing solutions are being created.

Councillor Thornton-Joe withdrew from the meeting at 3:44 p.m. due to a pecuniary conflict of interest with the following item, as her husband is employed with BC Transit.

9.2 Request for Staff Report on Transit as Part of Sustainable Mobility Strategy

Committee received a Council member motion dated September 12, 2017, from Mayor Helps regarding recommendations for staff to work with BC Transit to develop best practices and to implement the Transit Futures Plan and drive transformational change in the region with regard to public transit.

Motion:

It was moved by Councillor Alto, seconded by Mayor Helps:

1. That Council direct staff to work with BC Transit staff and to report back on Transit best practices and what is needed from the City's perspective to implement the Transit Futures Plan and drive transformational change in the region with regard to public transit.

CARRIED UNANIMOUSLY 17/COTW

Councillor Thornton-Joe returned to the meeting at 3:44 p.m.

9.3 UBCM Emergency Resolution: Protecting Local Waterways and Wild Fish Species

Committee received a Council member motion dated September 20, 2017, from Councillors Isitt and Loveday regarding recommendations for protecting local waterways and wild fish species.

Motion:

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

THAT Council endorse the following resolution for consideration as an emergency resolution at the 2017 annual convention of the Union of BC Municipalities, and directs staff to forward this resolution to member local governments and to the UBCM requesting favourable consideration:

Resolution: Protecting Local Waterways and Wild Fish Species

WHEREAS British Columbia's coastal communities rely on healthy waterways and healthy marine ecosystems including fisheries for economic, social and ecological wellbeing;

AND WHEREAS the proliferation of open-net fish farms with non-native fish species threatens local waterways and wild fish species, undermining the economic, social and ecological wellbeing of local communities;

THEREFORE BE IT RESOLVED THAT the Province of British Columbia decline any further permits for open-net aquaculture and phase out existing open-net operations, transitioning the industry to closed-containment aquaculture with a just transition for affected workers.

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

THAT Council endorse the following resolution for consideration as an emergency resolution at the 2017 annual convention of the Union of BC Municipalities, and directs staff to forward this resolution to member local governments and to the UBCM requesting favourable consideration:

Resolution: Protecting Local Waterways and Wild Fish Species

WHEREAS British Columbia's coastal communities rely on healthy waterways and healthy marine ecosystems including fisheries for economic, social and ecological wellbeing;

AND WHEREAS the proliferation of open-net fish farms with non-native fish species threatens local waterways and wild fish species, undermining the economic, social and ecological wellbeing of local communities;

THEREFORE BE IT RESOLVED THAT the Province of British Columbia decline any further permits for open-net aquaculture and phase out existing open-net operations, transitioning the industry to closed-containment aquaculture with a just transition for affected workers **and adequate consultation with indigenous governments.**

On the amendment:
CARRIED UNANIMOUSLY 17/COTW

Main motion as amended:

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

THAT Council endorse the following resolution for consideration as an emergency resolution at the 2017 annual convention of the Union of BC Municipalities, and directs staff to forward this resolution to member local governments and to the UBCM requesting favourable consideration:

Resolution: Protecting Local Waterways and Wild Fish Species

WHEREAS British Columbia's coastal communities rely on healthy waterways and healthy marine ecosystems including fisheries for economic, social and ecological wellbeing;

AND WHEREAS the proliferation of open-net fish farms with non-native fish species threatens local waterways and wild fish species, undermining the economic, social and ecological wellbeing of local communities;

THEREFORE BE IT RESOLVED THAT the Province of British Columbia decline any further permits for open-net aquaculture and phase out existing open-net operations, transitioning the industry to closed-containment aquaculture with a just transition for affected workers and adequate consultation with indigenous governments.

On the main motion as amended:
CARRIED UNANIMOUSLY 17/COTW

9.4 Endorsing the Treaty on the Prohibition of Nuclear Weapons

Committee received a Council member motion dated September 20, 2017, from Councillor Isitt regarding recommendations for endorsing the treaty on the prohibition of nuclear weapons.

Motion:

It was moved by Councillor Isitt, seconded by Councillor Loveday:
THAT Council endorse the following resolution and directs staff to forward this resolution to the Government of Canada, Members of Parliament representing electoral areas on Vancouver Island, and local governments in British Columbia, requesting favourable consideration and resolutions of support:

Resolution: Endorsing the Treaty on the Prohibition of Nuclear Weapons

WHEREAS the City of Victoria is a signatory to the Mayors For Peace initiative and the Earth Charter;

AND WHEREAS the City of Victoria has consistently supported citizens' initiatives for a more peaceful world grounded in the principles of non-violence and the peaceful resolution of conflict within communities and internationally;

AND WHEREAS the United Nations General Assembly has adopted the Treaty on the Prohibition of Nuclear Weapons and encouraged member nations to sign;

AND WHEREAS the Government of Canada is not yet a signatory to the Treaty on the Prohibition of Nuclear Weapons;

THEREFORE BE IT RESOLVED THAT the City of Victoria places itself on record as endorsing the Treaty on the Prohibition of Nuclear Weapons and calls on the Government of Canada to sign and ratify the treaty.

CARRIED UNANIMOUSLY 17/COTW

10. ADJOURNMENT

Motion: It was moved by Councillor Alto, seconded by Councillor Isitt, that the Committee of the Whole meeting of September 21, 2017, be adjourned at 3:49 p.m.

CARRIED UNANIMOUSLY 17/COTW

CERTIFIED CORRECT:

CITY CLERK

MAYOR