

**MINUTES OF THE
COMMITTEE OF THE WHOLE MEETING
HELD THURSDAY, JULY 6, 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, Lucas, Madoff, Thornton-Joe, and Young

Staff Present: J. Johnson – City Manager; J. Jenkyns – Deputy City Manager; S. Thompson – Director of Finance; F. Work – Director of Engineering & Public Works; J. Tinney – Director of Sustainable Planning & Community Development; J. Jensen – Head of Human Resources; C. Havelka – Deputy City Clerk; D. Atkinson – Deputy Fire Chief; N. Sandhu – Assistant Director of Parks, Recreation, & Facilities; A. Meyer – Assistant Director of Development Services; J. Potter – Manager of Engagement; N. Johnston – Manager of Bylaw & Licensing Services; J. Handy – Senior Planner; M. Angrove – Planner; C. Medd – Planner; A. M. Ferguson – Recording Secretary

Guests: Mr. I. Robertson, CEO - Greater Victoria Harbour Authority; Mr. D. Cowan, Chair – Greater Victoria Harbour Authority

2. APPROVAL OF AGENDA

Motion: It was moved by Councillor Alto, seconded by Councillor Coleman, that the Agenda of the July 6, 2017, Committee of the Whole meeting be approved.

Amendment: It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that the Agenda of the July 6, 2017, Committee of the Whole meeting be amended as follows:

Consent Agenda:

Item No. 1 - Minutes from the Meeting held June 15, 2017

Item No. 7 - Development Permit with Variances Application No. 00023 for 2770 Pleasant (Burnside)

On the amendment:
CARRIED UNANIMOUSLY 17/COTW

Amendment: It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that the Agenda of the July 6, 2017, Committee of the Whole meeting be amended to include an additional item on the consent agenda as follows:

Consent Agenda:

Item No. 11 - Off-leash Dog Park Pilot Project in Barnard Park

On the amendment:
CARRIED UNANIMOUSLY 17/COTW

Main motion as amended:

That the Agenda of the July 6, 2017, Committee of the Whole meeting be approved with the following amendments:

Consent Agenda:

Item No. 1 - Minutes from the Meeting held June 15, 2017

Item No. 7 - Development Permit with Variances Application No. 00023 for 2770 Pleasant (Burnside)

Item No. 11- Off-leash Dog Park Pilot Project in Barnard Park

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

3. CONSENT AGENDA

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

3.1 Minutes from the Meeting held June 15, 2017

Motion: It was moved by Councillor Alto, seconded by Councillor Coleman, that the Minutes from the Meeting held June 15, 2017 be adopted.

CARRIED UNANIMOUSLY 17/COTW

3.2 Development Permit with Variances Application No. 00023 for 2770 Pleasant (Burnside)

Committee received a report dated June 22, 2017, from the Director of Sustainable Planning and Community Development regarding an application to add a prefabricated office trailer and install a truck weigh-scale at an existing metals recycling yard.

- Motion:** It was moved by Councillor Alto, seconded by Councillor Coleman, 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 with Variances Application No. 00023 for 2770 Pleasant Street subject to registration of legal agreements on the properties' titles securing access across the site and addressing issues of the proposed building and equipment straddling the property line to the satisfaction of the City Solicitor, in accordance with:
1. Plans date stamped June 16, 2017.
 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce Class 1 bicycle space requirement from four to zero;
 - ii. relaxation to permit construction over the lot lines for the office trailer structure.
 3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY 17/COTW

3.3 Off-leash Dog Park Pilot Project in Barnard Park

Committee received a Council member motion dated June 22, 2017, from Councillors Loveday, Thornton-Joe, and Mayor Helps regarding an off-leash dog park pilot project for Barnard Park.

- Motion:** It was moved by Councillor Alto, seconded by Councillor Coleman, that Council approve the following motion:
Therefore Be It Resolved that Council directs staff to report back on impacts and advisability of allowing for dogs off-leash on a trial basis in Barnard Park.

CARRIED UNANIMOUSLY 17/COTW

4. Presentation

4.1 Greater Victoria Harbour Authority Annual Presentation

Council received a presentation from Mr. Ian Robertson, CEO and Mr. Dave Cowan, Chair with the Greater Victoria Harbour Authority regarding their annual update on activities and 2016/2017 financials.

Committee discussed:

- Ensuring equal opportunities for all transportation providers in the harbour.
- The types of businesses that could occupy the Ogden Point area and concerns about creating competition for the downtown businesses.
- Engagement with the community on developing Ogden Point.

Councillor Loveday withdrew from the meeting at 9:40 a.m. and returned at 9:41 a.m.

- Motion:** It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council receive the presentation for information.

CARRIED UNANIMOUSLY 17/COTW

Councillor Thornton-Joe excused herself from the meeting at 9:51 a.m. due to a pecuniary conflict of interest with the following item, as her cousin is the President of the Asian Real Estate Board.

5. UNFINISHED BUSINESS

5.1 Letter from the Capital Regional District

Committee received a letter dated April 24, 2017, seeking input on a motion regarding the Foreign Purchaser Property Transfer Tax, brought forward as per the Council Member Motion from May 11, 2017. The letter was referred from the June 22, 2017, Council Meeting.

Motion: It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council endorse the resolution under consideration at the CRD.

Committee discussed:

- Various other proposed methods to address the housing issues.
- Concerns about how the tax has worked in Vancouver, considering the fact that housing prices are still rising.
- Desire to bring forward Councillor Isitt's motion from last week's Committee of the Whole, titled "UBCM Resolution: Encouraging the Use Value of Residential Property", to the CRD for consideration.

DEFEATED 17/COTW

For: Councillors Isitt and Loveday

Against: Mayor Helps, Councillors Alto, Coleman, Lucas, Madoff, and Young

Councillor Thornton-Joe returned to the meeting at 9:59 a.m.

6. LAND USE MATTERS

6.1 a. Rezoning Application No. 00538 & Development Permit Application No. 00538 for 335 Moss Street (Fairfield)

Committee received a reports dated June 7, 2017, from the Director of Sustainable Planning and Community Development regarding applications to subdivide the lot to create one small lot, while maintaining the existing house on a regular lot.

Councillor Lucas withdrew from the meeting at 10:06 a.m. and returned at 10:08 a.m.

Committee discussed:

- The height of the retaining wall and configuration of the parking space.

Councillor Alto withdrew from the meeting at 10:17 a.m. and returned at 10:18 a.m.

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

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No.00538 for 335 Moss Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

2. 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. 00538, if it is approved, consider the following motion:
"That Council authorize the issuance of Development Permit with Variances Application No. 00538 for 335 Moss Street, in accordance with:
 1. Plans date stamped May 19, 2017.
 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances for the Existing Dwelling:
 - i. Part 1.2.5 (c) - reduce the minimum required side yard setback from 3.00m to 1.30m
 - ii. Part 1.2.5 (d) - reduce the minimum required combined side yard setback from 4.5m to 3.1m.
 3. The Development Permit lapsing two years from the date of this resolution.

Amendment: It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that the motion be amended in the following point:

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No.00538 for 335 Moss Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set **and that a new petition be conducted before the application comes to a public hearing.**

Amendment to the amendment:

It was moved by Councillor Isitt, seconded by Councillor Young, that the amendment be amended as follows:

and that a new petition be conducted before the application comes to a public hearing Council.

On the amendment to the amendment:

CARRIED 17/COTW

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

Against: Councillor Alto

On the amendment:

CARRIED UNANIMOUSLY 17/COTW

Committee discussed:

- Concerns about the building's massing and site coverage.
- The original goals of the R1-S Zone and the current goals the City is trying to achieve with housing.

Main motion as amended:

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No.00538 for 335 Moss Street, that first and second

reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set and that a new petition be conducted before the application comes to Council.

2. 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. 00538, if it is approved, consider the following motion:
"That Council authorize the issuance of Development Permit with Variances Application No. 00538 for 335 Moss Street, in accordance with:
 1. Plans date stamped May 19, 2017.
 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances for the Existing Dwelling:
 - i. Part 1.2.5 (c) - reduce the minimum required side yard setback from 3.00m to 1.30m
 - ii. Part 1.2.5 (d) - reduce the minimum required combined side yard setback from 4.5m to 3.1m.
 3. The Development Permit lapsing two years from the date of this resolution.

On the main motion as amended:

CARRIED 17/COTW

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

Against: Councillor Isitt

6.2 Request to remove off-site parking easement and covenant at 324/328 Cook Street

Committee received a report dated June 16, 2017, from the Director of Sustainable Planning and Community Development regarding a proposal to remove an off-site parking easement and covenant from the property located at 324/328 Cook Street.

Motion: It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that Council authorize the Mayor and City Clerk to execute a legal instrument, in the form satisfactory to the City Solicitor, to discharge off-site parking easement number EX143925 (as modified by FA103662) and covenant number EX143926 (as modified by FA103663) from the property located at 324/328 Cook Street.

CARRIED UNANIMOUSLY 17/COTW

6.3 Request to discharge and replace existing Statutory Right of Way, 755 Caledonia Street (Hudson Walk)

Committee received a report dated June 8, 2017, from the Director of Sustainable Planning and Community Development regarding a request to discharge and replace a Statutory Right of Way (SRW) registered on the title of the property 755 Caledonia Street.

Motion: It was moved by Councillor Isitt, seconded by Councillor Alto, that Council authorize the Mayor and City Clerk to execute legal instruments, in a form satisfactory to the City Solicitor, to discharge Statutory Right of Way numbers

CA4143281 and CA4143284 and register a replacement Statutory Right of Way on the property with the civic address of 755 Caledonia Street.

CARRIED UNANIMOUSLY 17/COTW

Committee recessed at 10:42 a.m. and reconvened at 10:48 a.m.

6.4 a. Appointment of a Representative to the 2016 Regional Growth Strategy Dispute Resolution Process

Committee considered appointing a representative to the 2016 Regional Growth Strategy Dispute Resolution Process.

Motion: It was moved by Councillor Isitt, seconded by Councillor Thornton-Joe, that Council nominate Councillor Loveday to the 2016 Regional Growth Dispute Resolution Process.

CARRIED UNANIMOUSLY 17/COTW

6.4 b. City of Victoria Policy in Regional Growth Strategy Mediation

Committee received a Council member motion dated July 3, 2017, from Councillor Isitt regarding a policy for the City's involvement in the Regional Growth Strategy Mediation.

Motion: It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council adopt the following position in the Regional Growth Strategy mediation process in support of the positions of Central Saanich, Highlands, North Saanich, Saanich and View Royal with respect to encouraging compact and complete communities, discouraging urban sprawl and retaining effective growth management tools:

1. Endorsing concerns expressed by the District of Central Saanich that policies 2.2 (1) and (2) need to be strengthened to avoid development and sprawl on rural lands in Electoral Areas which would be contrary to the objectives of the Regional Growth Strategy to support complete and compact communities, but Council is supportive of water servicing from localized community water sources.
2. Endorsing the position of the District of Highlands that the 2003 Regional Growth Strategy is a stronger tool to support managed growth for the benefit of the entire region, and that incremental sprawl affects biodiversity, increases greenhouse gases and fundamentally negates the values of a Regional Growth Strategy.
3. Endorsing the objection from the District of North Saanich to provisions 1.1 (Keep Urban Settlement Compact) and 1.2 (Protect the Integrity of Rural Communities) for the following reasons:
 - a. There are not sufficient integrated objectives and targets with respect to reduced development pressures contained in the RGS which would strengthen the protection of rural communities;
 - b. There are not clear population projections broken by municipality to provide sufficient certainty

- c. There is not sufficient strength in aspirational targets such as the food systems target to ensure objectives are met, particularly containing development and meeting crop production goals;
 - d. Food systems targets are not linked to food security and climate change targets;
 - e. Meeting climate action targets are not linked specifically to rural communities, which have a high percentage of transportation by cars and a large agricultural land base, limiting their ability to meet climate change targets. The RGS does not fully integrate climate action considerations into all aspects of regional growth management;
 - f. The RGS ought to specifically demonstrate how land use designations in Regional Context Statements correspond to the RGS to limit growth; and
 - g. That urban containment boundaries are a more certain and effective approach to protecting rural communities than emphasizing urban growth areas.
4. Endorsing the objection of the District of North Saanich to provision 6.1 (Foster a Resilient Food and Agriculture System) for the following reason: the target of 5,000 ha is aspirational and not linked to population projections or food security.
 5. Endorsing the position of the District of Saanich that in comparison to the existing 2003 Regional Growth Strategy, it would appear that the proposed 2016 Regional Growth Strategy reduces the emphasis on a regional and focused approach to sustainable growth management, and that the 2016 RGS can be strengthened through the following actions:
 - a. Including a strong regional growth management hierarchy, which indicates the location of Centres where growth should be focused and investments in infrastructure and transportation facilities should be prioritized;
 - b. Applying stronger criteria to limit future water extensions outside the Growth Area boundary to prevent significant additional development in outlying Rural areas that would contribute to transportation issues, increase greenhouse gas emissions and divert development away from land inside the Growth Area boundary; and
 - c. Develop a robust monitoring and adaptation program to assess progress towards Regional Growth Strategy targets and objectives. In particular, the targets to accommodate 95% of new dwelling units within the Growth Policy Area and to reduce greenhouse gas emissions by 61% below 2007 levels will need to be evaluated on a regular basis.
 6. Endorsing the objection of the Town of View Royal to provisions 2.2.2 and 2.2.4 for the following reasons:
 - a. That additional development on rural and resource lands is at the expense of development of lands within the Urban Containment Boundary;
 - b. That additional development on rural and resource lands will contribute to further transportation challenges in the region, and does not allow for efficient public transportation, increases greenhouse gas emissions, and does not provide for jobs/housing balance;
 - c. That rural development will further contribute to GHG emissions by encouraging a high-carbon built for.

Committee discussed:

- Concerns about the cost of participating in the mediation and whether the City shares the concerns of the other municipalities participating in the mediation.
- Providing Councillor Loveday with direction from Council as a whole for the various issues involved in the dispute resolution process.
- Process for Councillor Loveday to report back on the progress of the dispute resolution.

CARRIED 17/COTW

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

7. NEW BUSINESS

7.1 Storefront Cannabis Retailer Rezoning Policy

Committee received a Council member motion dated June 30, 2017, from Councillors Lucas and Thornton-Joe regarding an amendment to the Cannabis Retailer Rezoning Policy relating to the distance between dispensaries.

Motion: It was moved by Councillor Lucas, seconded by Councillor Thornton-Joe:
BE IT RESOLVED THAT Council consider a change to the Storefront Cannabis Retailer Rezoning Policy:

- a. to change the distance from 200m to 400m that a storefront cannabis retailer (in a straight line from the closest lot line to closest lot line) from another lot where a storefront cannabis retailer is permitted, whether or not a storefront cannabis retailer is active or not (sample map attached).
- b. this Policy does not limit Council from considering variances to the separation distances noted in the Policy based on circumstances related to a specific application.

Committee discussed:

- Rationale for the rezoning process rather than a temporary use permit for the dispensaries.
- Enforcement strategies for the non-compliant dispensaries.
- Various implications on the neighbourhoods with the dispensaries, including the criminal activity.

Amendment: It was moved by Councillor Isitt, that the motion be amended in point a. as follows:

BE IT RESOLVED THAT Council consider a change to the Storefront Cannabis Retailer Rezoning Policy:

- a. to change the distance from 200m to ~~400~~ **300**m that a storefront cannabis retailer (in a straight line from the closest lot line to closest lot line) from another lot where a storefront cannabis retailer is permitted, whether or not a storefront cannabis retailer is active or not (sample map attached).

MOTION FAILED DUE TO NO SECONDER

Amendment: It was moved by Councillor Isitt, that the motion be amended in the following point:
BE IT RESOLVED THAT Council consider a change to the Storefront Cannabis Retailer Rezoning Policy **outside the downtown:**

MOTION FAILED DUE TO NO SECONDER

Committee discussed:

- Consideration of vulnerable neighbours such as daycares.
- Various neighbourhoods with concerns about the proximity of dispensaries to one another.

Main motion: It was moved by Councillor Lucas, seconded by Councillor Thornton-Joe:
BE IT RESOLVED THAT Council consider a change to the Storefront Cannabis Retailer Rezoning Policy:
a. to change the distance from 200m to 400m that a storefront cannabis retailer (in a straight line from the closest lot line to closest lot line) from another lot where a storefront cannabis retailer is permitted, whether or not a storefront cannabis retailer is active or not (sample map attached).
b. this Policy does not limit Council from considering variances to the separation distances noted in the Policy based on circumstances related to a specific application.

On the main motion:
CARRIED 17/COTW

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

7.2 Naming of the James Bay Branch

Committee received a Council member motion dated June 30, 2017, from Councillor Young regarding a proposed engagement process to name the new James Bay Library.

Motion: It was moved by Councillor Young, seconded by Councillor Isitt, that the City request public input as to a suitable name for the James Bay branch of the Greater Victoria Public Library.

Committee discussed:

- Timelines for the opening of the new library branch.

CARRIED UNANIMOUSLY 17/COTW

7.3 Advocacy for Provincial and Federal Investment in the E & N Rail Corridor

Committee received a Council member motion dated June 27, 2017, from Councillor Isitt advocating for Provincial and Federal Investment in the E & N Rail Corridor.

Motion:

It was moved by Councillor Isitt, seconded by Councillor Alto, that Council endorse the following resolution and request that the Mayor write, on behalf of Council, to the Provincial and Federal Ministers responsible for Transportation and Infrastructure, forwarding this resolution and requesting favourable consideration, with copies sent to the Premier and Prime Minister, the Island Corridor Foundation, the Capital Regional District, and local governments and First Nations governments on Vancouver Island:

Resolution: Provincial and Federal Investment in E & N Rail Corridor

WHEREAS the City of Victoria's Strategic Plan 2015-2018 identifies the strategic action to work with other municipalities, First Nations and other partners to get the train running between Victoria and Langford;

AND WHEREAS rail provides a viable long-term option for the transport of people and goods on Vancouver Island that aligns with a commitment to climate action and compact, complete communities;

AND WHEREAS a lack of investment in the Esquimalt & Nanaimo (E & N) Rail Corridor between Victoria, Courtenay and Port Alberni has resulted in unrealized economic opportunities and limited transportation options;

THEREFORE BE IT RESOLVED THAT the City of Victoria requests Provincial and Federal investment in the E & N Rail Corridor in the next Provincial and Federal budgets, to allow for the establishment as soon as possible of efficient commuter rail service between Victoria, the Western Communities and the Cowichan Valley, and restoration of inter-city passenger rail service between Victoria and Courtenay;

AND BE IT FURTHER RESOLVED THAT consideration be given to electrification of the rail line between Victoria and Courtenay, to reduce reliance on fossil fuels and provide a clean energy option for the transport of people and goods on Vancouver Island.

Postpone:

It was moved by Mayor Helps, seconded by Councillor Isitt, that Council postpone consideration of the following motion until the feasibility study from the Province, including input from BC Transit, has been received by Council:

That Council endorse the following resolution and request that the Mayor write, on behalf of Council, to the Provincial and Federal Ministers responsible for Transportation and Infrastructure, forwarding this resolution and requesting favourable consideration, with copies sent to the Premier and Prime Minister, the Island Corridor Foundation, the Capital Regional District, and local governments and First Nations governments on Vancouver Island:

Resolution: Provincial and Federal Investment in E & N Rail Corridor

WHEREAS the City of Victoria's Strategic Plan 2015-2018 identifies the strategic action to work with other municipalities, First Nations and other

partners to get the train running between Victoria and Langford;

AND WHEREAS rail provides a viable long-term option for the transport of people and goods on Vancouver Island that aligns with a commitment to climate action and compact, complete communities;

AND WHEREAS a lack of investment in the Esquimalt & Nanaimo (E & N) Rail Corridor between Victoria, Courtenay and Port Alberni has resulted in unrealized economic opportunities and limited transportation options;

THEREFORE BE IT RESOLVED THAT the City of Victoria requests Provincial and Federal investment in the E & N Rail Corridor in the next Provincial and Federal budgets, to allow for the establishment as soon as possible of efficient commuter rail service between Victoria, the Western Communities and the Cowichan Valley, and restoration of inter-city passenger rail service between Victoria and Courtenay;

AND BE IT FURTHER RESOLVED THAT consideration be given to electrification of the rail line between Victoria and Courtenay, to reduce reliance on fossil fuels and provide a clean energy option for the transport of people and goods on Vancouver Island.

On the motion to postpone:
CARRIED UNANIMOUSLY 17/COTW

8. ADJOURNMENT

Motion: It was moved by Councillor Alto, seconded by Councillor Coleman, that the Committee of the Whole meeting of July 6, 2017, be adjourned at 12:08 p.m.

CARRIED UNANIMOUSLY 17/COTW

CERTIFIED CORRECT:

CITY CLERK

MAYOR