



MINUTES – VICTORIA CITY COUNCIL

MEETING OF THURSDAY, JULY 14, 2016, AT 6:30 P.M.

<u>PLACE OF MEETING:</u>	Council Chambers, City Hall
<u>PRESENT:</u>	Mayor Helps in the Chair, Councillors Coleman, Isitt, Loveday, Lucas, Madoff, Thornton-Joe, and Young.
<u>ABSENT:</u>	Councillor Alto
<u>STAFF PRESENT:</u>	J. Johnson – City Manager; J. Jenkyns - Deputy City Manager; C. Havelka – Deputy City Clerk; P. Bruce – Fire Chief; K. Hamilton – Director of Citizen Engagement & Strategic Planning; T. Soulliere - Director of Parks, Recreation & Facilities; S. Thompson – Director of Finance; J. Tinney – Director of Sustainable Planning & Community Development; F. Work – Director of Engineering & Public Works; C. Mycroft – Executive Assistant to the City Manager; L. Taylor – Senior Planner; P. Martin - Council Secretary.

APPROVAL OF AGENDA

The Deputy City Clerk outlined amendments to the agenda.

Motion:

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

Carried Unanimously

Amendment:

It was moved by Mayor Helps, seconded by Councillor Isitt, that Penny Goldrick, Jane Raymond, and Mary Doody Jones be added to the Request to Address Council section of the meeting.

On the amendment:
Carried Unanimously

On the main motion as amended:
Carried Unanimously

POETRY READING

The Youth Poet Laureate, Ann-Bernice Thomas, read a poem titled “Wild Woman”.

READING OF MINUTES

Motion:

It was moved by Councillor Isitt, seconded by Councillor Lucas, that the minutes of the Special meeting held May 26, 2016, be approved.

Carried Unanimously

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. **Dr. Al Anderson: Casinos – The very real downside**
Outlined concerns regarding the possible downside of casinos in the City of Victoria.
2. **Crin Roth: Cook St./Oliphant Ave. development proposal**
Outlined concerns regarding the rezoning application in Cook Street Village, and requested that Council reject the development.
3. **Sid Tafler: Cook Street Village**
Outlined concerns regarding the current Cook and Oliphant application and advised why it should not go forward to public hearing.
4. **Anne Russo: Rezoning Application No. 00472 for Oliphant Avenue and Cook Street**
Outlined concerns regarding the rezoning application for Oliphant Avenue and Cook Street and asked that Council reject the proposal to change the existing residential zoning.

5. **Noreen Begoray: Dallas Road off leash fence proposal**
Outlined why Council should not install a fence along the walking path on Dallas Road.

PUBLIC AND STATUTORY HEARINGS

1. Rezoning Application No. 00435 for 1310 Gladstone Avenue

1. **Public Hearing**
Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 18) No. 16-002
To include all of the land known as 1310 Gladstone Avenue in the Small Urban Village Urban Place Designation.
2. **Zoning Regulation Bylaw, Amendment Bylaw (No. 1048) No. 16-001**
To rezone the land known as 1310 Gladstone Avenue from the R1-B Zone, Single Family Dwelling District, to the CR-6 Zone, Commercial Residential Fernwood Village District, to permit a three-storey, mixed-use building consisting of commercial uses at street level and commercial or residential uses on the upper storey.

New Zone: CR-6 Zone, Commercial Residential Fernwood Village District

Legal description: The West ½ of Lot 7, Section 75, Victoria District, Plan 277

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

3. **Development Permit Application**
The Council of the City of Victoria will also consider issuing a development permit for the land known as 1310 Gladstone Avenue, in Development Permit Area and Heritage Conservation Area 6B Small Urban Village Heritage, DPA 6B(HC) for the purposes of approving the exterior design and finishes for the mixed-use building as well as landscaping.

Leanne Taylor (Senior Planner): Provided information regarding the application, which is to allow for a three-storey, mixed-use, building, consisting of commercial and residential uses.

Mayor Helps opened the public hearing at 7:02 p.m.

Kelsey Singbeil (Applicant from Fernwood NRG): Provided information regarding the organization and the application, which has an emphasis on environmental and social sustainability. Also outlined was the neighbourhood support that has been received in regards to this proposal.

Christine Lintott (Christine Lintott Architect): Provided detailed information regarding the application's elevation, the site and landscape plan, parking and bicycle plans, and the relative massing of the proposal.

Council discussed the following:

- *The flexibility of mixed-use residential and commercial in the proposed building.*
- *The handicapped accessibility of the building.*
- *Whether it would be pertinent to have a housing covenant to ensure rental housing for a set number of years.*
- *Transportation demand management and mitigation measures as it relates to parking.*

Riahana Nagel (Yukon Street): Spoke in support of the development as she lives in another affordable housing unit created by Fernwood NRG.

Mike Hall (Partner of the Fernwood Inn): Spoke in support of the development and the work the organization has done for the community

Dean O'Kelly (Partner of the Fernwood Inn): Spoke in support of the development and the organization.

Eric Swanson (Swan Road): Spoke in support of the densification and affordable housing in the neighbourhood, the possibility of housing, the flexibility of mixed-use commercial and residential, and advised that there are no concerns regarding transportation issues.

Michael Demers (Fernwood Avenue): Spoke in support of the development and advised that he is supportive of the direction Fernwood Energy is taking in the neighbourhood.

Michael Dubell (Director of the Belfry Theatre): Spoke in support of the development and the organization, and the positive changes to the neighbourhood, done in part by Fernwood NRG.

Jesse (Gladstone Avenue): Spoke in support of the development and the neighbourhood support for this proposal.

Brian Zuckers (Swan Street): Spoke in support of the development and thanked Fernwood NRG for their respectful approach to the positive changes in the community. Also spoke in support of the flexibility of mixed-use commercial and residential.

Rubin Anderson (Balmoral Road): Spoke in support of the organization's work in the neighbourhood and in regards to parking in the Fernwood Village and noted that it should be a walkable village.

Andrew Bolton (Fernwood Road): Spoke in support of the development having a mixed-used commercial and residential building, and the fit the development would have with the community.

Carolyn Smuggley (Fernwood Road): Spoke in support of the development and the fit it would have within the community.

Rachel Subla (Swan Street): Spoke in support of the organization as a landlord and the benefits small businesses would have in this neighbourhood.

Harriet Bennet (Yukon Street): Spoke in support of the development, the organization and other properties developed by Fernwood NRG.

Marcel Hanson (Gladstone Avenue): Spoke in support of the organization and the development, which will be a positive addition to the neighbourhood.

Jeff Cross (Fernwood Road): Spoke in support of the development and the organization as a developer.

Mayor Helps closed the public hearing at 7:50 p.m.

4. **Bylaw Approval**

Motion:

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

1. *Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 18) No. 16-002*
2. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1048) No. 16-001*

Council discussed the following:

- *Support of the application, as it is expanding and enhancing the neighbourhood.*
- *The applicants' positive community consultation, which has led to neighbourhood support.*
- *The thoughtful design of the application, which is a beneficial fit for the community.*
- *Whether the number of storeys is appropriate, as it relates to the Official Community Plan.*

Motion to postpone:

It was moved by Councillor Thornton-Joe, seconded by Councillor Young that Council postpone adoption of the bylaws and add to the motion that the housing agreement, to the satisfaction of the solicitor, be amended to ensure that the upper floor be used for rental housing for 20 years.

On the motion to postpone:
Defeated

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

Council discussed the following:

- *Concerns regarding the flexibility of the multi-use commercial and residential aspects of the development.*

Councillor Loveday withdrew from the meeting at 8:11 p.m. and returned at 8:12 p.m.

On the main motion:
Carried Unanimously

5. **Bylaw Approval**

Motion:

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

1. *Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 18) No. 16-002*
2. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1048) No. 16-001*
3. *Housing Agreement (1310 Gladstone Avenue) Bylaw No. 16-003*

Carried Unanimously

6. **Development Permit Approval**

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Coleman, that Council authorize the issuance of Development Permit Application No. 00354 for 1310 Gladstone Avenue, in accordance with:

1. Final registration of the priority agreement for an easement through the driveway of the property located at 2009 Fernwood Road.
2. Plans date stamped October 20, 2015.
3. Final plans to be in accordance with the plans identified above to the satisfaction of City staff.
4. The Development Permit lapsing two years from the date of this resolution.

Carried Unanimously

Council recessed from 8:15 p.m. until 8:20 p.m.

2. **Rezoning Application No. 00506 for 406 and 408 Wilson Street**

1. **Public Hearing**

Zoning Regulation Bylaw, Amendment Bylaw (No. 1069) No. 16-056

To rezone the land known as 406 and 408 Wilson Street from the R-2, Two Family Dwelling District, to the R2-53, Wilson Attached Dwelling, to permit a duplex.

New Zone: R2-53, Wilson Attached Dwelling

Legal description: The South ½ of Lot 93, Block J, Section 31, Esquimalt District

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

2. **Development Permit with Variances Application**

The Council of the City of Victoria will also consider issuing a development permit for the land known as 406 and 408 Wilson Street, in Development Permit Area 15D: Intensive Residential- Duplex for the purposes of approving the exterior design and finishes for the duplex as well as landscaping, and associated variances with respect to setbacks of the new duplex.

Leanne Taylor (Senior Planner): Provided information regarding the application, which is to permit the development of a duplex.

Mayor Helps opened the public hearing at 8:21 p.m.

Rob Bernhardt (Bernhardt Developments): Provided information regarding the application and the energy standards that the development would be built to as it will be a passive house design.

Adam Fox (HCMA Architect): Advised of the changes that have been made to make the development more supportable, such as the increase of separation from its immediate neighbour, the reduction of street parking, and the revised changes to the west and north elevation.

Chantal Gabriel (Wilson Street): Spoke in regards to the loss of greenery on Wilson Street and asked that Bernhardt Developments and the City work to maintain greenery in the City.

Council discussed the following:

- *That importance to have vegetation replaced during the development process.*

Mayor Helps closed the public hearing at 8:40 p.m.

3. **Bylaw Approval**

Motion:

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

1. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1069) No. 16-056*

Council discussed the following:

- *Support of the proposal and the energy efficiency building style.*

Carried Unanimously

4. **Bylaw Approval**

Motion:

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

1. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1069) No. 16-056*

Carried Unanimously

5. **Development Permit with Variances Approval**

Motion:

It was moved by Councillor Loveday, seconded by Councillor Lucas, that Council authorize the issuance of Development Permit with Variances Application No. 00506 for 406 and 408 Wilson Street in accordance with:

1. Plans date stamped July 8, 2016
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. reduce the rear yard setback from 10.70m to 9.45m
 - b. reduce the side (east) yard setback from 3.50m to 2.45m
3. The Development Permit lapsing two years from the date of this resolution.

Carried Unanimously

3. **Rezoning Application No. 00507 for 155 Linden Avenue**

1. **Public Hearing**

Zoning Regulation Bylaw, Amendment Bylaw (No. 1068) No. 16-052

To rezone the land known as 155 Linden Avenue from the R1-B Zone, Single Family Dwelling District to the R1-B-GS Zone, Single Family Dwelling with Garden Suite District, to permit a garden suite.

New Zone: R1-B-GS Zone, Single Family Dwelling with Garden Suite District

Legal description: Lot 26, Fairfield Farm Estate, Victoria City, Plan 958

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

2. **Development Permit Application**

The Council of the City of Victoria will also consider issuing a development permit for the land known as 155 Linden Avenue, in Development Permit Area 15E: Intensive Residential – Garden Suites for the purposes of approving the exterior design and finishes for the garden suite as well as landscaping.

Leanne Taylor (Senior Planner): Provided information regarding the application, which is to permit a garden suite.

Mayor Helps opened the public hearing at 8:44 p.m.

Nigel Banks (Banks Design): Provided information regarding the application, which is to construct a small garden suite that would take the place of a small garage that does not currently fit a vehicle. Also discussed was the community consultation and steps taken to alleviate those concerns.

Kevin Carson (Neighbour): Spoke in regards to the parking concerns and whether the suite would be used as temporary vacation rental, which would not be supportable.

Council discussed the following:

- *That transient accommodation would not be allowed in a garden suite.*

Mayor Helps closed the public hearing at 8:57 p.m.

3. **Bylaw Approval**

Motion:

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

1. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1068) No. 16-052*

Carried Unanimously

4. **Bylaw Approval**

Motion:

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

1. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1068) No. 16-052*

Carried Unanimously

5. **Development Permit Approval**

Motion:

It was moved by Councillor Coleman, seconded by Councillor Loveday, that Council authorize the issuance of Development Permit Application No. 00507 for 155 Linden Avenue, in accordance with:

1. Plans date stamped April 15, 2016.
2. Development meeting all Zoning Regulation Bylaw requirements.

3. The Development Permit lapsing two years from the date of this resolution.

Carried Unanimously

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. **Jane Ramin: Cook & Oliphant Proposal**
Outlined why the proposal is not supportable due to the commercial aspects, but residential units would be acceptable.
2. **Penny Goldrick: Dog fencing on Dallas Road**
Outlined objections to the split rail fence for dogs on Dallas Road, and her experience walking dogs in this area.
3. **Mary Doody Jones: Cook & Oliphant Proposal and update on process of geological base**
Outlined the history of the area and concerns regarding the process of rezoning applications. Also outlined the need for a process of geological bases prior to the approval of development permits.

UNFINISHED BUSINESS

1. **Appointment to the Social Enterprise and Social Procurement Task Force**

Motion:

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council appoint Wendy Townsend to the Mayor's Task Force on Social Enterprise and Social Procurement, for its duration September through December, 2016.

Carried Unanimously

2. **Letter dated May 3, 2016 from the Minister of Canadian Heritage**
A letter of response to the City's letter dated November 18, 2015, congratulating the minister appointment and providing documentation on the City Council's goals and initiatives.

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that the correspondence dated May 3, 2016 from the Minister of Canadian Heritage be received for information.

Carried Unanimously

3. **Letter dated May 12, 2016 from Premier Christy Clark**
A letter of response to the City's letter on establishing a basic income guarantee for Canadians.

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that the correspondence dated May 12, 2016 from Premier Christy Clark be received for information.

Carried Unanimously

4. **Letter dated May 30, 2016 from the Ministry of Health**
A letter of response to the City's letter dated April 27, 2016, regarding the City's support for a national conversation on a Basic Income Guarantee for all Canadians.

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that the correspondence dated May 30, 2016 from the Ministry of Health be received for information.

Carried Unanimously

5. **Letter dated June 13, 2016 from the Minister of Environment and Climate Change:**
A letter of response to the City's letter dated February 10, 2016, regarding the designation of the Union Club of British Columbia as a national historic site.

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that the correspondence dated June 13, 2016 from the Minister of Environment and Climate Change be received for information.

Carried Unanimously

6. **Letter dated June 16, 2016 from the President of Union of BC Municipalities:**
A letter regarding the City's 2015 resolution on Proposed Site C Hydroelectric Dam and the provincial response.

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that the correspondence dated June 16, 2016 from the President of Union of BC Municipalities be received for information.

Carried Unanimously

7. **Letter dated June 17, 2016 from the Minister of Health:**

A letter of response to the City's February 29, 2016 letter regarding the plan to establish supervised consumption services.

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that the correspondence dated June 17, 2016 from the Minister of Health be received for information.

Carried Unanimously

8. **Letter dated June 21, 2016 from the Minister of Technology, Innovation, and Citizens' Services:**

A letter of response to the City's letter dated May 18, 2016, regarding concern over the condition of two houses located at 506 and 514 Government Street.

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that the correspondence dated June 21, 2016 from the Minister of Technology, Innovation, and Citizens' Services be received for information.

Carried Unanimously

9. **Letter dated June 21, 2016 from the Director of Parliamentary Affairs:**

A letter of response to the City's letter dated May 18, 2016, regarding concern over the condition of two houses located at 506 and 514 Government Street.

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that the correspondence dated June 21, 2016 from the Director of Parliamentary Affairs be received for information.

Carried Unanimously

10. **Letter dated June 29, 2016 from the City Clerk for the City of Vancouver:**

A letter advising that the Vancouver City Council has endorsed the UBCM Housing Affordability resolution from the City of Victoria.

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that the correspondence dated June 29, 2016 from the City Clerk for the City of Vancouver be received for information.

Carried Unanimously

11. **Letter dated July 8, 2016 from British Columbia Lottery Corporation:**

A letter advising that the City of Victoria has been selected as the preferred host local government for a potential new gaming facility.

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that the correspondence dated July 8, 2016 from the British Columbia Lottery Corporation be received for information.

Carried Unanimously

12. **Letter dated May 25, 2016 from the Office of the Mayor of the Municipality of Jasper:**

A letter of response to the City's letter dated January 14, 2016, regarding the FCM resolution concerning a Federal Bill of Environmental Rights, which the Municipality of Jasper has supported.

Motion:

It was moved by Councillor Lucas, seconded by Councillor Loveday, that the correspondence dated May 25, 2016 from the Office of the Mayor of the Municipality of Jasper be received for information.

Council discussed the following:

- *That the motion had failed at the Federation of Canadian Municipalities (FCM) due to a constitutional basis that had been received by Saanich, as opposed to Victoria's motion that had removed that item.*

Carried Unanimously

13. **Letter dated June 6, 2016 from the Minister of Environment:**

A letter in response to the City's letter dated May 3, 2016 regarding the creation of a British Columbia Natural Lands Acquisition Fund.

Motion:

It was moved by Councillor Young, seconded by Councillor Lucas, that the correspondence dated June 6, 2016 from the Minister of Environment be received for information.

Carried

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

14. Letter dated June 17, 2016 from the President of Union of BC Municipalities:

A letter regarding the City's community sponsored resolution on the Environmental Bill of Rights and the provincial response.

Motion:

It was moved by Councillor Coleman, seconded by Councillor Lucas, that the correspondence dated June 17, 2016 from the President of Union of BC Municipalities be received for information.

Carried Unanimously

REPORTS OF COMMITTEES

1. Committee of the Whole – July 7, 2016

1. Heritage Designation Application No. 000160 for 564-572 Fisgard Street and 1706-1708 Government Street

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Madoff, that Council instruct staff to prepare the necessary Heritage Designation Bylaw to designate the property located at 564-572 Fisgard Street and 1706-1708 Government Street pursuant to Section 611 of the Local Government Act, as a Municipal Heritage Site and that first and second reading of the Heritage Designation Bylaw be considered by Council and a public hearing date be set.

Carried Unanimously

2. Conference Attendance Request: Canadian Capital Cities Organization Annual Conference

Motion:

It was moved by Councillor Coleman, seconded by Councillor Isitt, that Council authorizes the attendance and associated costs for Councillors Thornton-Joe and Alto to the Canadian Capital Cities Organization Conference to be held in Quebec City, September 6 to 9, 2016.

Carried Unanimously

3. Attendance at Federation of Canadian Municipalities Annual Conference

Motion:

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council authorize the attendance and associated costs for Councillor Isitt to the FCM conference to be held in Winnipeg, June 3 to 5, 2016.

Carried Unanimously

4. Development Permit with Variances Application No. 00010 for 980 Pandora Avenue

Motion:

It was moved by Councillor Isitt, seconded by Councillor Madoff, that Council decline Development Permit with Variances Application No. 00010 for 980 Pandora Avenue.

Carried Unanimously

5. Heritage Alteration Permit Application with Variance No. 00222 for 1737 Rockland Avenue

Motion:

It was moved by Councillor Madoff, 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 Heritage Alteration Permit Application No. 000222 for 1737 Rockland Avenue, in accordance with:

1. Plans, date stamped May 18, 2016
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - i. Section 1.1.5(a) - relaxation of the minimum front yard setback from 10.5m to 4.75m

3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director, Development Services Division, Sustainable Planning and Community Development
4. Heritage Alteration Permit lapsing two years from the date of this resolution."

Carried Unanimously

6. Request to Add an Existing House at 2536 Richmond Road to the Heritage Register

Motion:

It was moved by Councillor Madoff, seconded by Councillor Thornton-Joe, that Council approve the request for the addition of the property at 2536 Richmond Road to the Heritage Register.

Carried Unanimously

7. Heritage Designation Application No. 000159 for 539-545 ½ Fisgard Street and 16-20 Fan Tan Alley

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Madoff, that Council instruct staff to prepare the necessary Heritage Designation Bylaw to designate the property located at 539-545 ½ Fisgard Street and 16-20 Fan Tan Alley pursuant to Section 611 of the Local Government Act, as a Municipal Heritage Site and that first and second reading of the Heritage Designation Bylaw be considered by Council and a public hearing date be set.

Carried Unanimously

8. Pilot Project for Dallas Road Leash-Optional Area

Motion:

It was moved by Councillor Thornton-Joe, seconded by Mayor Helps, that Council direct staff:

1. To implement option 1 and that option 1 be implemented within the Council budget allocation for this project,
2. That the location give consideration of accommodating a right of way for potential waste water treatment infrastructure and a future cycling pathway,
3. That new signage and first steps to enforcement be implemented immediately,
4. To report back in 6 months, and;
5. To give consideration to minimizing the impact on the pedestrian experience.

Council discussed the following:

- *Which option presented in the July 7, 2016 Committee of the Whole report is the most supportable, in order to provide safety for all users.*
- *Whether any action is pertinent at this time, as further work should be done to provide clarity on regulations.*
- *The budget allocation to implement this project.*
- *The various styles of fences that could be implemented, and which would be the most effective.*
- *That the report was brought forward to help alleviate concerns on Dallas Road, and that the pilot project's purpose is to provide education to users as opposed to strict enforcement.*
- *That implementation of signage to provide education on regulations would be beneficial at this time.*
- *The current regulations regarding dogs off leash on Dallas Road.*

Defeated

For: Mayor Helps, Councillors Lucas and Thornton-Joe

Opposed: Councillors Coleman, Isitt, Loveday, Madoff, and Young

9. Centennial Square Public Washrooms

Motion:

It was moved by Councillor Lucas, seconded by Councillor Thornton-Joe, that Council direct staff to develop a project plan, including a cost estimate for a new stand-alone public washroom in Centennial Square and report back with any other options to provide bathrooms on existing facilities in the square.

Council discussed the following:

- *Concerns regarding where a public washroom would be located, and whether the existing facilities could be fixed in the interim.*
- *The importance of moving forward with this item, and the future of the parkade.*

Amendment:

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

That Council direct staff to develop a project plan, including a cost estimate for a new stand-alone public washroom in Centennial Square **or CRD square** and report back with any other options to provide bathrooms on existing facilities in the square.

On the amendment:
Carried Unanimously

Main motion as amended:

That Council direct staff to develop a project plan, including a cost estimate for a new stand-alone public washroom in Centennial Square or CRD square and report back with any other options to provide bathrooms on existing facilities in the square.

On the main motion as amended:
Carried

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

10. Water Charges for Community Gardens

Motion:

It was moved by Councillor Isitt, seconded by Councillor Thornton-Joe, that Council receive this report for information and that the fees be waived as outlined in the report.

Carried Unanimously

11. District of North Saanich Request for Financial Support for Nav Canada Legal Action

Council received a report from the Director of Finance on the reason why the District of North Saanich is taking legal action against Nav Canada.

Motion:

It was moved by Councillor Isitt, seconded by Councillor Coleman, that Council direct staff to contribute \$2,500 to support the District of North Saanich for Nav Canada Legal Action.

Carried Unanimously

12. 2016 Union of BC Municipalities Convention – Meetings with Cabinet

Motion:

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council receive this report for information.

Carried Unanimously

13. Presentation: Building Resilience in Canada Proposal

Motion:

It was moved by Councillor Coleman, seconded by Councillor Madoff, that Council direct staff to engage with Building Resilience in Canada to explore opportunities for a demonstration project as well as impacts on future changes to City of Victoria policy and incentives related to seismic upgrades.

Carried Unanimously

14. Conference and Travel Budget for Council

Motion:

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council direct staff to transfer \$10,000 from Council's miscellaneous account to Council's conferences/travel account to cover conference and travel expenses for the remainder of 2016.

Carried Unanimously

Councillor Thornton-Joe withdrew from the meeting at 10:22 p.m. and returned at 10:24 p.m.

2. Committee of the Whole – July 14, 2016

1. Development Permit with Variance Application No. 00004 for 1421 Fairfield Road

Motion:

It was moved by Councillor Coleman, seconded by Councillor Lucas, 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. 00004 for Fairfield Road, in accordance with:

1. Plans date stamped April 29, 2016.

2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:

Proposed Lot D

- i. Schedule H (3)(a): Increase the height from 5.0m to 6.8m;
- ii. Schedule H (3)(a): Increase the number of storeys from 1 to 2.

Proposed Lot E

- i. Schedule H (3)(a): Increase the height from 5.0m to 7.5m;
- ii. Schedule H (3)(a): Increase the number of storeys from 1 to 2;
- iii. Schedule H (5)(a): Increase the site coverage from 25% to 27.4%.

3. The Development Permit lapsing two years from the date of this resolution.”

Carried Unanimously

2. Development Variance Permit Application No. 00004 for 1421 Fairfield Road

Motion:

It was moved by Councillor Coleman, seconded by Councillor Lucas, 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. 00004 for 1421 Fairfield Road, in accordance with:

1. Plans date stamped April 29, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:

Proposed Lot F

- a. Part 12.5 (a): Reduce the front setback from 7.5m to 6.25m;
- b. Part 12.5 (b): Reduce the rear setback from 7.5m to 3.5m.

3. The Development Permit lapsing two years from the date of this resolution.”

Carried Unanimously

3. Wastewater Treatment Update

Motion:

It was moved by Councillor Young, seconded by Councillor Lucas, that Council direct staff to:

1. Forward the summary of public input to the Capital Regional District in order to inform analysis being undertaken by the new wastewater Project Board
2. Work with the Project Board to determine policy considerations for siting of wastewater treatment facilities within the City of Victoria
3. Share the summary of public input and feedback with the public

Carried Unanimously

4. Local Service Area – Cyril Close

Motion:

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council consider first, second and third reading to Cyril Close Local Area Service Bylaw 16-045 at the July 14, 2016 Council meeting.

Carried Unanimously

5. Attendance Request: Urban Development Institute Tour of Los Angeles

Motion:

It was moved by Councillor Coleman, seconded by Councillor Young, that Council approves the attendance of Councillor Margaret Lucas at the UDI Tour of Los Angeles, Santa Monica and Beverly Hills.

Carried Unanimously

6. Submission of Input for National Housing Strategy

Motion:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council direct staff to prepare a response to the questions posed by the federal government on the “Let’s Talk Housing” website and provide a draft response to Council for Council’s consideration by Thursday, October 6th, 2016.

Carried Unanimously

7. Project Plan for the Vic West Neighbourhood Plan

Motion:

It was moved by Councillor Loveday, seconded by Councillor Lucas, that Council approve the Project Plan for the Vic West Neighbourhood Plan outlined in Attachment one of the report dated June 30, 2016.

Carried Unanimously

8. Update on Rezoning Application No. 00472 and Development Permit Application No. 000402 for 1041 Oliphant and 212-220 Cook Street

Motion:

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00472 for 1041 Oliphant Avenue and 212-220 Cook Street, and that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation of the following documents, signed and executed by the applicant to the satisfaction of City Staff:
 - a. Housing Agreement to secure the rental of nine units for a minimum of 20 years at a minimum rental rate of at least 10% below market rate, if not more, and to secure the rental of nine units for a minimum of 10 years at market rate, and that future strata bylaws cannot prohibit strata owners from renting residential strata units.
 - b. Statutory Right-of-Way of 3m for the rear lane access off Oliphant Avenue to the satisfaction of City staff;
 - c. Section 219 Covenant for sewage attenuation to mitigate the impact of increased density, as required, to the satisfaction of City staff;
 - d. Section 219 Covenant for the public realm improvements associated with the sidewalk widening along Cook Street and the paving/widening of the rear lane, to the satisfaction of City staff.

Development Permit Application No. 000402 (updated to reflect revised plans):

That Council authorize the issuance of Development Permit Application with Variance No. 00402 for 1041 Oliphant Avenue and 212-220 Cook Street, in accordance with:

1. Plans date stamped May 20, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Schedule C, 16A.12(c) – Required residential parking is reduced from 1.4 spaces per dwelling unit to 0.9 spaces per dwelling unit.
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of staff.
4. That Council authorize staff to execute an Encroachment Agreement for a fee of \$750, plus \$25 per m² of exposed shored face during construction in a form satisfactory to staff. This is to accommodate shoring for construction of the underground parking structure at the property line.
5. The Development Permit lapsing two years from the date of this resolution.

Council discussed the following:

- *Whether this application should be sent back to staff for further work.*
- *Whether the application would be supportable if it was designated as residential use only.*
- *Whether changes to the application would affect the affordable housing requirements.*

Motion to refer:

It was moved by Councillor Young, seconded by Councillor Madoff, that the application be referred back to staff to work with the applicant.

Amendment:

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

That the application be referred back to staff to work with the applicant, **to address some of the concerns expressed by the neighbourhood.**

Amendment to the amendment:

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

That the application be referred back to staff to work with the applicant, **to address ~~some of the~~ concerns expressed by the neighbourhood.**

On the amendment to the amendment:
Carried Unanimously

Amendment to the amendment:

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

That the application be referred back to staff to work with the applicant, **to address the concerns expressed by the neighbourhood, including height and integration of the building into the village.**

On the amendment to the amendment:
Carried

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

On the amendment:
Carried Unanimously

Main motion to refer as amended:

That the application be referred back to staff to work with the applicant, to address the concerns expressed by the neighbourhood, including height and integration of the building into the village.

On the main motion to refer as amended:
Carried Unanimously

9. New Development Service Connection Fees Review

Motion:

It was moved by Councillor Coleman, seconded by Councillor Young, that Council direct staff to amend the Waterworks Bylaw 07-030, and the *Sanitary Sewer and Stormwater Utilities Bylaw* 14-071 to update fees as per Table 2 (option 2 Hybrid New Fee Structure) attached to the report dated July 8, 2016 and report back in 6 months.

Carried

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

10. Replacement of Street Lights to LED Technology

Motion:

It was moved by Mayor Helps, seconded by Councillor Loveday, that Council direct staff to:

1. Install warm white (3,000K) LED fixtures throughout the City, with the exception of cool white (4,000K) LED streetlight fixtures in all signalized intersections and marked crosswalks;
2. Develop a "smart" LED streetlight control pilot program, to demonstrate suitable applications of controllable LED technology to further improve energy savings potential, public safety and security and report back to Council with recommendations for the City's streetlight network in early 2017;
3. Introduce an LED communication plan to provide the public with pertinent information and opportunity for feedback concerning LED streetlight installations; and
4. Report back to Council regarding outcomes of the BC Hydro streetlight funding application and connection-fee decisions, with associated financial implications and recommendations.

Carried Unanimously

11. Irving Park – Commons Garden Licence of Occupation

Motion:

It was moved by Councillor Coleman, seconded by Councillor Isitt, that Council approve the proposal for a commons garden at Irving Park, and authorize the Mayor and Corporate Administrator to execute a new License of Occupation with the James Bay New Horizons Society, for a period of three years, at an annual consideration of \$1.00, in a form satisfactory to staff, subject to the publication of the statutory notices required by the *Community Charter*.

Carried Unanimously

Motion:

It was moved by Councillor Coleman, seconded by Councillor Isitt, that Council direct staff to report back on the provision of leaf mulch to community gardens covered by license of occupation on city-owned land and provide information on the cost estimates for common gardens and allotment gardens.

Carried Unanimously

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

Motion to extend past 11:00 p.m.:

It was moved by Mayor Helps, seconded by Councillor Madoff, that Council extend the meeting until 11:15 p.m.

Carried Unanimously

1. Taxation of Vacant Residential Properties

Motion:

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

WHEREAS The City of Victoria is facing a housing crisis with a vacancy rate of roughly 0.6 percent.

AND WHEREAS An unknown number of units currently sit empty and are held as investments rather than as housing.

AND WHEREAS The Provincial Government has recently indicated that they are preparing to introduce legislation to allow Vancouver to tax vacant units through an amendment to the Vancouver Charter.

THEREFORE BE IT RESOLVED that Council ask the Mayor to write the Premier and the Ministers of Housing, Finance, and Community Sport and Cultural-Development to request that the Provincial Government amend the Community Charter to enable municipalities across BC to implement a tax on vacant properties.

AND BE IT FURTHER RESOLVED that Council forward the following motion to the next quarterly Strategic Plan update:

BE IT RESOLVED That Council direct staff to begin collecting data on the number of empty units in the City of Victoria to allow Council to make an informed decision on whether or not to implement a tax on vacant properties if the Province makes the requested changes to the Community Charter.

Carried

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

BYLAWS

1. FIRST READING

Motion:

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

1. *Cyril Close Local Area Service Bylaw, 2016 No. 16-045*

Carried Unanimously

2. SECOND READING

Motion:

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

1. *Cyril Close Local Area Service Bylaw, 2016 No. 16-045*

Carried Unanimously

3. THIRD READING

Motion:

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

1. *Cyril Close Local Area Service Bylaw, 2016 No. 16-045*

Carried Unanimously

CORRESPONDENCE

1. **Letter dated June 14, 2016 from the District 3 Director of United Steelworkers:**

A letter requesting Council's consideration of the perspective of forest workers, when discussing the end to old growth logging.

Motion:

It was moved by Councillor Coleman, seconded by Councillor Young, that the correspondence dated June 14, 2016 from the District 3 Director of United Steelworkers be received for information.

Carried

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

2. **Letter dated June 24, 2016 from the Mayor of New Westminster:**

A letter requesting Council's support of a resolution submitted to UBCM regarding tenant evictions through renovations.

Motion:

It was moved by Councillor Loveday, seconded by Councillor Isitt, that the correspondence dated June 24, 2016 from the Mayor of New Westminster be referred to a Committee of the Whole meeting.

Carried Unanimously

3. **Letter dated June 28, 2016 from Gordon Pollard:**

A letter suggesting that the Victoria City Council officially proclaim Saturday, November 19, 2016, as Mifflin Wistar Gibbs Day in Victoria, to honour that in 1866 Mr. Gibbs was the first black politician to get elected to any public office in Canada.

Motion:

It was moved by Councillor Coleman, seconded by Councillor Young, that the correspondence dated June 28, 2016 from Gordon Pollard be received for information.

Carried Unanimously

NEW BUSINESS

To Set Public Hearings for the Meeting of Thursday, July 28, 2016:

Motion:

It was moved by Councillor Coleman, seconded by Councillor Loveday, that the following Public Hearings be held in Council Chambers, City Hall, on **THURSDAY, JULY 28, 2016, at 6:30 p.m.:**

1. Development Permit with Variances No. 00003 for 944 Heywood Avenue

Carried Unanimously

QUESTION PERIOD

A question period was held.

ADJOURNMENT

Motion:

It was moved by Councillor Coleman, seconded by Councillor Madoff, that the Council meeting adjourn.
Time: 11:03 p.m.

Carried Unanimously

CERTIFIED CORRECT:

CITY CLERK

MAYOR