



## **MINUTES – VICTORIA CITY COUNCIL**

### **MEETING OF THURSDAY, MAY 12, 2016, AT 6:30 P.M.**

**PLACE OF MEETING:** Council Chambers, City Hall

**PRESENT:** Mayor Helps in the Chair, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Madoff, Thornton-Joe and Young.

**STAFF PRESENT:** J. Jenkyns – Deputy City Manager; P. Bruce – Fire Chief; C. Coates - City Clerk; K. Hamilton – Director of Citizen Engagement & Strategic Planning; T. Soulliere - Director of Parks, Recreation & Facilities; J. Tinney – Director of Sustainable Planning & Community Development; F. Work – Director of Engineering & Public Works; R. Bateman – Senior Planner; L. Westinghouse – Manager of Accounting; C. Mycroft – Executive Assistant to the City Manager; C. Havelka - Council Secretary.

### **APPROVAL OF AGENDA**

The City Clerk outlined amendments to the agenda.

**Motion:**

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

**Carried Unanimously**

**Amendment:**

It was moved by Councillor Alto, seconded by Councillor Isitt, that Susan Abells, Steve Craik and Graeme Verhulst be added to Request to Address Council.

**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 entitled “Pi”.

### **READING OF MINUTES**

**Motion:**

It was moved by Councillor Alto, seconded by Councillor Loveday, that the Regular Council meeting minutes of April 28, 2016, be adopted.

**Carried Unanimously**

**Motion:**

It was moved by Councillor Alto, seconded by Councillor Loveday, that the Special Council meeting minutes of April 28, 2016, be adopted.

**Carried Unanimously**

**Motion:**

It was moved by Councillor Alto, seconded by Councillor Loveday, that the Special Council meeting minutes of January 21, 2016, be adopted.

**Carried Unanimously**

### **REQUESTS TO ADDRESS COUNCIL**

**Motion:**

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

**Carried Unanimously**

1. **JC Scott: Sidewalk Cafés Bylaw**  
Outlined issues and provided information related to the proposed amendments to the Sidewalk Cafes Bylaw.
2. **Francesca Tisot and Michael Wheatley: Animal Control Bylaw**  
Provided information to support their request to amend the *Animal Control Bylaw* to permit dogs on Gonzales Bay Beach during summer hours.
3. **Geraldine Glattstein: Dog Access to Gonzales Beach Summer Hours**  
Spoke in support of changing the hours of access for dogs on Gonzales Bay Beach.
4. **Henry Awmack: Summer Hours for Dogs on Gonzales Beach**  
Provided information regarding public use of Gonzales Bay Beach and expressed support for permitting dogs on the beach during the summer hours.

5. **Hilary Marks: Micro-Housing and Land Use**

Spoke in support of the proposed micro-housing on Cook Street and provided information on this program.

**PROCLAMATIONS**

**Motion:**

It was moved by Councillor Coleman, seconded by Councillor Alto, that the following Proclamations be endorsed:

1. "Parachute Safe Kids Week" – May 30 to June 5, 2016
2. "Public Works Week" – May 15 to 21, 2016
3. "Kids Help Phone – Walk So Kids Can Talk Day" – May 1, 2016

**Carried Unanimously**

**PUBLIC AND STATUTORY HEARINGS**

1. **Rezoning Application No. 00498 and Development Permit with Variances Application No. 00498 for 1705 Haultain Street**

1. **Public Hearing**

**A. Zoning Regulation Bylaw, Amendment Bylaw (No. 1065) No. 16-048**

To rezone a portion of the land known as 1705 Haultain Street from the R1-B Zone, Single Family Dwelling District to the standard small lot zone (R1-S2 Zone, Restricted Small Lot (Two Storey) District), and to rezone the remaining portion of land known as 1705 Haultain Street from the R1-B Zone, Single Family Dwelling District to a new zone based on the standard small lot zone except with a smaller minimum lot size (R1-S26 Zone, Restricted Small Lot (Haultain Street) District).

**B. Development Permit with Variances Application**

The Council of the City of Victoria will also consider issuing a Development Permit with Variances for the land known as 1705 Haultain Street, in Development Permit Area 15A: Intensive Residential – Small Lot for the purposes of approving the exterior design and finishes for the three small lot houses as well as landscaping.

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

**Proposed Lot A**

- Reduce the front yard (west) setback from 6.00m to 2.03m
- Reduce the rear yard (east) setback from 6.00m to 1.50m

**Proposed Lot B**

- Reduce the front yard (north) setback from 6.00m to 5.00m
- Reduce the rear yard (south) setback from 6.00m to 4.73m
- Reduce the side yard (east) setback from 2.40m to 1.83m
- Permit parking to be located between the building and the front lot line

**Proposed Lot C**

- Reduce the side yard (south) setback from 2.40m to 1.50m

Rob Bateman (Senior Planner): Provided details regarding the application to rezone 1705 Haultain Street, and advised that Council is to consider the supportability of rezoning the property and permitting a development permit with variances.

*Mayor Helps opened the public hearing at 7:01 p.m.*

Kim Colpman (Large and Co.): Provided details regarding the design, density, landscaping and parking with respect to the proposal.

*Council discussed with staff the types and size of trees that will replace the ones to be removed.*

Mike Wardell (Haultain Street): Expressed concerns regarding the project, specifically regarding three houses fitting on the lot, traffic and parking issues, and the removal of the trees.

Heather Weir (Haultain Street): Expressed concerns with the three houses proposed to fit on one lot and parking issues associated with the proposal and the size of the backyard setbacks.

Janet Drew (Haultain Street): Expressed concerns with the three houses proposed to fit on one lot, parking and traffic issues.

Soren Henrich 1739 (Haultain Street): Spoke in support of the proposal and outlined details on how the proposal fits in the community.

Caroline Harris-Duncan (Ryan Street): Spoke in support of the proposal and outlined her experience with a house and property designed by the proponent.

Kent Saxby (Ryan Street): Spoke in support of the proposal and how it will fit in the community.

Resident (Forbes Street): Spoke in support of the proposal and outlined details related to the proposal.

*Council discussed with staff:*

- *How the proposal fits within the small lot housing policy with respect to three houses fitting on the lot;*
  - *Details regarding small lot regulations were outlined noting that Lot B doesn't meet the requirements.*
- *Noting that the telephone pole will be removed but the fire hydrant will remain.*
- *Noting that the Official Community Plan envisions small lot houses in this area.*

*Councillor Isitt withdrew from the meeting at 7:42 p.m.*

*Mayor Helps closed the public hearing at 7:43 p.m.*

**C. Bylaw Approval**

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

*Zoning Regulation Bylaw, Amendment Bylaw (No. 1065) 16-048*

*Councillor Isitt returned to the meeting at 7:47 p.m.*

*Council commented on the following:*

- *The concerns regarding parking noting parking variances are not a part of this application.*
- *The proposal fits the scale and is consistent with the types of housing in the community.*
- *The concerns regarding the trees and how they are replaced.*

**Carried Unanimously**

**E. Bylaw Approval**

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

*Zoning Regulation Bylaw, Amendment Bylaw (No. 1065) 16-048*

**F. Development Permit with Variances Approval:**

It was moved by Councillor Lucas, seconded by Councillor Alto, that Council authorize the issuance of Development Permit Application No. 00498 for 1705 Haultain Street, in accordance with:

1. Plans date stamped March 15, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - Proposed Lot A
    - i. Reduce the front yard (west) setback from 6.00m to 2.03m;
    - ii. Reduce the rear yard (east) setback from 6.00m to 1.50m;
  - Proposed Lot B
    - iii. Reduce the front yard (north) setback from 6.00m to 5.00m;
    - iv. Reduce the rear yard (south) setback from 6.00m to 4.73m;
    - v. Reduce the side yard (east) setback from 2.40m to 1.83m;
    - vi. Permit parking to be located between the building and the front lot line;
  - Proposed Lot C
    - vii. Reduce the side yard (south) setback from 2.40m to 1.50m;
3. The Development Permit lapsing two years from the date of this resolution.

**Carried Unanimously**

**2. Development Permit with Variances Permit No. 00007 for 1407 and 1409 May Street**

**Hearing**

**1. Development Permit with Variances Permit Application**

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 1407 and 1409 May Street, in Development Permit Area 15D: Intensive Residential - Duplex, for the purpose of constructing a new deck.

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

- Reduce the rear yard setback from 21.17m to 17.52m

Rob Bateman (Senior Planner): Provided an overview of the application and advised that Council is to consider the supportability of issuing the development permit with variances to facilitate the construction of a new deck.

*Mayor Helps opened the public hearing at 8:03 p.m.*

Rob Nicklebury (Prodigy Development Services): Provided information about the deck proposed for this property and the variances that are requested.

*Mayor Helps closed the public hearing at 8:06 p.m.*

**2. Development Permit Variance Approval**

It was moved by Councillor Coleman, seconded by Councillor Alto, that Council authorize the issuance of Development Permit with Variance Application No. 00007 for 1407 and 1409 May Street, in accordance with:

1. Plans date stamped March 16, 2016.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. Part 2.1.5 (b): Reduce the rear yard setback from 21.17m to 17.52m.
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 Alto, that the following speakers be permitted to address Council.

**Carried Unanimously**

**1. Susan Abells: MicroHousing Project on Cook Street**

Provided information about the MicroHousing group and outlined the benefits the program brings to the community.

**2. Steve Craik: Pedicabs**

Provided information about the pedicab industry and provided suggestions about how to improve regulations for this industry.

**3. Graeme Verhulst: MicroHousing on Cook Street**

Spoke in support of the MicroHousing project on Cook Street and outlined how it benefits people in the community.

**UNFINISHED BUSINESS**

**REPORTS OF THE COMMITTEES**

**1. Committee of the Whole – May 5, 2016**

**1. Federation of Canadian Municipalities Convention to be held in Winnipeg, MB on June 3-5, 2016**

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that Council approves the attendance of Councillor Jeremy Loveday at the 2016 FCM AGM and Convention.

**Carried Unanimously**

**2. Federation of Canadian Municipalities – Election to the National Board of Directors 2016-2017**

It was moved by Councillor Loveday, seconded by Councillor Alto, that Council adopt the following resolution:

WHEREAS the Federation of Canadian Municipalities (FCM) represents the interests of municipalities on policy and program matters that fall within federal jurisdiction; and,

WHEREAS FCM's National Board of Directors is comprised of elected officials from all regions and sizes of communities to form a broad base of support and provide FCM with the prestige required to carry the municipal message to the federal government; and,

WHEREAS FCM's Annual Conference and Trade Show will take place from June 3 to 5, 2016, during which time the Annual General Meeting will be held and followed by the election of FCM's Board of Directors; and,

BE IT RESOLVED that Council of the City of Victoria, British Columbia endorse Councillor Chris Coleman to stand for election as on FCM's Board of Directors; and,

BE IT FURTHER RESOLVED that Council assume all costs associated with Councillor Chris Coleman attending FCM's National Board of Directors meetings.

**Carried Unanimously**

**3. Heritage Alteration Permit Application No. 00216 for 721 Government Street**

It was moved by Councillor Madoff, seconded by Councillor Thornton-Joe, that Council authorize the issuance of Heritage Alteration Permit Application No. 00216 for 721 Government Street in accordance with:

1. Plans date stamped April 5, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. The Heritage Alteration Permit lapsing two years from the date of this resolution.

**Carried Unanimously**

**4. City of Victoria Youth Council Presentation**

It was moved by Councillor Coleman, seconded by Councillor Isitt, that Council receive the presentation from the City of Victoria Youth Council for information.

**Carried Unanimously**

## **5. Enhanced Bike Network and Proposed Implementation**

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

1. Approve the recommended bike network as outlined in this report, subject to further refinement of the Government/Gorge and Harbour corridors (Figure 13).
2. Direct staff to proceed with developing detailed designs and the associated consultation and work plans for constructing All Ages and Abilities protected bike lanes on the following corridors and neighbourhood connections by the end of 2018:
  - 1) Fort Street (Wharf Street to Cook Street)
  - 2) Government Street (Pandora Avenue to Humboldt Street) or Wharf Street (Pandora Avenue to Government Street), and Humboldt/Pakington (Government Street to Cook Street), based on targeted engagement with the Downtown, James Bay and Burnside-Gorge neighbourhood associations, and Government Street and Wharf merchants and property owners;
  - 3) Cook Street (Pandora Avenue to Pakington Street)
  - 4) Pedestrian and cyclist-controlled signalized crossings at the intersections of Haultain Street/Cook Street, Hillside Avenue/Graham Street and Blanshard Street/Kings Road, to provide near-term safety improvements pending completion of these Phase 2 corridors (Haultain/Kings and Vancouver/Graham).
3. Direct staff to undertake value-engineering on the identified corridors and identify resourcing strategies and timelines for completion of detailed design, associated consultation, and construction of remaining identified corridors in the bike network by the end of 2018, and report back to Council on a priority basis with options, recommendations and next steps and direct staff to undertake further consultation with stakeholders on network segments requiring further consideration identified in the staff report including Oak Bay Avenue Village, or an alternative route, Cook Street Village, North Park Village, and corridor identification in James Bay.

**Carried Unanimously**

## **6. Regulations for Medical Marijuana-Related Businesses**

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

1. Direct staff to bring forward for Council consideration amendments to the *Zoning Regulation Bylaw* that will prohibit the following uses in any zone of the City unless expressly permitted:
  - a) storefront marijuana retailers, and
  - b) businesses that allow consumption of marijuana on site.
2. Direct staff to bring forward for Council consideration a proposed new Medical Marijuana-Related Business Regulation Bylaw that includes the following regulations:
  - a) Medical marijuana-related businesses must not allow individuals under the age of 19 on the premises.
  - b) Medical marijuana-related businesses must not advertise or promote the use of marijuana to a minor, including through product displays, names, logos or other signage.
  - c) Storefront medical marijuana retailers must post health and safety warning signs on the premises.
  - d) Medical marijuana-related businesses must not allow consumption of marijuana on the premises.
  - e) Any business that keeps marijuana on the premises must install and maintain an air filtration system to ensure odour impacts on neighbouring properties are minimized.
  - f) Storefront medical marijuana retailers must not be open for business between 8 p.m. and 7 a.m.
  - g) The premises of a storefront medical marijuana retailer can only be used for the sale of medical marijuana and accessory uses.
  - h) Any business that keeps marijuana on the premises must submit the following information as part of their initial business licence application and on each renewal:
    - a security plan
    - police information checks for the applicant and every on-site manager
    - proof of a security alarm contract, and
    - proof of ownership or legal possession of the premises, including the written consent of the landlord if the premises are leased.
  - i) Storefront medical marijuana retailers must implement the following measures to deter criminal activity while the business is open to the public:
    - at least two employees must be on duty, and
    - windows must not be blocked.
  - j) Any business that keeps marijuana on the premises must implement the following security measures:
    - video surveillance cameras must be installed and monitored
    - a security and fire alarm system must be installed and monitored at all times, and
    - valuables must be removed from the business premises or locked in a safe on the business premises at all times when the business is not in operation.
  - k) The payment of business licence fees that reflect the costs required to administer the Council-approved regulations and compliance and enforcement strategy.
3. Direct staff to bring forward for Council consideration proposed amendments to the Ticket Bylaw that will establish penalties for contravention of the proposed new Medical Marijuana-Related Business Regulation Bylaw that are in keeping with the Council approved policy on the establishment of municipal ticket fines.
4. Direct staff to provide further details on additional staff resources in the Sustainable Planning and Community Development Department and Bylaw and Licensing Services once Council policy decisions have been confirmed in connection with the suite of regulations under consideration.
5. That Staff provide an amendment to prohibit advertising, except for minimal store front signage.
6. That staff provide an amendment to include licenced child-care facilities in the list of those places requiring a 200 meter buffer zone.

**Amendment:**

It was moved by Councillor Loveday, seconded by Councillor Madoff, that the motion be amended:

**Direct staff to report back with a list of licenced child care facilities in the City and implications of the amendment to include licenced child cares requiring a 200 meter buffer zone.**

**Amendment to amendment:**

It was moved by Councillor Isitt, seconded by Councillor Madoff, that the amendment be amended:

**That staff provide a list and map of licenced child care facilities in the City of Victoria when the Bylaw comes forward as well as suggested language relating to a 200 meter buffer zone around child care facilities.**

*Council discussed with staff the process for the bylaw and report coming to Committee of the Whole before the bylaw receives readings at Council.*

**On the amendment to the amendment:**  
**Carried Unanimously**

**On the amendment:**  
**Carried Unanimously**

*Council discussed issues related to edible marijuana products.*

**On the main motion as amended:**

That Council:

1. Direct staff to bring forward for Council consideration amendments to the Zoning Regulation Bylaw that will prohibit the following uses in any zone of the City unless expressly permitted:
  - a) storefront marijuana retailers, and
  - b) businesses that allow consumption of marijuana on site.
2. Direct staff to bring forward for Council consideration a proposed new Medical Marijuana-Related Business Regulation Bylaw that includes the following regulations:
  - a) Medical marijuana-related businesses must not allow individuals under the age of 19 on the premises.
  - b) Medical marijuana-related businesses must not advertise or promote the use of marijuana to a minor, including through product displays, names, logos or other signage.
  - c) Storefront medical marijuana retailers must post health and safety warning signs on the premises.
  - d) Medical marijuana-related businesses must not allow consumption of marijuana on the premises.
  - e) Any business that keeps marijuana on the premises must install and maintain an air filtration system to ensure odour impacts on neighbouring properties are minimized.
  - f) Storefront medical marijuana retailers must not be open for business between 8 p.m. and 7 a.m.
  - g) The premises of a storefront medical marijuana retailer can only be used for the sale of medical marijuana and accessory uses.
  - h) Any business that keeps marijuana on the premises must submit the following information as part of their initial business licence application and on each renewal:
    - a security plan
    - police information checks for the applicant and every on-site manager
    - proof of a security alarm contract, and
    - proof of ownership or legal possession of the premises, including the written consent of the landlord if the premises are leased.
  - i) Storefront medical marijuana retailers must implement the following measures to deter criminal activity while the business is open to the public:
    - at least two employees must be on duty, and
    - windows must not be blocked.
  - j) Any business that keeps marijuana on the premises must implement the following security measures:
    - video surveillance cameras must be installed and monitored
    - a security and fire alarm system must be installed and monitored at all times, and
    - valuables must be removed from the business premises or locked in a safe on the business premises at all times when the business is not in operation.
  - k) The payment of business licence fees that reflect the costs required to administer the Council-approved regulations and compliance and enforcement strategy.
3. Direct staff to bring forward for Council consideration proposed amendments to the Ticket Bylaw that will establish penalties for contravention of the proposed new Medical Marijuana-Related Business Regulation Bylaw that are in keeping with the Council approved policy on the establishment of municipal ticket fines.
4. Direct staff to provide further details on additional staff resources in the Sustainable Planning and Community Development Department and Bylaw and Licensing Services once Council policy decisions have been confirmed in connection with the suite of regulations under consideration.
5. That Staff provide an amendment to prohibit advertising, except for minimal store front signage.
6. That staff provide an amendment to include licenced child-care facilities in the list of those places requiring a 200 meter buffer zone.
7. That staff provide a list and map of licenced child care facilities in the City of Victoria when the Bylaw comes forward as well as suggested language relating to a 200 meter buffer zone around child care facilities.

**On main motion as amended:**  
**Carried Unanimously**

**7. Regulations for Medical Marijuana-Related Businesses**

It was moved by Councillor Young, seconded by Councillor Coleman, that Council direct the Mayor to write to the Chief Medical Officer to request that Island Health ensure that food safe requirements and medical concerns are met for the sale of edible marijuana products.

**Carried Unanimously**

**8. Regulations for Medical Marijuana-Related Businesses**

It was moved by Councillor Young, seconded by Councillor Coleman, that Council direct the Mayor to write the Prime Minister and other appropriate Federal Ministers to request an update regarding the progress towards the legalization of marijuana in Canada and to request an ongoing intergovernmental dialogue on this issue to allow the City of Victoria to make decisions regarding the regulation of medical marijuana dispensaries.

**Carried Unanimously**

**9. Review of Pedicab Regulations**

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

1. Direct staff to bring forward amendments to the *Vehicles for Hire Bylaw* that would:
  - a) increase the total number of pedicab licences to 35,
  - b) limit the total number of pedicabs that a person can operate to 28,
  - c) require an applicant for a pedicab licence to demonstrate to the satisfaction of the Licence Inspector that the person has procedures in place to ensure that persons operating the pedicab will do so in a safe manner,
  - d) that the name of the company be clearly displayed on the pedicab, and
  - e) that the current licence holders can hold 28 pedicab licences, but the cap for any individual licence holder to hold or operate in the future would be 15 pedicabs licences.
2. Direct staff to invite comments from pedicab operators in the City on the proposed bylaw amendments as outlined in the November 12, 2015 Council motion.

*Council discussed the option of removing a cap on the number of licences permitted.*

**Amendment:**

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

**That subsection 1(a) be amended to read: “remove the restriction on the total number of pedicab licenses” and**

**That sub-section 1 (b) be deleted and sub-sections 1(c), 1(d) and 1 (e) be renumbered to 1(b), 1(c) and 1(d).**

*Council discussed the following:*

- *The possibility that an absence of a cap on licences would result in poor behaviour and if licences could then be revoked.*
- *Noting that there is a cap on motorized taxicabs in the region.*
- *Concerns that this amendment brings an entirely different proposal for Council and the public to consider.*

**Motion to Refer:**

It was moved by Councillor Young, seconded by Councillor Isitt, that the matter be referred back to staff for a further report on the implications of removing the cap on pedicab licences.

**Carried Unanimously**

**10. My Great Neighbourhood Grant Policy**

It was moved by Councillor Coleman, seconded by Councillor Loveday, that Council approve the My Great Neighbourhood grant policy and outlined program approach.

*Council discussed with staff the timeframe to complete the projects.*

**Amendment:**

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

**That the timeframe to complete projects be amended to one year from six months.**

**On the amendment:**  
**Carried Unanimously**

*Council discussed with staff the timeline for the intake period for applications.*

**Amendment:**

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

**That the intake period be extended from one month to two months.**

**On the amendment:**  
**Carried Unanimously**

**Main motion as amended:**

1. That Council approve the My Great Neighbourhood grant policy and outlined program approach,
2. That the timeframe to complete projects be amended to one year from six months.
3. That the intake period be extended from one month to two months.

**On main motion as amended:**  
**Carried Unanimously**

**11. David Foster Harbour Pathway Design Decisions**

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

1. That Council endorse the David Foster Harbour Pathway as pedestrian-only, and approve a three metre wide, box-girder bridge design, incorporating a mid-span pier;
2. And that Council direct staff to proceed with detailed engineering and resource analysis, design and land-management strategies and report to Council quarterly, or sooner if required, on overall progress, project issues, key project milestones and risks.

**Amendment:**

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

1. That Council endorse the David Foster Harbour Pathway as pedestrian-only, and approve a ~~three metre wide~~, box-girder bridge design, incorporating a mid-span pier

*Motion failed due to no seconder.*

**On the main motion:**  
**Carried**

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

**2. Committee of the Whole – May 12, 2016**

**1. Rezoning Application No. 00509 for 345 St. James Street**

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00509 for 345 St. James Street, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council, a Public Hearing date be set, and that the final consideration of the Zoning Regulation Bylaw Amendments be subject to registration of a Statutory Right- of-Way of 1.52m on St. James Street for future pedestrian improvements.

*Council discussed the issue of rental suites used as Airbnb rentals, and staff advised that a report with information on this matter will be coming to Council soon.*

**Carried Unanimously**

**2. Development Permit with Variances Application No. 00509 for 345 St. James Street**

It was moved by Councillor Lucas, seconded by Councillor Coleman, 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. 00509, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00509 for 345 St. James Street, in accordance with:

1. Plans date stamped April 7, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. Increase the site coverage maximum from 40.00% to 44.40%.
3. The Development Permit lapsing two years from the date of this resolution."

**Carried Unanimously**

**3. Gorge Waterway Zoning Bylaw Amendment**

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

1. That Council consider giving first and second reading to the Zoning Regulation Bylaw, Amendment Bylaw (No. 1066).
2. That Council consider referring Zoning Regulation Bylaw, Amendment Bylaw (No. 1066) for consideration at a Public Hearing.

**Carried Unanimously**

**4. Draft 2016 Regional Growth Strategy - Request for Feedback**

It was moved by Councillor Isitt, seconded by Councillor Alto, that Council consider the draft 2016 Regional Growth Strategy and:

1. Provide comments to the Capital Regional District regarding the policy consistency and alignment with the City of Victoria *Official Community Plan*:
  - a. that the City of Victoria express concern to the CRD regarding the potential implications of the extension of water services from the stand point of urban sprawl;
  - b. that the City of Victoria encourages the CRD to review and update the *Capital Green/Blue Space Strategy*;
  - c. that the City of Victoria encourages the CRD to optimize the ecological, social and economic potential of rural resource lands.



2. Direct staff to provide the Capital Regional District with the proposed Community Profile text described in this report as the basis for replacing the Community Profile text contained in Appendix A of the 2003 *Regional Growth Strategy*; and
3. Provide any additional comments or identify any existing issues with the draft 2016 Regional Growth Strategy for the Capital Regional District's consideration.

**Carried Unanimously**

*Councillor Isitt withdrew from the meeting at 9:20 p.m. due to a pecuniary conflict of interest as he lives near the property under consideration in the next item.*

**5. Request to Authorize Application for a Temporary Use Permit at 2582 Cook Street**

It was moved by Councillor Thornton-Joe, seconded by Councillor Loveday, that Council direct an Investigation by staff on any agreements or discussions made in the past by the City of Victoria with immediate neighbours in relation to this property.

**Carried**

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

*Councillor Isitt returned to the meeting at 9:24 p.m.*

**6. Follow-up Actions from Review of City Governance**

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

1. Approve the draft policy for Speaking at Public Hearings attached to this report as Appendix B, and
2. Approve the draft policy for Requests to Address Council attached to this report as Appendix C with an amendment to Section 6(c) as follows:  
 "the City's Respectful Workplace Policy, including information that is intended to insult, bully, intimidate or otherwise diminish a person's self-esteem, subject to the freedom of speech provision of the Canadian Charter of Rights and Freedoms."
3. Direct staff to amend the *Council Procedures Bylaw* to reflect that all requests address to council are allotted 5 minutes and amend the *Request to Address Council Policy* accordingly.
4. Direct staff to include current practices relating to delegations in the policy.

**Carried Unanimously**

**7. Archives Digitization Report**

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

1. That Council authorize the expenditure of up to \$50,000 from the Archives Equipment Reserve to support the digitization of archival material and direct staff to bring forward amendments to the Archives Use Bylaw for Council's consideration.
2. That Council direct staff to examine the archive hours and examine opportunities to extend hours as part of the 2017 budget considerations.

**Carried Unanimously**

## **BYLAWS**

**1. FIRST READING**

*Mayor Helps withdrew from the meeting at 9:26 p.m. due to a pecuniary conflict of interest as she lives adjacent to one of the parks listed in the Parks Regulation Bylaw. Councillor Alto assumed the Chair.*

**Motion:**

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

1. *Parks Regulation Bylaw, Amendment Bylaw (No. 7) No. 16-049*

*Council discussed the following:*

- *The inclusion of Arbutus Park in this bylaw amendment and the amount of correspondence received related to campers in this park.*
- *Residents adjacent to Arbutus Park were in favour of this bylaw amendment.*
- *The procedure for amending the bylaw.*
- *Concerns about delaying the adoption of the bylaw.*

**Carried Unanimously**

**2. SECOND READING**

**Motion:**

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

- Parks Regulation Bylaw, Amendment Bylaw (No. 7) No. 16-049*

**Carried Unanimously**

**3. THIRD READING**

**Motion:**

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

**Carried Unanimously**

*Mayor Helps returned to the meeting at 9:34 p.m. and assumed the Chair.*

**4. FIRST READING**

**Motion:**

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

1. *Heritage Designation (1802 – 1826 Government Street) Bylaw, No. 16-047*
2. *Zoning Regulation Bylaw, Amendment Bylaw (1066) No. 16-050 (Gorge Waterway)*

**Carried Unanimously**

**5. SECOND READING**

**Motion:**

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

1. *Heritage Designation (1802 – 1826 Government Street) Bylaw, No. 16-047*
2. *Zoning Regulation Bylaw, Amendment Bylaw (1066) No. 16-050 (Gorge Waterway)*

**Carried Unanimously**

**6. ADOPTION**

**Motion:**

It was moved by Councillor Coleman, seconded by Councillor Lucas, that the following bylaw **be Adopted:**

1. *Administrative Fees Bylaw, Amendment Bylaw (No. 4) No. 16-046*

**Carried Unanimously**

**CORRESPONDENCE**

**Motion:**

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe that the correspondence dated April 8, 2016, from Minister Fassbender regarding public consultation on the availability and provision of transportation and accommodation services, be received for information.

**Amendment:**

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

**and that it be referred to staff for their consideration.**

**Amendment to the Amendment:**

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

**and that it be referred to the City Manager for the staff to provide comments for Council's their consideration.**

*Council discussed options for moving forward with the consultation as outlined in the Minister's letter.*

**Motion to Refer:**

It was moved by Councillor Isitt, seconded by Councillor Madoff, that the correspondence be referred to Committee of the Whole.

**Carried**

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

**NEW BUSINESS**

**To Set Public Hearings for the Meeting of Thursday, May 26, 2016:**

It was moved by Councillor Madoff, seconded by Councillor Coleman, that the following Public Hearings be held in Council Chambers, City Hall, on **THURSDAY, MAY 26, 2016, at 6:30 p.m.:**

1. *Heritage Designation Application No. 000158 for 1802 – 1826 Government Street*
2. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1066) No. 16-050 (Selkirk Waterway and the Gorge Waterway)*

**Carried Unanimously**

**QUESTION PERIOD**

*A question period was held.*

## **CLOSED MEETING**

### **Motion:**

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council convene a closed meeting that excludes the public under Sections 90(1) and/or (2) of the Community Charter; namely:

- *Section 90 (1)(k): negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;*
- *Section 90(1)(e): the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;*
- *Section 90 (2)(b): the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.*

**Carried Unanimously**

### **PRESENT:**

Mayor Helps in the Chair, Councillors Coleman, Loveday, Lucas, Madoff, Thornton-Joe, and Young

### **ABSENT FOR A PORTION OF THE MEETING:**

Councillors Alto and Isitt.

### **STAFF PRESENT:**

J. Jenkyns – Deputy City Manager; P. Bruce – Fire Chief; C. Coates - City Clerk; T. Soulliere - Director of Parks, Recreation & Facilities; J. Tinney – Director of Sustainable Planning & Community Development; F. Work – Director of Engineering & Public Works; T. Zworski – City Solicitor; P. Rantucci – Manager of Strategic Real Estate; C. Mycroft – Executive Assistant to the City Manager; C. Havelka - Council Secretary.

## **APPROVAL OF CLOSED AGENDA**

### **Motion:**

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that Council adopt the special closed agenda.

### **Amendment:**

It was moved by Mayor Helps, seconded by Councillor Coleman, that the agenda be amended by adding the following:

1. Land Disposition
2. Intergovernmental Negotiations

**On the amendment:**  
**Carried Unanimously**

**On the main motion as amended:**  
**Carried Unanimously**

## **READING OF CLOSED MINUTES**

### **1. Minutes from the Special Closed Meeting held April 28, 2016**

It was moved by Councillor Loveday, seconded by Councillor Thornton-Joe, that the Minutes from the closed meeting held April 28, 2016, be adopted.

*Councillor Isitt joined the meeting at 10:05 p.m.*

**Carried Unanimously**

## **UNFINISHED BUSINESS**

### **2. Intergovernmental Relations**

Council received an update from the Director of Sustainable Planning and Community Development regarding an intergovernmental relations matter.

*Councillor Alto joined the meeting at 10:10 p.m.*

The discussion was recorded and kept confidential.

## **NEW BUSINESS**

### **3. Proposed Municipal Service**

Council received a closed report dated May 10, 2016 regarding a proposed municipal service.

The discussion and motion were recorded and kept confidential.

*Councillor Alto left the meeting at 10:50 p.m. due to a pecuniary conflict of interest as she lives near the property under consideration in the next item.*

4. **Land Disposition**

The Manager of Strategic Real Estate provided Council with information regarding a land disposition matter.

The discussion was recorded and kept confidential.

5. **Intergovernmental Negotiations**

Mayor Helps provided an update on a matter regarding intergovernmental negotiations.

The discussion was recorded and kept confidential.

**ADJOURNMENT**

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that the special Council meeting adjourn.

Time: 11:14 p.m.

**Carried Unanimously**

CERTIFIED CORRECT:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR