



## **MINUTES – VICTORIA CITY COUNCIL**

### **MEETING OF THURSDAY, MARCH 24, 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. Johnson – City Manager; P. Bruce – Fire Chief; C. Coates - City Clerk; K. Hamilton – Director of Citizen Engagement & Strategic Planning; J. Jenkyns - Deputy City Manager; T. Soulliere - Director of Parks, Recreation & Facilities; S. Thompson – Director of Finance; J. Tinney - Director, Sustainable Planning & Community Development; F. Work – Director of Engineering & Public Works; L. Baryluk – Senior Planner; R. Battallas – Senior Planner; C. Havelka - Council Secretary.

### **APPROVAL OF AGENDA**

The City Clerk outlined amendments to the agenda.

**Motion:**

It was moved by Councillor Thornton-Joe, seconded by Councillor Isitt, that the agenda be approved as amended.  
**Carried Unanimously**

**Amendment:**

It was moved by Councillor Thornton-Joe, seconded by Councillor Loveday, that Tom Walker be added to Request to Address Council.  
**On the amendment:**  
**Carried Unanimously**

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

### **READING OF MINUTES**

**Motion:**

It was moved by Councillor Coleman, seconded by Councillor Alto, that the Special Council meeting minutes of February 25, 2016, be approved.  
**Carried Unanimously**

**Motion:**

It was moved by Councillor Coleman, seconded by Councillor Alto, that the Special Council meeting minutes of March 10, 2016, be approved.  
**Carried Unanimously**

**Motion:**

It was moved by Councillor Coleman, seconded by Councillor Alto, that the Regular Council meeting minutes of March 10, 2016, be approved.  
**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. **Ann Collins: Are Our Existing Noise Bylaws Adequate to Protect Residents in Mixed Land Use Areas**  
Outlined issues regarding noise from properties adjacent to her residence and how commercial businesses impact their quality of life in the Selkirk neighbourhood. She requested the noise bylaw be reviewed.
2. **Bill Steward: Regulations regarding Medical Marijuana Dispensaries**  
Outlined the need for safe consumption sites and expressed support for medical marijuana dispensaries and he outlined options to have recreational spaces for consumption of marijuana.
3. **Jordan Reichert: Phasing out the Horse-Drawn Carriages**  
Outlined concerns regarding horse drawn carriages, including safety, health and ethical issues regarding the use of horses for this service.
4. **Corie Kielbiski: Horse-Drawn Carriages**  
Outlined concerns regarding the use of horses for the carriage industry and expressed concerns about the health and safety of horses for this use.

5. **David Budd: Horse-Drawn Carriages on City Roads**

Outlined safety issues with respect to the horse-drawn carriage industry which he stated doesn't meet the SPCA's animal welfare standards.

**PROCLAMATIONS**

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

1. "National Volunteer Week" – April 10-16, 2016
2. "Canadian Oncology Nursing Day" - April 5, 2016
3. "Project Management Day" – April 15, 2016
4. "Autism Awareness Day" – April 2, 2016
5. "Everyone Matters Day" – April 12, 2016
6. "International Transgender Day of Visibility" – March 31, 2016
7. "Canadian Cancer Society's Daffodil Month" – April 2016
8. "National Day of Mourning" – April 28, 2016

**Carried Unanimously**

**PUBLIC AND STATUTORY HEARINGS**

1. **Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 20) No. 16-027**

1. **Public Hearing**

1. **Official Community Plan Bylaw, 2012 (No. 20) 16-027**

The purpose of this bylaw is to amend the Official Community Plan to:

- a. Exempt the construction, placement or alteration of a building or structure that has a total floor area no greater than 9.2m<sup>2</sup> (100ft<sup>2</sup>) from requiring development permits in the following areas
  - DPA 4:Town Centres
  - DPA 5:Large Urban Villages
  - DPA 6A:Small Urban Villages
  - DPA 7A:Corridors
  - DPA 10A:Rock Bay
  - DPA 13:Core Songhees
  - DPA 14:Cathedral Hill Precinct
  - DPA 15A:Intensive Residential Small Lot
  - DPA 15B:Intensive Residential Panhandle Lot
  - DPA 15D:Intensive Residential Duplex
  - DPA 16:General Form and Character
- b. Exempt changes to existing landscaping, other than landscaping identified in a development permit for the property from requiring development permits in the following areas:
  - DPA 5:Large Urban Villages
  - DPA 6A:Small Urban Villages
  - DPA 7A:Corridors
  - DPA 10A:Rock Bay
  - DPA 11:James Bay and Outer Harbour
  - DPA 13:Core Songhees
  - DPA 14:Cathedral Hill Precinct
- c. Amend the language in the Overview Section of Appendix A to better clarify when a permit is not required (exemption) versus when a permit is required and to improve the overall user-friendliness of this section.

Robert Battallas (Senior Planner): Outlined information regarding the amendments to the Official Community Plan (OCP) and provided details regarding the background reports and the consultation that occurred.

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

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

*Council discussed with staff the automatic notifications that are being proposed. Council also discussed receiving a report back in six months on the effectiveness of the proposed delegation that is outlined in the report.*

2. **Hearing**

1. **Land Use Procedures Bylaw 2016 16-028**

To introduce a revised *Land Use Procedures Bylaw* including these changes to:

- (a) update references to be consistent with the *Official Community Plan, 2012* and recent changes to the *Local Government Act*
- (b) set a time limit for cancellation of applications
- (c) clarify fees for refunds, variance applications, additional fee assessment for revisions, and fees for rezoning applications with concurrent development permits for small lots, duplexes and garden suites
- (d) introduce new procedures to require applicant to be responsible for preparation of signs
- (e) distinguish the types of public input based on types of applications
- (f) specify conditions when delegation of certain permits may occur.

Lucina Baryluk (Senior Planner): Outlined the purpose of the *Land Use Procedures Bylaw* and provided information regarding the purpose of the amendments to this bylaw.

*Mayor Helps opened the public hearing at 7:06 p.m.*

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

*Council discussed with staff clarification these amendments will bring to land use applications as well as changes in how public hearing signs are produced.*

**2. Bylaw Approval**

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

*Official Community Plan Bylaw, 2012 (No. 20) – 16-027*

*Land Use Procedures Bylaw 2016 16-028*

**Carried Unanimously**

**3. Bylaw Approval**

It was moved by Councillor Loveday, seconded by Councillor Alto, that the following bylaws **be adopted:**

*Official Community Plan Bylaw, 2012 (No. 20) – 16-027*

*Land Use Procedures Bylaw 2016 16-028*

**Carried Unanimously**

**2. Development Permit with Variances Application No. 000404 for 701 Tyee Road**

**Hearing**

**1. Development Permit with Variance Application**

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 701 Tyee Road, in Development Permit Area 13: Core Songhees, for the purposes of constructing 144 residential units in three phases and varying the following requirements of the *Zoning Regulation Bylaw* namely:

- increasing the height for buildings in Phase 2 from 24m to 25.49m
- increasing the height for buildings in Phase 3 from 31m to 33m
- reducing the overall parking from 185 stalls to 178 stalls
- reducing the parking from 50 stalls to 49 stalls for Phase 1
- reducing bicycle storage from 40 stalls to 28 stalls for Phase 1
- reducing the north setback (Gaudin Road) from 3.5m to nil
- reducing the south setback from 4m to 3.5m
- reducing the south setback from 4m to nil for Phases 1 and 2

Lucina Baryluk (Senior Planner): This Development Permit with Variances for 701 Tyee Road is to construct 144 residential units. Key issues related to the project were outlined, as well as the amendments to the legal agreements that are required to accommodate this final phase of the Railyards development.

*Mayor Helps opened the public hearing at 7:18 p.m.*

Joost Bakker (Architect for Dialog): Provided a presentation that outlined the landscape and site plan for the development, the variances that are requested, and the architectural elements of the project.

*Council discussed with the applicant details regarding the green wall, the boulevard treatment, landscaping, and the garbage handling area for the project.*

Jim (Resident): Spoke in support of the proposal, but expressed concerns about a requested variance setback as it relates to bike storage, garbage bins and parking.

Darwin (Central Spur): Expressed concerns regarding Gaudin Street in terms of the proposed garbage disposal location, and issues with parking in the area.

Ralph Meyer (Resident of Central Spur): Expressed concerns about traffic, vehicle parking and bike parking.

Lena Smith (Resident of Railyards): Spoke about issues related to the parkade wall, the boulevards trees and landscaping standards, and noted support for the overall development.

Jeff Loenen (771 Central Spur): Expressed concerns regarding traffic, sidewalks, greenspace and garbage pick-up, as well as potential impacts on daylight.

*Mayor Helps closed the public hearing at 7:54 p.m.*

Council discussed:

- The timeline when the park will be built and options for a pathway through the lot. This issue of having a pathway through a site under construction.
- Details regarding access, the fence, gate, and landscaping for the garbage area, noting that the applicant worked with engineering staff to find the optimum garbage handling solution.
- The process to ensure the landscaping is completed as proposed. Details regarding the landscaping bonds required for work on public land.
- Details regarding the parking requirements for the development.

## **2. Development Permit with Variance Approval**

It was moved by Councillor Lucas, seconded by Mayor Helps, that Council authorize the issuance of Development Permit with Variances Application No. 000404 for 701 Tyee Road in accordance with:

1. Plans date stamped February 9, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - a. reduce the north setback (Gaudin Road) from 3.5m to nil;
  - b. reduce the south setback from 4m to nil for Phases 1 and 2;
  - c. reduce the south setback from 4m to 3.5m;
  - d. increase the height in DA-H from 24m to 25.49m for Phase 2;
  - e. increase the height in DA-J from 31m to 33m for Phase 3;
  - f. reduce parking from 50 stalls to 49 stalls for Phase 1;
  - g. reduce parking from 185 stalls to 178 stalls;
  - h. reduce the bicycle storage (Class 1) from 40 stalls to 28 stalls for Phase 1.
3. The Development Permit lapsing two years from the date of this resolution.
4. The amendment to the Railyards Master Development Agreement being registered on title, to the satisfaction of staff.
5. That Council authorize staff to execute an Encroachment Agreement for a fee of \$750 plus \$25 per m<sup>2</sup> of exposed shored face during construction, in a form satisfactory to staff.

Council discussed the motion:

- Concerns regarding the setbacks, particularly on Gaudin Road where the garbage system is located.
- Noting that staff have advised that landscaping will cover the garbage bins.
- Concerns regarding the lack support from the neighbours regarding this setback and that there is little information on how it will look.
- Noting that the proposal will reduce the noise from garbage trucks.

Council asked staff if the variance to the north could be changed. Staff advised this would require a major rework of the proposal.

Council expressed a desire for additional drawings to help with understanding what is proposed for the garbage area that necessitates this setback.

Council asked about the time permitted for the applicant to reapply should Council not approve the application. Staff advised there is a one year waiting period that Council could waive.

Council asked about postponing final consideration of the application and what the process would be should additional information be provided. Staff advised that a 10-day notification period is required to continue the hearing and the notices can be posted and distributed for the April 14 meeting.

### **Motion to Postpone:**

It was moved by Mayor Helps, seconded by Councillor Isitt, that consideration of the application be postponed until April 14, 2016, and that a hearing be set for that date.

**Carried**

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

## **REQUESTS TO ADDRESS COUNCIL**

### **Motion:**

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

#### **1. Bart Reed: Bike Lanes**

Provided information to correct misinformation regarding bike lanes and parking stalls on Cook Street and advised Vancouver Street would be a better option.

#### **2. Joanne Murray: Making 1921-23 Fernwood Road a City Facility**

Outlined concerns regarding making 1921-1923 Fernwood Road a City facility, as well as the mandate of the Fernwood Community Association and asked that the designation of this property not be changed.

3. **Deane Strongitharm: Speed Avenue and Frances Street Application – Community Amenity Contribution**  
Spoke regarding the land use application for Speed Avenue and Frances Street, and requested that the application be considered concurrent with the report on the amenity contribution for timeliness.
4. **Steve Craik: Pedicabs**  
Requested support for the new pedicab licences that are coming forward, and described the positive impact pedicabs have on tourism in Victoria.
5. **Morgan McCarthy: Horse-Drawn Carriages**  
Outlined concerns regarding public safety as it relates to horse-drawn carriage accidents and noted that many cities have banned this business on city streets.
6. **James Kyles: Sewage Processing Facility Location**  
Outlined concerns regarding the proposed east side sewage location, noted possible issues with this site and suggested an alternative location.
7. **Brian Lepine: Clover Point Sewage Plant Proposal**  
Outlined concerns regarding the proposal to use Clover Point as a site for a sewage plant and how it will impact the users of this park.
8. **Emily Lavender: Horse-Drawn Carriages**  
Requested that horse-drawn carriages be banned and outlined issues associated with horses using downtown streets.
9. **Kari Sloane: Horse-Drawn Carriages on Victoria Streets**  
Spoke in support of banning horses on city streets and outlined issues with horses on city streets.
10. **Katerina Gallagher: Horse-Drawn Carriages**  
Provided information regarding how they care for the horses in the horse-drawn carriage industry, noting the industry is supported in the city and requested they be permitted to continue with this service.

#### **UNFINISHED BUSINESS**

1. **Update Report for Rezoning Application No. 00485 for 2330 Richmond Road**  
Council received a report dated March 15, 2016 that provided information regarding the Housing Agreement that Council requested at its March 10, 2016 meeting.  
  
**Motion:**  
It was moved by Councillor Thornton-Joe, seconded by Councillor Madoff, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00485 for 2330 Richmond Road by rezoning the subject parcel from the R1-B Zone, Single Family Dwelling District, to a site specific zone, 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:  
a) Should sewage attenuation be required, a legal agreement to the satisfaction of staff would be required prior to Public Hearing.  
b) That a Housing Agreement be registered on title securing the rental of seven units for a period of no less than ten years.  
  
**Carried Unanimously**
2. **Correspondence dated March 2, 2016 from the Office of the Prime Minister: Affordable Rental Housing**  
**Motion:**  
It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that the correspondence dated March 2, 2016 from the Office of the Prime Minister regarding Affordable Rental Housing be received for information.  
  
**Carried Unanimously**
3. **Correspondence dated March 6, 2016 from the Minister of Finance: Local Wastewater Facilities**  
**Motion:**  
It was moved by Councillor Alto, seconded by Councillor Coleman, that the correspondence dated March 6, 2016 from the Minister of Finance regarding Local Wastewater Facilities be received for information.  
  
**Carried Unanimously**
4. **Correspondence dated March 8, 2016 from the Ministry of Community, Sport and Cultural Development and Minister Responsible for TransLink: Capital Integrated Services and Governance Initiative**  
**Motion:**  
It was moved by Councillor Loveday, seconded by Councillor Alto, that the correspondence dated March 8, 2016 from the Ministry of Community, Sport and Cultural Development and Minister Responsible for TransLink regarding the Draft Framework for the Capital Integrated Services and Governance Initiative be received for information.  
  
**Carried Unanimously**

**Motion:**

It was moved by Councillor Young, seconded by Councillor Coleman, that the Mayor respond to the Minister by expressing the concern that the “Framework” does not adequately represent the view of the majority of the voters of Victoria that the number of municipalities in our region should be reduced, and indicating that the City is able to support a revised Framework only if it requires the consultant to respect the views of voters throughout the region as expressed in non-binding referenda in several municipalities.

**Amendment:**

It was moved by Councillor Alto, seconded by Councillor Young, that the motion be amended:

...the City is able to support a revised Framework only if it requires the consultant to **consider** ~~respect~~ the views of voters....

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

**Amendment:**

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

....the “Framework” does not **include the opportunity to consider the concept of amalgamation and indicating that the City requests the Minister include the topic of amalgamation in the Framework.** ~~adequately represent the view of the majority of the voters of Victoria that the number of municipalities in our region should be reduced, and indicating that the City is able to support a revised Framework only if it requires the consultant to respect the views of voters throughout the region as expressed in non-binding referenda in several~~

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

**Amendment:**

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

.....the topic of amalgamation in the **process. Framework.**

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

**Main motion:**

That the Mayor respond to the Minister by expressing the concern that the “Framework” does not include the opportunity to consider the concept of amalgamation and indicating that the City requests the Minister include the topic of amalgamation in the process.

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

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

**Against:** Councillors Isitt and Madoff

**5. Rise and Report from Closed Meetings for Information**

**a. From the Closed Council Meeting held March 24, 2016**

**Lease Extension Request from B.C. Housing for 1240 Yates Street**

1. That Council indicate its support to BC Housing for an extension to the lease at 1240 Yates Street, under its current operating model, to September 30, 2016, subject to comments from Central Middle School, its PAC, School District 61, and the Neighbourhood Associations, and upon hearing results of the April 11, 2016 community meeting.
2. That the City of Victoria urges BC Housing to extend the closing dates for all other seasonal shelters being currently provided.

**b. From the Closed Council Meeting of January 14, 2010**

That Council approve a rise and report on the January 14, 2010 Closed meeting resolution concerning a rezoning application on City owned land to the North East of the Northern Junk Buildings:

**January 14, 2010 Resolution:**

That Council:

1. Grant permission for the developer to submit a rezoning application for the City-owned land as shown on Map 1, attached to the report dated December 17, 2009, recognizing this would not fetter their discretion on considering the rezoning and that Council’s expectation is that any rezoning proposal would:
  - a. Be consistent with the height regulations contained in the CA-3C Zone (Old Town District).
  - b. Be consistent with the *Old Town Design Guidelines*.
  - c. Include a pathway connecting the bridge and Wharf Street, the design of which acknowledges the public importance of this space and link.
2. Enter into an agreement of purchase and sale for the above noted property, at fair market value, once any *Official Community Plan* and zoning amendments are complete and necessary development controls have been established.

## REPORTS OF THE COMMITTEES

### **1. Committee of the Whole – March 17, 2016**

#### **1. BikeBC Funding Program – Authorization for Grant Application Submission**

It was moved by Councillor Loveday, seconded by Councillor Alto, that Council authorize:

1. The Director of Engineering and Public Works to submit a grant application to the Province of British Columbia under the BikeBC funding program, for the proposed Pandora Avenue protected bike lane project.
2. The Mayor and the Corporate Administrator to execute a grant agreement under the BikeBC funding program, if successful.

**Carried Unanimously**

#### **2. Appointment of Bylaw Officer**

It was moved by Councillor Loveday, seconded by Councillor Alto, that Council approve the appointment of Nancy Johnston:

1. as a Bylaw Officer pursuant to section 2(a) of the Inspection Bylaw (06-061);
2. as a Business License Inspector for the City of Victoria; and,
3. as a Building Inspector for the purposes of Section 57 of the Community Charter

**Carried Unanimously**

#### **3. Application for a Permanent Change to Extend the Hours of Sale in Relation to a Food Primary Liquor Licence, for Saint Franks, 1320 Broad Street, Liquor Licence #305859**

It was moved by Councillor Loveday, seconded by Councillor Alto, that Council, after conducting a review with respect to noise and community impacts regarding the application to amend the food primary liquor licence of Saint Franks, located at 1320 Broad Street, and subject to the willingness of the applicant to enter into a Good Neighbour Agreement, supports:

1. The application of Saint Franks to amend its food primary liquor licence to allow an increase in operating hours to include 9:00am to 2:00am daily.
2. The Council provides the following comments on the prescribed considerations:
  - a) While this request represents a change in operating hours outside of those normally supported for food primary liquor licensed businesses, and is contrary to a 2007 resolution of Council (outlined in this report), there is expected to be minimal impact on the neighbourhood as the number of licensed seats makes this a small establishment.
  - b) The views of residents were solicited via a mail out to neighbouring property owners and occupiers within 50 metres of Saint Franks and a notice posted at the establishment. The City received 30 letters in support of the application and three letters opposed to the application.

*Staff advised that the applicant is willing to enter into a good neighbour agreement.*

**Carried**

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

#### **4. Development Application for a Permanent Change to Amend a Food Primary Liquor Licence to Add a Patron Participation Endorsement at The Guild Freehouse, located at 1250 Wharf Street, Liquor Licence #030056**

It was moved by Councillor Thornton-Joe, seconded by Councillor Loveday, that Council, after conducting a review with respect to noise and community impacts regarding the application to add a patron participation entertainment endorsement for the food primary liquor licence of The Guild Freehouse, liquor license No. 030056, located at 1250 Wharf Street, supports the application to:

1. Amend its food primary liquor licence to add a patron participation entertainment endorsement;
2. The Council provides the following comments on the prescribed considerations:
  - (a) The location is in the Inner Harbour McQuades District which allows for licensed premises and restaurants. The food primary liquor licensed business is compatible with the neighbouring land uses and is within the Intermediate Noise District, which allows for a higher noise threshold.
  - (b) These licence amendments are expected to have a minor impact on the neighbourhood, since the restaurant is currently open until 12:00am on Friday and Saturday nights. The restaurant's occupant capacity is 220. The restaurant's location on a main arterial road in the downtown core is expected to mitigate the noise impact. The City has not received any bylaw complaints with respect to noise for this restaurant.
  - (c) The views of adjacent residents and businesses were solicited via a mailed notice to neighbouring property owners and occupiers within 50 metres of the restaurant and a notice was posted at the restaurant entrance. The City received one letter in support of the application and one letter opposed to the application.
3. And that this motion be forwarded to the Council meeting of Thursday March 24, 2016.

**Carried Unanimously**

#### **5. Development Supervised Consumption Services Project Update:**

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

1. That Council confirms Mayor Helps and Councillor Alto as Council liaisons to the Supervised Consumption Services project.
2. That Council receives this report for information.
3. That Council liaisons report monthly to Council.

**Carried Unanimously**

**2. Committee of the Whole – March 24, 2016**

**1. 2016 Budget Implications of Urban Tree Planting Plan**

It was moved by Councillor Loveday, seconded by Councillor Alto, THAT Council direct staff to include \$150,000 in the 2016-2020 Financial Plan for tree planting in the downtown area, with funding from the City's Tree Replacement Reserve.

**Carried Unanimously**

**2. CRD Climate Action and Adaptation Service Establishment Bylaw Amendment**

It was moved by Councillor Loveday, seconded by Councillor Coleman, that Council consent to the adoption of CRD Climate Action and Adaptation Service Establishment Amendment Bylaw No. 4058.

**Carried Unanimously**

**3. Allocation of Motorized Sightseeing Vehicle Parking Stand 3**

It was moved by Councillor Coleman, seconded by Councillor Alto, that Council direct staff to bring forward amendments to Schedule E of the Vehicles for Hire Bylaw that will allocate Motorized Sightseeing Vehicle Parking Stand 3 to Hippo Tours Inc. for the period from May 1, 2016 to March 31, 2017.

**Carried**

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

**Against:** Councillor Isitt

**4. Work Without Permit, Illegal Use/Suite – 821 Princess Avenue / Bylaw File #2889**

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that the Council direct the City Clerk to file a notice in the Land Title Office in relation to the property located at 821 Princess Avenue, legally described as Lot 19 Block 1 Section 3 Victoria District Plan 62 indicating that a resolution relating to this property has been made under the authority delegated pursuant to Section 57(3) of the *Community Charter* and the provisions of the *Property Maintenance Delegation Bylaw*, and advise that further information regarding this resolution may be inspected at the Legislative & Regulatory Services Department in Victoria City Hall.

**Carried Unanimously**

**5. CRD Sewage Treatment**

1. It was moved by Councillor Alto, seconded by Councillor Lucas, that Council consent to participate cooperatively with the Capital Regional District on the community engagement process for the proposed sewage facility at Clover Point.
2. That staff be directed to engage consultants necessary to carry out this engagement process and advise the Capital Regional District on the funding required to undertake the community engagement for the proposed facility at Clover Point. This funding is to be provided from the Core Area Liquid Waste Management Phase 2 planning process budget.
3. That the Mayor, on behalf of Council, write a letter to the CRD confirming Council's willingness to cooperate in the engagement process and indicate that the City will provide budget details for the engagement at the earliest convenience.
4. Council acknowledges that this cooperation doesn't equal consent or support for this proposed sewage treatment location and that this step is only a means for engaging Victoria residents meaningfully and effectively regarding the proposal.
5. That all of the above is subject to land use approval by City Council.
6. That staff be directed to report back to Council with a public engagement plan.

**Carried**

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

**Against:** Councillor Young

**6. McPherson Playhouse Local Service**

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

1. Direct staff to complete the transfer of ownership of the McPherson Playhouse property to the Capital Regional District for the McPherson Playhouse Local Service, subject to the facility returning to the City for a nominal fee, if the City remains the sole funder of the service in the long term, and subject to the financial participation of other municipal partners based on current CRD municipal funding formulas.
2. Forward correspondence to the Royal and McPherson Theatres Society requesting the consideration of Board of Directors to support increased participation in the McPherson Local Service from Saanich and Oak Bay municipalities at a level consistent with the funding formula for the Royal Theatre.
3. Request the Capital Regional District to engage in broader consultation with CRD municipalities to consider opportunities to increase the number of participants in the McPherson Playhouse Local Service.
4. Request that CRD staff work with City staff and Royal McPherson Theatres Society Staff on the consultation.

**Amendment:**

It was moved by Councillor Young, seconded by Councillor Coleman, that the motion be amended by moving the comma in # 1:  
...subject to the facility returning to the City for a nominal fee, if the City remains the sole funder in the long term, ...



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

**Main Motion:**

That Council:

1. Direct staff to complete the transfer of ownership of the McPherson Playhouse property to the Capital Regional District for the McPherson Playhouse Local Service, subject to the facility returning to the City for a nominal fee if the City remains the sole funder of the service in the long term, and subject to the financial participation of other municipal partners based on current CRD municipal funding formulas.
2. Forward correspondence to the Royal and McPherson Theatres Society requesting the consideration of Board of Directors to support increased participation in the McPherson Local Service from Saanich and Oak Bay municipalities at a level consistent with the funding formula for the Royal Theatre.
3. Request the Capital Regional District to engage in broader consultation with CRD municipalities to consider opportunities to increase the number of participants in the McPherson Playhouse Local Service.
4. Request that CRD staff work with City staff and Royal McPherson Theatres Society Staff on the consultation.

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

**7. Victoria Police Department's Quarterly Report to the City of Victoria**

It was moved by Councillor Thornton-Joe, seconded by Councillor Loveday, that Council receive the Victoria Police Department's Quarterly Report for information.

**Carried Unanimously**

**8. 2015 Fourth Quarter Report and 2016 Work Plan**

It was moved by Councillor Mayor Helps, seconded by Councillor Thornton-Joe, that Council receive this report for Information.

**Carried Unanimously**

**9. Crosswalk Evaluation Process / Priority Ranking System**

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

1. Direct staff to implement this new crosswalk prioritization methodology as a priority; and
2. Direct staff to bring forward the necessary amendments to the Financial Plan to incorporate these crosswalk priorities within the allocated funding amount;
3. Defer proposed rehabilitation work on Cook Street between Pandora Avenue and Caledonia Avenue from 2016-2017, and amend the 2016-2020 Financial Plan to incorporate other major road rehabilitation priority projects in 2016, as identified in this report.
4. Except that work planned for Vancouver Street between Southgate and Fairfield be postponed pending finalization of the Biketoria route for the area, and be substituted with a project between Quadra Street and Vancouver Street.
5. That the Capital Plan be amended to include building a crosswalk at Cook Street and North Park Street in either 2016 or 2017 once the Biketoria route plan has been finalized.

**Carried Unanimously**

**10. Purchasing Policy**

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

1. Approve the Purchasing Policy (Appendix A)
2. Authorize the Mayor and the City Clerk to execute the Corporate Supply Arrangement Access Agreement with the Province of British Columbia (Appendix B)
3. Repeal the Expenditure Bylaw #09-054 after approval of the Purchasing Policy

**Carried Unanimously**

**11. Support for Cumberland's AVICC Motion Re: Social Procurement**

It was moved by Councillor Alto, seconded by Councillor Lucas, that Council approve the following motion:

Be it resolved that Victoria City Council supports the District of Cumberland's AVICC Motion:

WHEREAS fostering the social wellbeing of the community is identified as a municipal purpose by the Community Charter and a regional district purpose by the Local Government Act;

AND WHEREAS the widespread adoption of social procurement practices by all local governments in BC will diversify the vendor pool and further leverage tax dollars to better align with community values;

THEREFORE BE IT RESOLVED that AVICC and UBCM advance the use of social procurement practices by local governments;

AND BE IT FURTHER RESOLVED that UBCM urge the provincial government to consider the inclusion of social procurement into Part 6 (Financial Management) of the Community Charter and Part 11 (Regional District- Financial Management) of the Local Government Act.

**Carried**

**For:**  
**Against:**

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

**12. Letter to Munro's Bookstore**

It was moved by Councillor Thornton-Joe, seconded by Councillor Madoff, that Council send a letter of congratulations to Munroe's Bookstore for their acknowledgement by National Geographic as the number three bookstore in the world.

**Amendment:**

It was moved by Councillor Madoff, seconded by Councillor Coleman, that the name 'Munro' be spelled correctly.

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

**Main Motion:**

That Council send a letter of congratulations to Munro's Bookstore for their acknowledgement by National Geographic as the number three bookstore in the world.

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

**NOTICE OF MOTIONS**

**1. Saving Lives Through Organ Donation**

Council received a report dated March 10, 2016 from Councillors Isitt and Loveday regarding saving lives through organ donation.

**Motion:**

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council **reaffirm its support for organ donation**, endorses the following resolution for consideration at the Union of BC Municipalities 2016 annual conference, and direct staff to forward a copy to UBCM and to member local governments, requesting favourable consideration and resolutions of support:  
Saving Lives Through Organ Donation

WHEREAS organ donation saves lives;

AND WHEREAS organ donation is the best available option for many people in our communities with serious medical conditions and diseases to live well and contribute fully to their family and their community;

AND WHEREAS BC has one of the lowest organ donor registration rates in Canada;

AND WHEREAS local governments can demonstrate leadership and resolve to encourage citizens in BC communities to register as organ donors,

THEREFORE BE IT RESOLVED that the Union of BC Municipalities calls upon all local government elected officials to accept the challenge to Save Lives Through Organ Donation and work with community partners to increase the number of people registered as organ donors in our communities.

**Amendment:**

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

...that Council **reaffirm its support for organ donation**, endorses the following resolution for consideration at the Union of BC Municipalities....

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

**Main Motion:**

That Council reaffirm its support for organ donation, endorses the following resolution for consideration at the Union of BC Municipalities 2016 annual conference, and direct staff to forward a copy to UBCM and to member local governments, requesting favourable consideration and resolutions of support:  
Saving Lives Through Organ Donation

WHEREAS organ donation saves lives;

AND WHEREAS organ donation is the best available option for many people in our communities with serious medical conditions and diseases to live well and contribute fully to their family and their community;

AND WHEREAS BC has one of the lowest organ donor registration rates in Canada;

AND WHEREAS local governments can demonstrate leadership and resolve to encourage citizens in BC communities to register as organ donors,

THEREFORE BE IT RESOLVED that the Union of BC Municipalities calls upon all local government elected officials to accept the challenge to Save Lives Through Organ Donation and work with community partners to increase the number of people registered as organ donors in our communities.

**On the main motion as amended:**

**Carried Unanimously**

**2. AVICC Respect for Local Government Authority**

Council received a report dated March 22, 2016 from Councillors Isitt and Loveday regarding a resolution for the AVICC encouraging the Province to respect local government land use authority relating to the disposal of contaminated soils.

**Motion:**

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council endorse the following resolution for consideration as an emergency resolution at the 2016 annual conference of the Association of Vancouver Island and Coastal Communities:

Respect for Local Government Authority Relating to Contaminated Soil Disposal

WHEREAS the BC Supreme Court upheld local government land use authority with respect to the disposal of contaminated soils in the case of *Cowichan Valley (Regional District) v. Cobble Hill Holdings Ltd., 2016 BCSC 489*;

AND WHEREAS the risks remains that local government land use regulations relating to disposal of contaminated soils may be overridden by Provincial Order-in-Council;

THEREFORE BE IT RESOLVED THAT the Association of Vancouver Island and Coastal Communities calls on the Province of British Columbia to respect local government land use authority and provide for thorough and appropriate consideration of local government input and land use regulations in the contaminated soils permitting process.

**Carried Unanimously**

**BYLAWS**

**1. FIRST READING**

**Motion:**

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

- a. *Heritage Designation (1728 Denman Street) Bylaw 16-037*
- b. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1064) 16-032*

**Carried Unanimously**

**2. SECOND READING**

**Motion:**

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

- a. *Heritage Designation (1728 Denman Street) Bylaw 16-037*
- b. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1064) 16-032*

**Carried Unanimously**

***Councillor Lucas withdrew from the meeting at 10:15 p.m. due to a potential pecuniary conflict of interest as the owner of the hotel where she is employed is also the owner of 755-795 Market Street.***

**1. FIRST READING**

**Motion:**

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

- c. *Land Use Contract Discharge (755-795 Market Street and 766-770 Hillside Avenue 16-034*
- d. *Housing Agreement (755-795 Market Street and 766-770 Hillside Avenue) 16-033*

**Carried Unanimously**

**2. SECOND READING**

**Motion:**

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

- c. *Land Use Contract Discharge (755-795 Market Street and 766-770 Hillside Avenue 16-034*
- d. *Housing Agreement (755-795 Market Street and 766-770 Hillside Avenue) 16-033*

**Carried Unanimously**

**3. THIRD READING**

**Motion:**

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

- Housing Agreement (755-795 Market Street and 766-770 Hillside Avenue) 16-033*

**Carried Unanimously**

***Councillor Lucas returned to the meeting at 10:17 p.m.***

**5. ADOPTION**

**Motion:**

It was moved by Councillor Madoff, seconded by Councillor Alto, that the following bylaw **be Adopted:**  
*Board of Variance Bylaw, Amendment Bylaw (No. 1) 16-036*

**Carried Unanimously**

**NEW BUSINESS**

**To Set Public Hearings for the Meeting of Thursday, April 14, 2016:**

It was moved by Councillor Madoff, seconded by Councillor Alto, that the following Public Hearings be held in Council Chambers, City Hall, on **THURSDAY, APRIL 14, 2016, at 6:30 p.m.:**

1. Heritage Designation Application No. 000152 for 1728 Denman Street
2. Development Permit with Variances Application No. 000404 for 701 Tyee Road

**Carried Unanimously**

***Councillor Lucas withdrew from the meeting at 10:19 p.m. due to a potential pecuniary conflict of interest as the owner of the hotel where she is employed is also the owner of 755-795 Market Street.***

**To Set Public Hearings for the Meeting of Thursday, April 14, 2016:**

It was moved by Councillor Madoff, seconded by Councillor Alto, that the following Public Hearings be held in Council Chambers, City Hall, on **THURSDAY, APRIL 14, 2016, at 6:30 p.m.:**

Rezoning Application No. 00497 for 755-795 Market Street and 766-770 Hillside Avenue

**Carried Unanimously**

***Councillor Lucas returned to the meeting at 10:19 p.m.***

**QUESTION PERIOD**

*A question period was held.*

**ADJOURNMENT**

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

Time: 10:20 p.m.

**Carried Unanimously**

CERTIFIED CORRECT:

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

\_\_\_\_\_  
MAYOR OF THE CITY OF VICTORIA