



MINUTES – VICTORIA CITY COUNCIL

MEETING OF THURSDAY, MARCH 10, 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; C. Coates - City Clerk; K. Hamilton – Director of Citizen Engagement & Strategic Planning; J. Jenkyns - Deputy City Manager; C. Royle – Deputy Fire Chief; T. Soulliere - Director of Parks, Recreation & Facilities; J. Tinney - Director, Sustainable Planning & Community Development; F. Work – Director of Engineering & Public Works; J. O'Connor – Manager, Financial Planning; L. Baryluk – Senior Planner; C. Havelka - Council Secretary.

APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Motion:

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

Carried Unanimously

POETRY READING

Yvonne Blomer, Poet Laureate, read a poem entitled “Suspect”.

READING OF MINUTES

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, that the Special Council meeting minutes of February 11, 2016, be approved.

Carried Unanimously

Motion:

It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that the Regular Council meeting minutes of February 25, 2016, be approved.

Amendment:

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that the minutes be corrected on page 8 to page 11 to remove Councillor Thornton-Joe from voting with respect to BC Transit items as she had left the meeting due to a conflict.

On the amendment:
Carried Unanimously

On the main motion as amended:
Carried Unanimously

Motion:

It was moved by Councillor Alto, seconded by Councillor Madoff, that the Special Council meeting minutes of March 3, 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. **Mary Doody Jones: Need for Amplification Regulation**

Expressed concerns regarding unintended consequences where buildings being demolished to build larger houses results in issues of noise and seismic impacts on adjacent houses as well as impacting the prices of single family houses.

2. **Leon “Ted” Smith: International Hempology 101 Society**

Noted that medical marijuana day is approaching and spoke about the Owen Smith court decision that resulted in recognition of this day. He also spoke about the benefits of cannabis.

Councillor Thornton-Joe withdrew from the meeting at 6:50 p.m. as her spouse works for BC Transit which creates a pecuniary conflict of interest with the following item.

3. **Stuart Hertzog: Proposed Widening of Douglas Street and Cutting Trees**
Provided a video and spoke about the benefits of the urban greenscape and protecting trees on the Douglas Street boulevard that should be accommodated when considering the proposed changes to widen Douglas Street transit lanes.

Councillor Thornton-Joe returned to the meeting at 6:55 p.m.

4. **Bart Reed: Bike Lanes**
Expressed concerns about issues related to bike lanes proposed for the Cook Street village, the impact it will have on the number of parking stalls in the , and misinformation that is circulating.
5. **Mr. Kang: B.C. Taxi Association regarding the Share Ride Concept of UBER or Lyft**
Outlined the role of the Taxi Association in the community and the regulations the taxi drivers must adhere to as opposed to UBER, which does not adhere to regulations and does not pay taxes.

Councillor Loveday withdrew from the meeting at 7:05 a.m.

PROCLAMATIONS

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

1. "World Plumbing Day" – March 11, 2016
2. "Purple Day for Epilepsy Awareness" – March 26, 2016
3. "World Poetry Day" and "National Poetry Month" – March 21, 2016 and April 2016
4. "World Kidney Day" – March 10, 2016
5. "International Day to Eliminate Racial Discrimination" – March 21, 2016

Councillor Loveday returned to the meeting at 7:06 p.m.

Carried Unanimously

PUBLIC AND STATUTORY HEARINGS

Councillor Isitt withdrew from the meeting at 7:06 p.m. as his mother lives adjacent to 1146 Caledonia Avenue which creates a non-pecuniary conflict of interest with the next item.

1. **Rezoning Application No. 00469 and Official Community Plan Amendment for 1146 Caledonia Avenue**

1. Public Hearing

1. Official Community Plan Bylaw, 2012 (No. 21) 16-030

The purpose of this Bylaw is to change the urban place designation for the land known as 1146 Caledonia Street from Traditional Residential to Urban Residential, to permit development of a six-unit multiple dwelling.

2. Zoning Regulation Bylaw, Amendment Bylaw (No. 1063) – 16-029

The purpose of this Bylaw is to create a new R-82 Zone, Caledonia Multiple Dwelling District and to rezone the land known as 1146 Caledonia Avenue from the R-2 Zone, Two Family Dwelling District, to the R-82 Zone, Caledonia Multiple Dwelling District, to permit development of a six-unit multiple dwelling.

Development Permit Application No. 000398

The Council of the City of Victoria will also consider issuing a development permit for the land known as 1146 Caledonia Avenue, in Development Permit Area 16: General Form and Character, for the purposes of approving the exterior design and finishes for the proposed six-unit multiple dwelling as well as landscaping.

Lucina Baryluk (Senior Planner): The proposal is to amend the Official Community Plan (OCP) to allow for the 3.5 storey building and rezone the subject property to increase the density to permit a six unit dwelling. An easement has been registered on title, as well as a Statutory Right of Way. The matter for Council's consideration is the supportability of the OCP amendment and Rezoning of the subject property.

Mayor Helps opened the public hearing at 7:08 p.m.

Garth Collins (Applicant): Provided information about the site and adjacent properties, and how the site will interact with King's play lot. Also described was the design and how people will access the residential units and parking. He provided information about the proximity of the proposal to the adjacent building and how they lowered the building to mitigate the height, and used landscaping and the adjustment of windows to accommodate privacy concerns.

Mayor Helps asked what would be the approximate purchase price for the units.

Garth Collins: Advised they the proposal is to sell the units under \$300,000.

Trish Richards (Caledonia Avenue): Spoke in support of the proposal noting that the density can be accommodated on the site and the stepped down design mitigates the height. She also spoke about the positive impact it will have on the neighbourhood and King's Park.

Mary Ketchen (Caledonia Avenue): Spoke in support of the proposal, the design, and the positive impact it will have on the neighbourhood. She asked about the new zone and questioned if it is just applicable to 1146 Caledonia Avenue.

Lucina Baryluk: Advised that this is a site specific zone which is only for this property.

Gordon Cochrane (Caledonia Avenue): Spoke in support of the proposal, noting the proximity of the houses is not an issue, and the applicant put a lot of consideration into the design. Also supportable is how the easement will alleviate issues with the Kings Park.

Susie Charbonneau (Caledonia Avenue): Spoke in support of the proposal and how it will impact the neighbourhood.

Councillor Thornton-Joe asked staff if there have been discussions about plans to put a path through the park.

Thomas Soulliere (Director of Parks, Recreation & Facilities): There have been preliminary discussions and the potential is there to connect the two streets.

Mayor Helps closed the public hearing at 7:37 p.m.

2. Bylaw Approval

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

Official Community Plan Bylaw, 2012 (No. 21) – 16-030

Zoning Regulation Bylaw, Amendment Bylaw (No. 1063) – 16-029

Councillor Thornton-Joe spoke in support of the application noting that the benefit the proposal would have in terms of maintaining the character of the street and as well as providing housing. She also noted that the CALUC didn't have concerns regarding the development.

Councillor Madoff spoke in support of the application noting that the site planning, form and character of building, along with the architectural approach, respects the form and character of the street.

Mayor Helps requested that work carried out in the park be coordinated with the construction of the building to minimize disruption.

Carried Unanimously

3. Bylaw Approval

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

Official Community Plan Bylaw, 2012 (No. 21) – 16-030

Zoning Regulation Bylaw, Amendment Bylaw (No. 1063) – 16-029

Carried Unanimously

3. Bylaw Approval

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

Housing Agreement (1146 Caledonia Avenue) Bylaw – 16-031

Carried Unanimously

4. Development Permit Approval

It was moved by Councillor Thornton-Joe, seconded by Councillor Madoff, that Council authorize the issuance of Development Permit Application No. 000398 for 1146 Caledonia Avenue, and in accordance with:

1. Plans for Rezoning Application No. 00469 and Development Permit Application No. 000398 stamped March 17, 2015.
2. Development meeting all Zoning Regulation Bylaw requirements.
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director, Sustainable Planning and Community Development.
4. The Development Permit lapsing two years from the date of this resolution.

Carried Unanimously

Councillor Isitt returned to the meeting at 7:42 p.m.

2. Development Variance Permit Application No. 00125 for 3189 Quadra Street

Hearing

1. Development Variance Permit Application

The City of Victoria will be considering the issuance of a Development Variance Permit for the land known as 3189 Quadra Street for the purpose of varying the Zoning Regulation Bylaw, Schedule C,

Off-Street Parking Requirements, by reducing the required amount of parking stalls from 8 stalls to 1 stall for the existing restaurant on the property.

Lucina Baryluk (Senior Planner): Advised that this Development Variance Permit application is to vary the parking required for the existing restaurant. The matter for Council's consideration is the supportability of the parking variance.

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

Peter Bevan (Pemberton Holmes Realtor): Advised that his client inherited the parking issue which was misrepresented when the property was sold to him, and he outlined details regarding the amount of seats and parking for the restaurant.

Mr. Long (Owner of the restaurant): Advised that most of his customers are in neighbourhood, and he requested that the City approve the parking variance so they can continue to serve the community.

Mayor Helps closed the public hearing at 7:47 p.m.

2. Development Variance Permit Approval

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

1. That Council authorize the issuance of Development Permit Application No. 00125 for 3189 Quadra Street, in accordance with:
 - a. Plans date stamped July 31, 2013;
 - b. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - Schedule C, Section 16.C.12 - Relaxation from 1 parking space for every 5 seats to 1 parking space for every 38 seats (8 parking stalls to 1);
 - c. The applicant provide a six space bike rack within the front yard of the property (subject to a security) in a location satisfactory to City staff;
 - d. The Development Permit lapsing two years from the date of this resolution.
2. That the issue of the residential occupancy of the building located at 3189 Quadra Street be referred to the Council for deliberation on a *Community Charter*, Section 57 filing."

Councillor Isitt spoke in support of the application, noting that they didn't hear concerns in the neighbourhood.

Councillor Coleman noted that no neighbours were against this proposal.

Carried Unanimously

3. Development Variance Permit Application No. 00169 for 534 Pandora Avenue

1. Hearing

Development Variance Permit Application No. 00169

The City of Victoria will be considering the issuance of a Development Variance Permit for the land known as 534 Pandora Avenue for the purpose of varying certain requirements of the Zoning Regulation Bylaw to allow residential uses on the ground floor as part of the rehabilitation and conversion to residential units within a heritage-registered building.

Lucina Baryluk (Senior Planner): This Development Variance Permit application is for one variance to allow residential uses on ground floor. For Council's consideration is the supportability of the variance and the consistency with design guidelines.

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

Peter de Hoog (De Hoog & Kierulf Architects): Advised that this variance is to allow residential use in a small portion of the development. He described the components of the residential unit, and outlined the original use of the space and how it will create an interesting negative space on the street.

Mayor Helps closed the public hearing at 7:53 p.m.

2. Development Variance Permit Approval

It was moved by Councillor Thornton-Joe, seconded by Councillor Loveday, that Council authorize the issuance of Development Variance Permit Application No. 00169 for 534 Pandora Avenue, in accordance with:

1. Plans date stamped December 11, 2015.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance: Part 6.7 - CA-3C Zone - Old Town District, 1 (e), to allow residential uses on the ground floor.
3. The Development Variance Permit lapsing two years from the date of this resolution.

Carried Unanimously

4. **Heritage Designation Application No. 000157 for 534 Pandora Avenue**

1. **Public Hearing**
Heritage Designation Application

Under the provisions of the Local Government Act, the City of Victoria intends to designate the exterior of the building located at 534 Pandora Avenue, legally described as Lot 437, Victoria City, except the westerly 25 feet thereof, as protected heritage property, under Heritage Designation (534 Pandora Avenue) Bylaw No. 16-010.

Lucina Baryluk (Senior Planner): Advised that this is a Heritage Designation Application and the matter for Council's consideration is the appropriateness of making it a municipal heritage designated site.

Mayor Helps opened the public hearing at 7:55 p.m.

Mayor Helps closed the public hearing at 7:56 p.m.

2. **Bylaw Approval**

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

Heritage Designation (534 Pandora Avenue) Bylaw – 16-010

Carried Unanimously

3. **Bylaw Approval**

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

Heritage Designation (534 Pandora Avenue) Bylaw – 16-010

Carried Unanimously

5. **Heritage Designation Application No. 000156 for 533 – 537 Fisgard Street**

1. **Public Hearing**
Heritage Designation Application

Under the provisions of the Local Government Act, the City of Victoria intends to designate the exteriors of the two buildings located at 533-537 Fisgard Street, legally described as Lot 446, Victoria City, as protected heritage property, under Heritage Designation (533-537 Fisgard Street) Bylaw No. 16-009.

Lucina Baryluk (Senior Planner): Advised that this is an application similar to the application for 534 Pandora Avenue.

Mayor Helps opened the public hearing at 7:56 p.m.

Mayor Helps closed the public hearing at 7:57 p.m.

1. **Bylaw Approval**

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

Heritage Designation (533-537 Fisgard Street) Bylaw – 16-009

Councillor Thornton-Joe provided information on work she is involved with that stems from the Province's apology to the Chinese community. This involves creating a list of properties regarding their status in terms of heritage designation, rehabilitation, and other matters.

Carried Unanimously

3. **Bylaw Approval**

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

Heritage Designation (533-537 Fisgard Street) Bylaw – 16-009

Carried Unanimously

6. **Heritage Designation Applications No. 000149 for 222 Dallas Road and No. 000148 for 226 Dallas Road**

2. **Public Hearing**
Heritage Designation Applications

Heritage Designation of property known as 222 Dallas Road

Under the provisions of the Local Government Act, the City of Victoria intends to designate the exterior of the building located at 222 Dallas Road, legally described as Lot 23, Block 5, Section 26, Beckley Farm, Victoria City, Plan 1941, under Heritage Designation (222 Dallas Road) Bylaw No. 16-021.

Heritage Designation of property known as 226 Dallas Road

Under the provisions of the Local Government Act, the City of Victoria intends to designate the exterior of the building located at 226 Dallas Road, legally described as Lot 23, Block 5, Section 26, Beckley Farm, Victoria City, Plan 1941, under Heritage Designation (226 Dallas Road) Bylaw No. 16-022.

Lucina Baryluk (Senior Planner): Advised that both properties are covered under a single heritage designation report, formally located at 524 and 526 Michigan Street. The matter for Council's consideration is the suitability of designating the property as a municipal heritage site.

Mayor Helps opened the public hearing at 7:58 p.m.

Mayor Helps closed the public hearing at 7:59 p.m.

2. Bylaw Approval

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

Heritage Designation (222 Dallas Road) Bylaw No. 16-021

Heritage Designation (226 Dallas Road) Bylaw No. 16-022

Carried Unanimously

3. Bylaw Approval

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

Heritage Designation (222 Dallas Road) Bylaw No. 16-021

Heritage Designation (226 Dallas Road) Bylaw No. 16-022

Carried Unanimously

UNFINISHED BUSINESS

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

Council received a report dated February 25, 2016 that provided information on revised plans and the pre-conditions required for Development Permit with Variances Application No. 000404 for 701 Tyee Road.

Motion:

It was moved by Councillor Madoff, seconded by Councillor Alto, that Council, after giving notice and allowing an opportunity for public comment, Council consider the following motion:

"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 m2 of exposed shored face during construction, in a form satisfactory to staff."

Carried Unanimously

2. Update Report for Rezoning Application No. 00485 for 2330 Richmond Road

Council received a report dated March 3, 2016 that responded to Council's request that staff explore with the application the possibility of including a housing Agreement as a condition of rezoning for Rezoning Application No. 00485 for 2330 Richmond Road.

Motion:

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

- a) Should sewage attenuation be required, a legal agreement to the satisfaction of staff would be required prior to Public Hearing.

- b) Housing Agreement be secured to ensure that the units remain as rental units for a seven-year period.

Councillor Thornton-Joe asked about the seven year term for the housing agreement, noting they are often a ten year term.

Lucina Baryluk: Staff could have further discussions with the applicant to extend the housing agreement.

Councillor Madoff asked about the easement and if it will be discussed at the Public Hearing.

Lucina Baryluk: Advised it doesn't need to be addressed at this time.

Motion to Postpone:

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto that Council postpone consideration of this motion.

Carried

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

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that Council request that staff discuss with the applicant extending the housing agreement to ten years.

Councillor Young spoke against the motion noting that Council's primary objective is it to determine the form and character of a building, not other concessions.

Mayor Helps spoke in favour of the postponement as this will provide more predictability.

Carried

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

3. Letter from the Ministry of Forests, Lands, and Natural Resource Operations: Trophy Hunting

Motion:

It was moved by Councillor Coleman, seconded by Councillor Lucas, that the correspondence dated February 18, 2016 from the Ministry of Forests, Lands, and Natural Resource Operations regarding Trophy Hunting be received for information.

Carried Unanimously

4. Rise and Report from Closed Meeting for Information

Council received information about rising and reporting on two items of closed minutes.

a. From the Closed Council Meeting of January 28, 2016: Land/Victoria International Marina

The development as proposed involved use of City owned property. Council concluded that use of public property for a private purpose without benefits to the public was not appropriate and declined the applicant's request for permission to carry out work on City property. Without that permission, the application could not proceed and has been postponed. It is now up to the applicant to either modify the proposal or to proceed with the development of the site as previously approved.

b. From the Closed Council Meeting of February 25, 2016: Land/Victoria International Marina

The City has considered the issue of riparian rights along the West Song Walkway as they pertain to the marina as it is currently proposed and concluded that, there is no practical benefit to asserting such rights to the to the marina as it is currently proposed.

Council discussed the current status of the development permit application for the international marina.

REPORTS OF THE COMMITTEES

1. Committee of the Whole – March 3, 2016

1. Concerns Raised by the Applicant Regarding the Density Bonus Land Lift Analysis and Amenity Contribution for 605-629 Speed Avenue and 606-618 Frances Avenue

It was moved by Councillor Loveday, seconded by Councillor Alto, that Council postpone consideration, until the report on bonus density is considered by Council.

That Council reconfirm its motion of October 29, 2015, that endorses the recommendations in the density bonus community amenity contribution analysis dated September 13, 2013, and that the monetary contribution due to a density bonus be split equally between the Victoria Housing Fund and neighbourhood amenities within the Burnside-Gorge neighbourhood.

Carried Unanimously

2. Rezoning Application No. 00485 for 2330 Richmond Road

The City Clerk advised that Council made a motion to postpone consideration of this application earlier in the meeting and therefore this item has been dealt with.

3. Development Permit Application No. 000457 for 66 & 68 Songhees Road

It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that Council authorize the issuance of Development Permit Application No. 000457 for 66 and 68 Songhees Road, in accordance with:

1. Plans date stamped January 28, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. The Development Permit lapsing two years from the date of this resolution.

Carried Unanimously

4. Development Variance Permit Application No. 00168 for 360 Bay Street

It was moved by Councillor Madoff, seconded by Councillor Thornton-Joe, 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. 00168 for 360 Bay Street, in accordance with:

1. Plans date stamped January 7, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Schedule "C", Section 16.C.12 reduce parking requirement from 10 to 7 parking stalls to accommodate an additional 15 seats in a bakery/restaurant to a total of 25 seats
3. The provision of bicycle parking to meet Schedule "C" requirements.
4. The Development Permit lapsing two years from the date of this resolution."

Carried Unanimously

5. Province of British Columbia – Licensed First Responder Naloxone Program

It was moved by Councillor Loveday, seconded by Councillor Alto, that Council receive this report on the inclusion and delivery of Naloxone injection as a role of first responders administered through the First Responder program of the Victoria Fire Department and British Columbia Emergency Health Services (BCEHS).

Carried Unanimously

6. 2015 External Audit Plan

It was moved by Councillor Alto, seconded by Councillor Lucas, that Council receive this report dated February 24th, 2016 for information.

Carried Unanimously

7. Advocacy for B.C. Natural Lands Acquisition Fund

It was moved by Councillor Isitt, seconded by Councillor Loveday, that the Mayor, on behalf of Council, write to the Provincial Minister of Environment Mary Polak, copying the Premier, expressing the City of Victoria's support for the creation of a BC Natural Lands Acquisition Fund, to provide a stable financial mechanism for the Provincial government to partner with land owners, local governments and community organizations for the conservation of natural areas for biodiversity, recreation and economic development.

Carried Unanimously

8. Neighbourhood Integration of Regional Health Facilities at 955 Hillside Avenue and 950 Kings Road

It was moved by Councillor Isitt, seconded by Councillor Alto, that Council direct staff to work with the Capital Regional Hospital District (CRHD), Island Health, the Downtown Blanshard Advisory Committee, the Hillside-Quadra Neighbourhood Action Committee, and neighbourhood residents to support effective neighbourhood integration of health facilities at 955 Hillside Avenue and 950 Kings Road, with particular reference to: preservation of greenspace; highway access for 955 Hillside Avenue; opportunities for neighbourhood use; and opportunities for alignment of CRHD-led precinct planning for 950 Kings Road with City-led local area planning for the Hillside-Quadra neighbourhood, as well as long-term planning relating to the BC Housing property at Evergreen Terrace, adjacent to the CRHD properties.

AND THAT staff report back to Council on how Development Cost Charges relating to 955 Hillside Avenue can support effective integration of this health facility into the neighbourhood, including opportunities for the provision of neighbourhood amenities.

Carried Unanimously

9. Conference Attendance Request - Association of Vancouver Island Coastal Communities (AVICC) Annual General Meeting and Convention

It was moved by Councillor Coleman, seconded by Councillor Alto, that Council approves the attendance of Councillor Jeremy Loveday at the 2016 AVICC AGM and Convention.

Carried Unanimously

2. Committee of the Whole – March 10, 2016

1. Basic Income Guarantee

It was moved by Councillor Alto, seconded by Councillor Loveday, that the City of Victoria endorse a national conversation on a Basic Income Guarantee for all Canadians; and

That the Mayor, on behalf Council, write to Prime Minister Trudeau and Premier Clark, and to the federal and provincial Ministers of Health, Social Development, Children and Family Services, and Justice, urging the provincial and federal governments to work together to consider, investigate, and develop a Basic Income Guarantee for all Canadians; and

That this resolution be forwarded to other municipal and regional governments in British Columbia with the request that they consider indicating their support for this initiative; and

That this resolution be forwarded to the Association of Vancouver Island and Coastal Communities, the Union of BC Municipalities and the Federation of Canadian Municipalities, with the request that they include proposing a Basic Income Guarantee in their respective engagements with the provincial and federal governments.

Carried Unanimously

Councillor Isitt withdrew from the meeting at 8:19 p.m. as his father lives near 151 Oswego Street which creates a pecuniary conflict of interest with the next item under consideration.

2. Amendment to the Heritage Revitalization Agreement dated July 24, 2014, for 151 Oswego Street

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council instruct staff to amend Schedule A of the Heritage Revitalization Agreement (HRA) to allow double glazing for all new windows for 151 Oswego Street subject to the owner providing a letter of consent to amend the HRA.

That the amendment advance concurrently with the amendment approved by Council on April 30, 2015, to amend the HRA to accommodate changes to the east addition in accordance with:

1. Plans date stamped February 11, 2015.
2. Letters of engagement from the Registered Professionals, dated November 30, 2014, and January 5, 2015, respectively.

Carried Unanimously

Councillor Isitt returned to the meeting at 8:20 p.m.

3. Ship Point Design Competition

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

1. Endorse a 'design competition' to fulfil the 2016 strategic plan action to identify a pilot or 'pop-up' placemaking project to undertake in 2016; and
2. Approve the use of \$45,000 from Downtown Core Area Public Realm Improvement Reserve Fund.
3. That the jury committee include the Downtown Resident's Association.

Carried

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

4. Resource Implications of Outdoor Sheltering

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

1. Direct staff to provide a summary report on City resources devoted to outdoor sheltering in the past 12 months, including the location, frequency and nature of service calls where available, and the number of employees, hours, and estimated total costs associated with these service calls;
2. Request that the Victoria Police Department provide a summary report on VicPD resources devoted to outdoor sheltering in the past 12 months, including the location, frequency and nature of service calls where available, including numbers of officers and duration of service calls, while respecting the need for confidentiality in criminal investigations.
3. Request that the Province provide a summary of its actual and anticipated costs and service calls relating to sheltering adjacent to the Victoria Courthouse in the previous 12 months.
4. That the City staff report include available data on changes in available shelter spaces in the preceding 12 months.

Carried Unanimously

5. Sewage Treatment

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

1. Request that the CRD meet with the Fairfield Gonzales CALUC and present a concept drawing of an underground plant at Clover Point and engage the Community with regard to their concerns and desires specific to this concept.
2. THEN the CRD report back to Council and also present a concept plan for an underground plant to Council.
3. That Council's consideration of any approval in principle of expansion of existing waste-water facilities at Clover Point would be based on conditions including, but not limited to:
 - (1) That staff work through the Local Area Planning process to engage residents of Fairfield, Gonzales and other Victoria neighbourhoods to identify neighbourhood amenities and community amenities that would be provided to ensure the most effective integration of this project into the neighbourhood and city;
 - (2) The surface of the entire footprint of the proposed site being restored upon completion as publicly accessible parkland, with the final elevation of the parkland not to exceed the current elevation of the roadway at Dallas Road;
 - (3) The provision of a neighbourhood amenity and community amenity package to the satisfaction of the City of Victoria; and

- (4) Mitigation of construction impacts, including: provision for potential continuous waterfront public access around the perimeter of Clover Point from Dallas Road Park in the west to Ross Bay in the east; aesthetic features including artistically adorned hoarding; negotiation of permissible working hours; and provision around access, egress and transport to the site.

Amendment:

It was moved by Councillor Isitt, seconded by Mayor Helps, that Council amend the motion by adding the following to # 3:

(5) Request the Capital Regional District to make best efforts to pursue the most cost effective option for the proposed facility.

Main motion as amended:

That Council:

1. Request that the CRD meet with the Fairfield Gonzales CALUC and present a concept drawing of an underground plant at Clover Point and engage the Community with regard to their concerns and desires specific to this concept.
2. THEN the CRD report back to Council and also present a concept plan for an underground plant to Council.
3. That Council's consideration of any approval in principle of expansion of existing waste-water facilities at Clover Point would be based on conditions including, but not limited to:
 - (1) That staff work through the Local Area Planning process to engage residents of Fairfield, Gonzales and other Victoria neighbourhoods to identify neighbourhood amenities and community amenities that would be provided to ensure the most effective integration of this project into the neighbourhood and city;
 - (2) The surface of the entire footprint of the proposed site being restored upon completion as publicly accessible parkland, with the final elevation of the parkland not to exceed the current elevation of the roadway at Dallas Road;
 - (3) The provision of a neighbourhood amenity and community amenity package to the satisfaction of the City of Victoria; and,
 - (4) Mitigation of construction impacts, including: provision for potential continuous waterfront public access around the perimeter of Clover Point from Dallas Road Park in the west to Ross Bay in the east; aesthetic features including artistically adorned hoarding; negotiation of permissible working hours; and provision around access, egress and transport to the site.
 - (5) Request the Capital Regional District to make best efforts to pursue the most cost effective option for the proposed facility
4. All of the above is subject to land use approval by Council.

Councillor Young expressed concerns as this indicates a commitment by Council to this project at this site.

Councillor Coleman requested that the motion be separated.

Motion:

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

1. Request that the CRD meet with the Fairfield Gonzales CALUC and present a concept drawing of an underground plant at Clover Point and engage the Community with regard to their concerns and desires specific to this concept.

Carried

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

Against: Councillor Young

Motion:

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

2. THEN the CRD report back to Council and also present a concept plan for an underground plant to Council.

Carried

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

Against: Councillor Young

Motion:

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

3. That Council's consideration of any approval in principle of expansion of existing waste-water facilities at Clover Point would be based on conditions including, but not limited to:
 - (1) That staff work through the Local Area Planning process to engage residents of Fairfield, Gonzales and other Victoria neighbourhoods to identify neighbourhood amenities and community amenities that would be provided to ensure the most effective integration of this project into the neighbourhood and city;
 - (2) The surface of the entire footprint of the proposed site being restored upon completion as publicly accessible parkland, with the final elevation of the parkland not to exceed the current elevation of the roadway at Dallas Road;
 - (3) The provision of a neighbourhood amenity and community amenity package to the satisfaction of the City of Victoria; and,
 - (4) Mitigation of construction impacts, including: provision for potential continuous waterfront public access around the perimeter of Clover Point from Dallas Road Park in the west to Ross Bay in the east; aesthetic features including artistically adorned hoarding; negotiation of permissible working hours; and provision around access, egress and transport to the site.
 - (5) Request the Capital Regional District to make best efforts to pursue the most cost effective option for the proposed facility

Carried

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

Motion:

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

4. All of the above is subject to land use approval by Council.

Carried Unanimously

NOTICE OF MOTIONS

Councillor Thornton-Joe withdrew from the meeting at 8:25 p.m. as her spouse works with BC Transit which creates a pecuniary conflict of interest with the following item.

1. Neighbourhood Input on Douglas Street Southbound Bus Land Implementation

Council received a report dated March 3, 2016 from Councillors Young and Isitt regarding the widening of Douglas Street between Hillside Avenue and Tolmie Avenue and concerns expressed by residents of the Burnside-Gorge neighbourhood.

Motion:

It was moved by Councillor Young, seconded by Councillor Isitt, THAT Council provide additional direction to supplement the motion of February 25, 2016 regarding the BC Transit Southbound Bus Land proposal on Douglas Street, requesting that staff and BC Transit convene a design workshop with Burnside-Gorge residents and other members of the public to explore opportunities for: (1) the retention of trees and greenspace; (2) provision for replacement trees or greenspace; (3) new pedestrian crossings along Douglas Street between Hillside Avenue and Tolmie Avenue; and (4) application of "complete streets" principles as part of this infrastructure project.

Council spoke about aspirations and challenges with creating a public transportation system with Douglas Street as transportation route, and expressed the desire to preserve the trees while developing a regional transportation plan.

Carried Unanimously

Councillor Thornton-Joe returned to the meeting at 8:35 p.m.

2. Advocacy for Reinstatement of BC Bus Pass Benefit

Councillor received a report dated March 4, 2016 from Councillors Isitt and Loveday that provided information about the removal of the benefit of a subsidized BC Bus Pass.

Motion:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council request that the Mayor, on behalf of Council, write to the Minister of Social Development and Social Innovation, copying the Premier, requesting that the BC Bus Pass benefit and Special Transportation Subsidy for people with disabilities be reinstated.

Mayor Helps noted the issue is related to a need for disability rates to be kept in line with the growth in the economy.

Councillor Isitt advised that access to food and transportation and the need for a real increase in rates needs to be communicated to the province.

Councillor Alto advised that a better approach would be in the base line structure of the rates.

Amendment:

It was moved by Mayor Helps, seconded by Councillor Thornton-Joe that Council amend the motion as follows:

And request that the BC Government consider tying income assistance and disability benefits to the growth of BC economy.

Amendment to the Amendment:

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

And request that the BC Government consider tying income assistance and disability benefits to the rate of inflation. ~~growth of BC economy~~.

Amendment to the Amendment:
DEFEATED

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

Council noted that they passed a resolution to write a letter to the Premier to review and increase the social assistance rates in BC.

On the amendment:
Defeated Unanimously

Main motion:
Carried Unanimously

BYLAWS

1. Bylaw Amendments Related to Development Permit Exemptions and Delegation - Update

Council received a report dated February 15, 2016 that provided information on proposed amendments to the Official Community Plan (OCP) and Land Use Procedures Bylaw in response to Council's motion from the meeting held November 26, 2015.

Motion:

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

1. Give first reading to Bylaw No. 16-027, Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 20).

Carried Unanimously

Motion:

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

1. Consider consultation under Section 475(2)(b) of the *Local Government Act* and determine that no referrals are necessary with the Capital Regional District Board, Councils of Oak Bay, Esquimalt and Saanich, the Songhees and Esquimalt First Nations, the School District Board, and the provincial and federal governments and their agencies due to the nature of the proposed amendments.

Carried Unanimously

Motion:

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

1. Give second reading to Bylaw No. 16-027, Official Community Plan Amendment Bylaw, 2012, Amendment Bylaw (No. 20).

Carried Unanimously

2. FIRST READING

a. Land Use Procedures Bylaw – 16-028

Motion:

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

Land Use Procedures Bylaw – 16-028

Carried Unanimously

b. Board of Variance Bylaw, Amendment Bylaw (No. 1) – 16-036

Motion:

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

Board of Variance Bylaw, Amendment Bylaw (No. 1) – 16-036

Carried Unanimously

3. SECOND READING

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

- a. *Land Use Procedures Bylaw – 16-028*
- b. *Board of Variance Bylaw, Amendment Bylaw (No. 1) – 16-036*

Carried Unanimously

4. THIRD READING

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

- a. *Board of Variance Bylaw, Amendment Bylaw (No. 1) – 16-036*

Carried Unanimously

NEW BUSINESS

To Set Public Hearings for the Meeting of Thursday, March 24, 2016:

It was moved by Councillor Alto, seconded by Councillor Loveday, that the following Public Hearings be held in Council Chambers, City Hall, on **THURSDAY, MARCH 24, 2016, at 6:30 p.m.:**

1. Development Permit with Variances No. 000404 for 701 Tyee Road
2. Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 20) – 16-027
3. Land Use Procedures Bylaw 2016, No. 16-028

Carried Unanimously

QUESTION PERIOD

A question period was held.

ADJOURNMENT

It was moved by Councillor Thornton-Joe, seconded by Councillor Coleman, that the Council meeting adjourn.
Time: 8:52 p.m.

Carried Unanimously

CERTIFIED CORRECT:

CITY CLERK

MAYOR OF THE CITY OF VICTORIA