



MINUTES – VICTORIA CITY COUNCIL

MEETING OF THURSDAY, JUNE 25, 2015, AT 7 P.M.

<u>PLACE OF MEETING:</u>	Council Chambers, City Hall
<u>PRESENT:</u>	Mayor Helps in the Chair, Councillors Coleman, Loveday, Lucas, and Madoff
<u>ABSENT:</u>	Councillors Alto, Isitt, Thornton-Joe, and Young
<u>STAFF PRESENT:</u>	J. Johnson, City Manager; B. Dellebuur, Acting Assistant Director, Transportation and Parking Services; K. Hamilton, Director, Citizen Engagement and Strategic Planning; J. Hawkins, Council Secretary; J. Jenkyns, Deputy City Manager; K. Moore, Manager, Strategic Relations & Business Development; C. Mycroft, Executive Assistant to the City Manager; C. Royle, Deputy Fire Chief; T. Soulliere, Director, Parks and Recreation; S. Thompson, Director of Finance; L. Taylor, Planner; J. Tinney, Director, Sustainable Planning and Community Development; R. Woodland, Corporate Administrator; T. Zworski, City Solicitor

APPROVAL OF AGENDA

The Corporate Administrator outlined changes to the agenda.

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

MINUTES

It was moved by Councillor Madoff, seconded by Councillor Loveday, that the Regular Council meeting minutes of June 11, 2015, be approved. Carried Unanimously

PRESENTATION OF 2014 ANNUAL REPORT

Committee received a report dated June 16, 2015 from the Director of Citizen Engagement and Strategic Planning and the Director of Finance with respect to the City of Victoria Annual Report which provides a financial overview and the accomplishments of the previous year.

Katie Hamilton (Director, Citizen Engagement and Strategic Planning): An Annual Report is required under the *Community Charter* and must be produced by June 30th of the following year. Contained within the Report are the audited financial statements, permissive tax exemptions, a report on the services and operations, a progress report on performance with respect to established measures and a statement of objectives and measures for determining the City's performance during the current year and following year. In addition to these features, the Report uses info-graphics to outline specific projects and initiatives as well as a list of services offered by Departments during 2014.

Mayor Helps asked if any members of the public had questions or comments regarding the 2014 Annual Report.

Jason Ross: Expressed concerns that the Annual Report may not be in compliance with the *Community Charter* with several elements such as the objectives and performance measures and using performance measures in reporting for the previous year; and not making the Report available 14 days in advance of the public presentation. There are no performance measurements for the objectives and you cannot cross reference between this Report and last year's Report. How is "Be Bold" a specific measurable objective?

Katie Hamilton: The *Community Charter guidelines* document is used each year when preparing the Annual Report. The spirit of the guidelines is that they are not prescriptive and it is up to each municipality to decide how they wish to show their achievements. Staff have determined gaps in performance reporting over that past few years and are working to improve upon those for the next Annual Report. The Report was released on time, but a wrong file had been posted, which was replaced within one business day of it being posted on the website.

Mayor Helps said how "Be Bold" can be measured in that it is part of the objective to "Innovate and Lead".

Jaclyn Casler: She used the info-graphics of performance measures for 2013 and tried to compare them to the 2014 measures. In 2013 there were 68 performance measures and there are only 26 measures which have been carried through to 2014. One measure lacking for 2014 is the facilities assessment, which was available in 2013. It would be nice to have consistent measures.

PROCLAMATION

It was moved by Councillor Loveday, seconded by Councillor Madoff, that the following Proclamations be endorsed:

1. "Pride Week" – June 28 – July 5 2015

Carried Unanimously

COMBINED DEVELOPMENT APPLICATION

1. 2822 ad 2826 Cedar Hill Road

1. Public Hearing - Zoning Regulation Bylaw, Amendment Bylaw (No. 1041)

To rezone the lands known as 2822 and 2826 Cedar Hill Road from the R1-B Zone, Single Family Dwelling District, to the R1-S2 Zone, Restricted Small Lot (Two Storey) District, to permit subdivision and construction of a new small lot single family dwelling.

New Zone: R1-S2 Zone, Restricted Small Lot (Two Storey) District

Legal Descriptions:

- (a) 2822 Cedar Hill Road, legally described as Parcel B (DD 170400I) of Lot 16, Sections 20 and 30, Victoria District, Plan 741, except that part thereof lying to the northeast of a straight boundary extending from a point on the southeast boundary of said Lot distant 3.17 feet from the most easterly corner of said Lot to a point on the northeasterly boundary of said Lot distant 41.79 feet from the said most easterly corner; and
- (b) 2826 Cedar Hill Road, legally described as Amended Parcel A (DD 171707I) of Lots 16 and 17, Sections 29 and 30, Victoria City, Plan 741

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

2. Hearing - Development Permit Application

The Council of the City of Victoria will also consider issuing a Development Permit for the lands known as 2822 and 2826 Cedar Hill Road, in Development Permit Area 15A: Intensive Residential – Small Lot, for the purposes of approving the exterior design and finishes for the new small lot single family dwelling as well as landscaping, and associated variances with respect to setbacks of the new small lot single family dwelling and the two existing single family dwellings.

The Development Permit will vary the following requirements of the Zoning Regulation Bylaw R1-S2 Zone, Restricted Small Lot (Two Storey) District:

Proposed Lot A

- Part 1.23(8)(c): Side yard setback from 2.4m to 0.33m
- Part 1.23(8)(c): Side yard setback from 2.4m to 1.77m
- Schedule "C" Section 12(ii): Maximum grade of a parking stall area from 8% to 13.5%.

Proposed Lot B

- Part 1.23(8)(a): Front yard setback from 6m to 3.36m
- Part 1.23(8)(c): Side yard setback from 2.4m to 1.5m
- Part 1.23(8)(c): Side yard setback from 2.4m to 1.79m.

Proposed Lot C

- Part 1.23(8)(a): Front yard setback from 6m to 4.62m
- Part 1.23(8)(c): Side yard setback from 2.4m to 1.5m
- Part 1.23(8)(c): Side yard setback from 2.4m to 1.66m
- Schedule "C" Section 12(ii): Maximum grade of a parking stall area from 8% to 14.6%.

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

Leanne Taylor (Planner): This is a rezoning application to rezone the properties located at 2822 and 2826 Cedar Hill Road to create three small lots, construct one new small lot house and retain the two existing houses.

There is a concurrent Development Permit with Variances Application. The form and character of the proposed new small lot house is consistent with the design guidelines for small lot houses. The applicant is also proposing exterior upgrades to the existing house on proposed Lot A.

The variances associated with the Development Permit are the following:

For Lot A:

1. Reducing the side yard setbacks of the existing house, and;
2. Increasing the maximum grade of a parking stall area.

For Lot B

1. Reducing the front yard setback of the new small lot house and the side yard setbacks, and;
2. Increasing the maximum grade of a parking stall area on proposed Lot B.

For Lot C:

1. Reducing the front yard setback of the existing house, and;
2. Reducing the side yard setbacks.

Cam Brown (Applicant): Provided a PowerPoint presentation regarding the proposal located at 2822 and 2826 Cedar Hill Road to create three small lots where currently two single family dwellings are located. The sightlines and finishes are complimentary to the other structures in the neighbourhood. The City will get a road dedication along the front of all three lots, which causes several of the variances. Some of the landscaping designs arose from the Community meeting as the neighbour at 2830 Cedar Hill expressed concerns of vehicles lights and dust and air quality issues from vehicles on the driveway and lawn mowing. The driveway has been located as far as possible from the shared property line, there will be ten six-foot cedar trees planted along the property line and pavers rather than grass will be used between the two houses.

Richard Christian (Cedar Hill Road): Expressed concerns about the driveway for the house to be located at 2826 Cedar Hill as currently the fumes from the lawn mower enter his son's bedroom window and if a vehicles back into the driveway, the fumes will go towards his son's bedroom window.

Mayor Helps asked what has been done to mitigate the concerns of the neighbour.

Cam Brown: Knowing the concerns of his neighbour he researched with VIHA and the CRD which have a new complaint driven system, so if the adjacent neighbour has a truck idling for more than three minutes then the owner of 2830 can call and someone will respond. There will also be paving blocks between the houses to prevent lawn mowing and they have pushed the driveway as far away as possible from 2830 Cedar Hill Road.

Mayor Helps closed the public hearing at 7:30 p.m.

3. Bylaw Approval

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

Zoning Regulation Bylaw, Amendment Bylaw (No. 1041)

Councillor Madoff said that she supports the proposal and is sorry there is a concern from the adjacent neighbour which can be dealt with as there will be less grass between the houses requiring mowing. This meets the spirit and intent of a small lot zone and variances are mostly due to the roadway right-of-way and are also internal to the site.

Carried Unanimously

4. Bylaw Approval:

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

Zoning Regulation Bylaw, Amendment Bylaw (No. 1041)

Carried Unanimously

5. Application Approval:

It was moved by Councillor Coleman, seconded by Councillor Madoff, that Council authorize the issuance of Development Permit with Variances Application No. 00467 for 2822 and 2826 Cedar Hill Road, in accordance with:

1. Plans date stamped March 31, 2015,
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - a. Part 1.23(8)(c): Reduce the side yard setback of proposed Lot A from 2.4m to 0.33m.
 - b. Part 1.23(8)(c): Reduce the side yard setback of proposed Lot A from 2.4m to 1.77m.
 - c. Part 1.23(8)(a): Reduce the front yard setback of proposed Lot B from 6m to 3.36m.
 - d. Part 1.23(8)(c): Reduce the side yard setback of proposed Lot B from 2.4m to 1.5m.
 - e. Part 1.23(8)(c): Reduce the side yard setback of proposed Lot B from 2.4m to 1.79m.
 - f. Part 1.23(8)(a): Reduce the front yard setback of proposed Lot C from 6m to 4.62m.
 - g. Part 1.23(8)(c): Reduce the side yard setback of proposed Lot C from 2.4m to 1.5m.
 - h. Part 1.23(8)(c): Reduce the side yard setback of proposed Lot C from 2.4m to 1.66m.
 - i. Schedule "C" Section 12(ii): Increase the maximum grade of a parking stall area on proposed Lot A from 8% to 13.5%.
 - j. Schedule "C" Section 12(ii): Increase the maximum grade of a parking stall area on proposed Lot B from 8% to 14.6%.

3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director, Development Services Division, Sustainable Planning and Community Development. Carried Unanimously

DEVELOPMENT PERMIT WITH VARIANCES APPLICATION

1. 195 Bay Street

1. Hearing - Development Permit with Variances No. 000421

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 195 Bay Street, in Development Permit Area 13: Core Songhees, for purposes of approving the exterior design and finishes of the proposed deck and enclosed storage room for the Leonardo Da Vinci Centre as well as landscaping, and associated variances with respect to setbacks.

The Development Permit will vary the following requirements of the Zoning Regulation Bylaw SSC Zone, Songhees Social Club District:

- Part 10.28, Section 3: Reduce the minimum setback of the eastern internal boundary from 5m to 4.10m and on the southern internal boundary from 5m to 3.6m.

Legal Description of the Land: Lot 1, District Lot 119, Esquimalt District, Plan 45914

Mayor Helps opened the public hearing at 7:33 p.m.

Leanne Taylor (Planner): This is a Development Permit with Variances application for the property located at 195 Bay Street. The proposal is to construct a deck and an enclosed storage room on the south side of the Leonardo Da Vinci Centre. The applicant is requesting two variances to facilitate these two additions:

- Reducing the side yard setback, and;
- Reducing the rear yard setback.

The matter before Council is the supportability of the construction of the proposed deck and enclosed storage room, and the setback variances.

Keith Barbon (Treasurer, Leonardo Da Vinci Centre): Provided a PowerPoint presentation regarding the proposal for 195 Bay Street to construct a deck and enclosed storage room on the south side of the building. There are no adjacent neighbours and the deck addition will be facing the park. The reason for this construction is to store all the tables and chairs they require for events they host. The current area where these are stored would be converted to an accessible washroom. While adding the new storage they felt it would be good to add a deck. The deck has been designed around the two trees on the property.

Jaclyn Casler (Resident of Vic West): Asked what the immediate park use is that is closest to the proposed deck.

Keith Barbon: There is nothing in the immediate area, but there is a small swing set and play area further south.

Mayor Helps closed the public hearing at 7:40 p.m.

2. Application Approval:

It was moved by Councillor Loveday, seconded by Councillor Coleman, that Council consider authorizing the issuance of Development Permit with Variances Application No. 00421 for 195 Bay Street, in accordance with:

1. Plans date stamped May 4, 2015.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - a. Part 10.28, Section 3: Reduce the minimum setback of the eastern internal boundary from 5m to 4.10m and on the southern internal boundary from 5m to 3.6m.
3. The Development Permit lapsing two years from the date of this resolution.

Councillor Madoff said that she supports the proposal. The only inquiry she received was if the variances were supported, would they run with the land should the building be demolished? The answer was that the property would go back to what the existing zoning allows. The proposed change will provide an improved appearance.

Councillor Loveday said that he is happy to support it as it is a win-win situation as it will make the edge of the park look nicer and will hopefully provide more opportunities for the Centre.

Carried Unanimously

HERITAGE DESIGNATION

1. 624 Battery Street

1. Public Hearing - Heritage Designation Application No. 000144

Under the provisions of the *Local Government Act*, the City of Victoria intends to designate the exterior of the building located at 624 Battery Street, legally described as Lot 18, Beckley Farm, Victoria City, Plan 248, as protected heritage property, under Heritage Designation (624 Battery Street) Bylaw No. 15-046.

Mayor Helps opened the public hearing at 7:42 p.m.

Leanne Taylor (Planner): This is a Heritage Designation Application for the property located at 624 Battery Street. The house is currently on the City of Victoria's Register of Heritage Properties. The application for designation is consistent with relevant City policies.

No members of the public addressed the hearing.

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

3. Bylaw Approval

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

Heritage Designation (624 Battery Street) Bylaw

Carried Unanimously

4. Bylaw Approval:

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

Heritage Designation (624 Battery Street) Bylaw

Carried Unanimously

HEARINGS – REQUESTS TO ADDRESS COUNCIL

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

Carried Unanimously

1. Cynthia Carter, HepC BC Hepatitis C Education and Society, re: Hepatitis C in Victoria

Provided a PowerPoint about HepC and requested three things of Council:

- To have a picture taken holding their bus ad;
- Proclaim July 28th as World Hepatitis Day, and;
- To be publically tested for Hepatitis C.

2. Kai Yates, Johnny Maricos; Victoria Pet Food Bank & Feral Cat Rehabilitation Society, known as Safars, re: Micro-houses & Solution for Pets

Provided a PowerPoint about their organization and the Boneless Project which is to help pet owners living on the streets. They are proposing a service agreement for them to provide shelters and fenced areas for pets in the proposed micro-village.

Mayor Helps suggested they contact the people developing the micro-housing village.

3. Jason Grenier, Divest Victoria, re: Investment of Municipal Funds

Many harms are performed by the resource extraction and fossil fuels industries. He is requesting Council to invest municipal funds in a socially and ecologically responsible manner. Many others already have started to divest, for example, the Rockefellers announced that they are divesting \$50 billion from fossil fuels over the next five years. What to invest in? Clean energy will attract \$5.5 trillion in investment from now and 2030. Even some fossil free investment portfolios have links to fossil fuels. The City, should they choose to divest, may find it hard to find a true green investment solution, but that should not discourage you from divesting.

UNFINISHED BUSINESS

1. 2014 Annual Report

It was moved by Councillor Coleman, seconded by Councillor Loveday, that the 2014 Annual Report be received.

Carried Unanimously

2. Rezoning Application No. 00421 for 1315 Richardson Street

Council received a report dated June 4, 2015 from the Sustainable Planning and Community Development Department updating Council on the status of conditions set by Council for this application, and to recommend the application proceed to public hearing. The application is to permit a one-and-a-half storey garden suite.

Motion:

It was moved by Councillor Madoff, seconded by Councillor Coleman, that Council receive the report for information and that the Rezoning Application proceed to a public hearing in accordance with Council's resolution of October 23, 2014.

Mayor Helps asked if the statutory right-of-way is standard and why it has taken so long.

Alison Meyer (Assistant Director, Sustainable Planning and Community Development): The amount of the right-of-way depends upon the size of the road, so each application is different. The delay arose from the applicant getting his lender to sign the Agreement.

Carried Unanimously

3. Development Permit with Variances Application No. 000401 for 1046 North Park

Council received a report dated June 11, 2015 from the Sustainable Planning and Community Development Department updating Council on the status of conditions set by Council for this application, and to recommend the application proceed to public hearing. The application is to permit a six unit residential building.

Motion:

It was moved by Councillor Coleman, seconded by Councillor Lucas, that the April 16, 2015 motion be amended as follows:

"That Council authorize the issuance of Development Permit with Variances Application #000401 for 1046 North Park Street, in accordance with:

1. Plans date stamped March 17, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Part 4.6.2 (8): Relaxation to permit one parking space to be located in the front of the building;
 - ii. Schedule C - Off-street Parking (7.2)(b): Relaxation to permit one parking space to be located at 0m from a street;
 - iii. Schedule C - Off-street Parking (A)(11)(c): Reduction from 1.3 parking spaces per rental attached dwelling (8 parking spaces) to 0 parking spaces per rental attached dwelling (0 parking spaces).
 - iv. **Schedule F, Section 4(a): reduce the rear yard setback of an accessory building from 0.6m to 0m**
 - v. **Schedule F, Section 4(b): reduce the side yard setback of an accessory building from 0.6m to 0m**
 - vi. **Schedule F, Section 4(d): reduce the separation space between an accessory building and the principal building from 2.4m to 1.94m.**
3. That Council direct staff to give notice and set a meeting to allow an opportunity for public comment for Development Permit with Variances Application No. 000401 for 1046 North Park Street.
4. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director, Development Services Division, Sustainable Planning and Community Development."

Carried Unanimously

4. Utility Retroactive Adjustments Bylaw Amendments

Council received a report dated June 11, 2015 from the Finance Department informing Council about a draft bylaw that implements the direction given by Council July 10, 2014 to institute a refund mechanism for overbilled accounts and a fee for the activation or deactivation of a water meter.

Motion:

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council Adopt *Waterworks Bylaw, Amendment Bylaw (No. 9)*.

Carried Unanimously

5. Reserve Fund Bylaw

Council received a report dated June 8, 2015 from the Director of Finance informing Council about a draft bylaw that responds to Council's direction of March 10, 2015 to restructure the City's Reserve Funds.

Motion:

It was moved by Councillor Coleman, seconded by Councillor Loveday, that Council adopt the proposed Reserve Fund Bylaw.

Mayor Helps asked when staff will bring forward the targets for each Reserve Fund.

Susanne Thompson (Director of Finance): The condition assessment of our facilities is scheduled to be complete in October. As soon as those numbers are available staff can do the calculation and then bring the targets back to Council.

Carried Unanimously

6. Recreation Fees

Council received a report dated June 10, 2015 from the Director of Parks and Recreation informing Council about a draft bylaw that responds to Council's direction of May 21, 2015 to bring into effect a 1% fee increase, with exceptions.

Motion:

It was moved by Councillor Coleman, seconded by Councillor Madoff, that Council adopt the proposed Recreation Fees Bylaw, Amendment Bylaw (No. 9).

Carried Unanimously

REPORTS OF THE COMMITTEES

1. Governance and Priorities Committee – June 18, 2015

1. Motion – Walk on Week – October 5 - 11, 2015

It was moved by Councillor Coleman, seconded by Councillor Loveday, that Council agrees to co-sponsor on an in-kind basis the launch of Walk On Week (WOW) on Monday, October 5 with Walk On, Victoria, including support with logistics, publicity and use of Centennial Square and encouragement to City staff, Council members, residents and businesses to participate in the launch and in other Walk On Week events. Carried Unanimously

2. Proposed Next Steps Regarding a Potential James Bay Neighbourhood Library Branch

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

1. Request that the Greater Victoria Public Library Board notify the City, after completion of its strategic planning process in September 2015, with the preferred option for a James Bay Neighbourhood Library Branch.
2. Direct staff to incorporate the Greater Victoria Public Library Board's preferred option for a James Bay Neighbourhood Library branch into the 2016 financial planning process and associated public consultation. Carried Unanimously

3. Lessons Learned from the 2015 Financial Plan Process & Proposed 2016 Financial Plan Process

It was moved by Councillor Loveday, seconded by Councillor Coleman, that Council endorse the proposed approach for the 2016 financial planning process as outlined in the report dated June 5, 2015.

Councillor Loveday said that there is a lot of overlap and opportunity with the development of the youth engagement strategy and participatory budgeting.

Mayor Helps asked about the motion that was directing staff to come up with some measures for the strategic objectives?

Katie Hamilton (Director Citizen Engagement and Strategic Planning): It was passed at the previous meeting associated with the Quarterly Report.

Carried Unanimously

2. Planning and Land Use Committee – June 25, 2015

1. Rezoning Application No. 00476 for 1040 Moss Street (Art Gallery of Greater Victoria)

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00476 for 1040 Moss Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Applicant to further consider if refinements to the form and massing of the addition could improve visibility of the upper storey of Spencer Mansion, from Moss Street, while enabling the upper floor of the expanded gallery to function as exhibition space.
2. Further revisions to the proposed Statement of Significance for Spencer Mansion, to the satisfaction of staff.
3. Referral of Rezoning Application No. 00476 to the Advisory Design Panel and the Heritage Advisory Panel.
4. Removal of the existing Land Use Contract that is registered on the property title.
5. Registration of a Section 219 Covenant to secure the details for design and heritage alterations to the satisfaction of staff.
6. Applicant to explore the feasibility of securing access to surplus parking spaces on nearby properties and through legal agreements. Carried Unanimously

2. Development Permit with Variances Application No. 000388 for 80 Saghalie Road

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

“That Council authorize the issuance of Development Permit with Variances Application No. 000388 for 80 Saghalie Road in accordance with:

1. Plans date stamped March 13, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Part 10.42.27 - Increase the allowable maximum floor area for Commercial use from 190.00m² to 938.40m²;
 - b. Part 10.42.31 - Reduce the minimum required open site space from 50% to 45%;
 - c. Part 10.42.32 - Allow commercial uses on all floors rather than only the ground floor;
 - d. Part 10.42.34 (a) - Allow required parking to be located on-site rather than being enclosed;
 - e. Schedule C, Section C(5) - Reduce the required number of parking stalls from 14 to 8.
3. Register a legal agreement on title to limit the commercial use of the buildings and guarantee the future removal of the trailers within 15 to 20 years to the satisfaction of staff.

4. Final plans in to be accordance with the plans identified above the satisfaction of the staff."
Carried Unanimously

3. **Heritage Alteration Permit Application Nos. 00198, 00199 and 00200 for 521, 539, and 545 Superior Street**

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council authorize the issuance of Heritage Alteration Permit Applications Nos. 00198, 00199 and 00200 for 521, 539 and 545 Superior Street, respectively, in accordance with:

1. Plans date stamped February 18, 2015.
 2. Development meeting all *Zoning Regulation Bylaw* requirements.
 3. Final plans to be generally in accordance with plans identified above as amended to the satisfaction of the Assistant Director, Community Planning, prior to the issuance of a Building Permit."
- Carried Unanimously

4. **Heritage Alteration Permit Application No. 00196 for 1202 / 1208 Wharf Street**

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council authorize the issuance of Heritage Alteration Permit Application No. 00196 for 1202 / 1208 Wharf Street, in accordance with:

1. Revised Plans date stamped June 4, 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, Community Planning.
- Carried Unanimously

5. **Zoning Regulation Bylaw Improvement Project – Phase 2**

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set in order to:

1. Add definitions of "finished grade" and "natural grade".
 2. Amend the definitions of "site coverage" and "setbacks" and the applicable low density residential zones to include a requirement that raised-building features greater than 0.6m in height are subject to site coverage and setback regulations.
- Carried Unanimously

6. **Rezoning Application No. 00381 and Development Permit Application No. 0003851 for 1002, 1008-1012 Pandora Avenue (St. Andrew's School)**

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

1. Rescind third reading of Housing Agreement (1002-1008, 1012 Pandora Avenue) Bylaw No. 14-69.
 2. That Council amend the Housing Agreement (1002-1008, 1012 Pandora Avenue) Bylaw No. 14-069 by replacing the amended Schedule A that secures 11 non-market rental units.
 3. That Council give third reading of Housing Agreement (1002-1008, 1012 Pandora Avenue) Bylaw No. 14-069 with an amended Schedule A that secures 11 non-market rental units.
 4. That Council refer the Rezoning Application No. 00381 for consideration at a Public Hearing.
 5. Following consideration of Rezoning Application No. 00381, that Council approve a Development Permit for 1002, 1008-1012 Pandora Avenue, in accordance with:
 - a. Plans for Rezoning Application No. 00381 and Development Permit Application No. 000351, stamped June 8, 2015;
 - b. Development meeting all Zoning Regulation Bylaw requirements;
 - c. The Development Permit lapsing two years from the date of this resolution.
 6. That Council authorize staff to execute an Encroachment Agreement for a fee of \$750 plus \$25 per m2 of exposed shored face during construction, in a form satisfactory to staff. This is to accommodate shoring for construction of the underground parking structure at the property line.
- Carried

For: *Mayor Helps, Councillors Coleman, Loveday and Lucas*

Against: *Councillor Madoff*

MOTIONS

1. **To Set Public Hearings for the Council Meeting of Thursday, July 9, 2015 for:**

It was moved by Councillor Madoff, seconded by Councillor Loveday, that the following Public Hearings be held in Council Chambers, City Hall, on **THURSDAY, JULY 9, 2015, at 7:00 p.m.:**

1. Rezoning Application No. 00451 for 1049 Richmond Avenue
2. Rezoning Application No. 00477 for 819 Yates Street
3. Development Permit with Variances Application No. 000401 for 1046 North Park Street
4. Development Permit with Variances Application No. 000390 for 1555 Jubilee Avenue
5. Development Permit with Variances Application No. 000422 for 1143 Grant Street
6. Development Permit with Variances Application No. 000411 for 1990 Fort Street

Carried Unanimously

BYLAWS

1. FIRST READING

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

Zoning Regulation Bylaw, Amendment Bylaw (No. 1043)

The purpose of this bylaw is to authorize increased density and to authorize secure bicycle storage for 819 Yates Street.

Waterworks Bylaw, Amendment Bylaw (No. 9)

The purpose of this bylaw is to authorize a fee for water meter activation and deactivation, and to provide a mechanism to refund overbilled accounts.

Reserve Fund Bylaw

The purpose of this bylaw is to restructure the City's Reserve Funds.

Housing Agreement (819 Yates Street) Bylaw

The purpose of this bylaw is to authorize amendments to the Housing Agreement for 819 Yates Street.

Recreation Fees Bylaw, Amendment Bylaw (No. 9)

The purpose of this bylaw is to revise the fees for the use of recreation facilities.

Carried Unanimously

2. SECOND READING

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

Zoning Regulation Bylaw, Amendment Bylaw (No. 1043)

Waterworks Bylaw, Amendment Bylaw (No. 9)

Reserve Fund Bylaw

Housing Agreement (819 Yates Street) Bylaw

Recreation Fees Bylaw, Amendment Bylaw (No. 9)

Carried Unanimously

3. THIRD READING

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

Waterworks Bylaw, Amendment Bylaw (No. 9)

Reserve Fund Bylaw

Housing Agreement (819 Yates Street) Bylaw

Recreation Fees Bylaw, Amendment Bylaw (No. 9)

Carried Unanimously

4. ADOPTION

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

Housing Agreement (960-962 Yates Street) Bylaw

The purpose of this bylaw is to authorize an agreement for rental housing for 960-962 Yates Street

Carried Unanimously

QUESTION PERIOD

A question period was held.

CLOSED MEETING

It was moved by Councillor Coleman, seconded by Councillor Madoff, that Council convene a closed meeting that excludes the public under Section 12(6) of the Council Bylaw for the reason that the following agenda items deal with matters specified in Sections 12(3) and/or (4) of the Council Bylaw; namely:

- Section 12(3)(a)** - Personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the City or another position appointed by the City.
- Section 12(3)(e)** - The acquisition, disposition or expropriation of land and/or improvements, if the Council considers that disclosure might reasonably be expected to harm the interests of the City.
- Section 12(3)(i)** - The receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
- Section 12(3)(k)** - Negotiations and related discussions respecting the proposed provision of a City 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.

ADJOURNMENT

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

Time: 9:15 p.m.

Carried Unanimously

CERTIFIED CORRECT:

CORPORATE ADMINISTRATOR

MAYOR OF THE CITY OF VICTORIA