

**MINUTES OF THE
COMMITTEE OF THE WHOLE MEETING
HELD THURSDAY, FEBRUARY 22, 2018, 9:00 A.M.**

1. THE CHAIR CALLED THE MEETING TO ORDER AT 9:00 A.M.

Committee Members Present: Mayor Helps (Chair), Councillors Alto, Coleman, Loveday, Madoff, Thornton-Joe, and Young

Absent for a portion of the meeting:

Councillor Isitt and Lucas

Staff Present:

J. Jenkyns – Acting City Manager; C. Coates – City Clerk; P. Bruce – Fire Chief; S. Thompson – Director of Finance; J. Jensen – Head of Human Resources; J. Tinney – Director of Sustainable Planning & Community Development; N. Sidhu – Assistant Director of Parks, Recreation, & Facilities; F. Work – Director of Engineering & Public Works; B. Eisenhower – Head of Engagement; C. Mycroft – Manager of Executive Operations; A. K. Ferguson – Recording Secretary

2. APPROVAL OF AGENDA

Motion: It was moved by Councillor Alto, seconded by Councillor Coleman, that the Agenda of the February 22, 2018, Committee of the Whole meeting be approved.

Amendment: It was moved by Councillor Alto, seconded by Councillor Loveday, that the Agenda of the February 22, 2018, Committee of the Whole meeting be amended as follows:

Consent Agenda:

Item No. 7 – Commentary on the CRD Proposed Transportation Service Bylaw

Item No. 8 – Advocacy and Local Action for Treatment and Recovery for People with Addiction

Item No. 9 – Attendance at Association of Vancouver Island and Coastal Communities (AVICC) Conference

Item No. 10 – Follow up on Council Motion re: Human Rights and Non-Discrimination

On the amendment:
CARRIED UNANIMOUSLY 18/COTW

Main motion as amended:

That the Agenda of the February 22, 2018 Committee of the Whole Meeting be approved with the following amendments:

Consent Agenda:

Item No. 7 – Commentary on the CRD Proposed Transportation Service Bylaw

Item No. 8 – Advocacy and Local Action for Treatment and Recovery for People with Addiction

Item No. 9 – Attendance at Association of Vancouver Island and Coastal Communities (AVICC) Conference

Item No. 10 – Follow up on Council Motion re: Human Rights and Non-Discrimination

On the main motion as amended:
CARRIED UNANIMOUSLY 18/COTW

3. CONSENT AGENDA

Motion: It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that the following items be approved without further debate:

3.1 Commentary on the CRD Proposed Transportation Service Bylaw

Committee received a report dated February 20, 2018, from the Director of Engineering and Public Works outlining the City of Victoria transportation considerations regarding the proposed Transportation Establishment Bylaw (4093).

Motion: It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that Council receive this report for information and consider the risks and uncertainties associated with the bylaw's lack of clarity, roles and responsibilities as well as the important absence of BC Transit and Provincial transportation membership, which impair the CRD's ability to influence some of the most important regional transportation challenges.

CARRIED UNANIMOUSLY 18/COTW

3.2 Advocacy and Local Action for Treatment and Recovery for People with Addiction

Committee received a Council member motion dated February 13, 2018 from Councillor Loveday regarding recommendations for advocacy and local action for treatment and recovery options.

Motion: It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that Council request that the Mayor write to the Minister of Mental Health and Addictions requesting that the Province open publicly funded and financially accessible treatment and recovery rooms and facilities on lower Vancouver

Island. And That Council direct staff to report back with options for allowing sober housing for people in recovery within residential zones.

CARRIED UNANIMOUSLY 18/COTW

3.3 Attendance at Association of Vancouver Island and Coastal Communities (AVICC) Conference

Committee received a Council member motion dated February 13, 2018 from Councillor Isitt regarding a request to attend the AVICC Conference, April 13 to 15, 2018.

Motion: It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that Council authorize the attendance and associated costs for Councillor Isitt to attend the AVICC conference to be held in Victoria, April 13 to 15, 2018. The approximate cost for attending is: Registration \$320.25 & Incidentals \$50.00 - Approximate Cost \$370.25.

CARRIED UNANIMOUSLY 18/COTW

3.4 Follow up on Council Motion re: Human Rights and Non-discrimination

Committee received a Council member motion dated February 16, 2018 from Mayor Helps, Councillors Alto and Loveday regarding recommendations for proposed policy positions for human rights and non-discrimination.

Motion: It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that Council adopt the policy position, actions and materials laid out in the Appendices to this report.

CARRIED UNANIMOUSLY 18/COTW

4. UNFINISHED BUSINESS

4.1 Council Member Report: Proposed Animal Control Bylaw Amendments

Committee received a report dated February 19, 2018, from Councillor Thornton-Joe regarding further information being provided to Council following the February 15, 2018 Committee of the Whole.

Councillor Isitt joined the meeting at 9:03 am

Committee discussed:

- Concerns with the amendments to the bylaw not being in the Strategic Plan.

Committee requested that each item of the bylaw be discussed separately.

Motion: It was moved by Councillor Thornton-Joe, seconded by Councillor Loveday,
1. Change the name of our bylaw from Animal Control Bylaw to Victoria Animal Responsibility Bylaw.

Committee discussed:

- Concerns with the issues not being put forward by staff.

Motion to postpone:

Moved by Councillor Isitt, that consideration of this be postponed until receipt of advice from the Urban Food Table regarding the proposed amendments to the bylaw.

On the motion to postpone:

Failed due to no seconder 18/COTW

On the main motion:

CARRIED UNANIMOUSLY 18/COTW

Motion:

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

2. Under Section 12 of the City of Victoria Animal Control Bylaw Page 7 under Tying Animals, change our wording from:

12 (1) A person must not hitch, tie or fasten an animal to a fixed object by a rope, chain or cord that is directly tied around the animal's neck or to a choke collar.

12(2) A person must not hitch, tie or fasten an animal to a fixed object as the primary means of confinement for an extended period of time.

To wording in Surrey bylaw 44:

44. No Owner shall cause, permit, or allow a Dog:

(a) to be hitched, tied, or fastened to a fixed object in such a way that the Dog is able to leave the boundaries of the Owners property;

(b) to be hitched, tied, or fastened to a fixed object where a Choke Collar forms part of the securing apparatus, or where a rope or cord is tied directly around the Dog's neck;

or be tethered other than with a collar that is properly fitted to that Dog and attached in a manner that will not injure the Dog or enable the Dog to injure itself by pulling on the tether;

(c) to be hitched, tied, or fastened to a fixed object except with a tether of sufficient length to enable the full and unrestricted movement of the Dog;

(d) to be hitched, tied, or fastened to a fixed object unattended at any time; or

(e) to be hitched, tied, or fastened to a fixed object for longer than four (4) hours within a 24 hour period.

Councillor Lucas joined the meeting at 9:20 am

Committee discussed:

- Whether Animal Control has been contacted regarding the amendments

Motion to Postpone:

It was moved by Councillor Isitt, that consideration of the motion be postponed for one week to allow for information to be received from Animal Control.

On the motion to postpone:
Failed due to no seconder 18/COTW

On the main motion:
CARRIED UNANIMOUSLY 18/COTW

Motion: It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that Council approve to:
Add a section called:
Limit on Pets
No person shall keep or allow to be kept on any real property more than a total of six (6) cats and dogs over the age of twelve (12) weeks, and a reasonable number of small and aquatic animals, unless they are a licensee, community cat caregiver, veterinary clinic or animal shelter.

Amendment: It was moved by Councillor Isitt, seconded by Mayor Helps, that the motion be amended as follows:
Add a section called:
Limit on Pets
No person shall keep or allow to be kept on any real property more than a total of six (6) cats and dogs over the age of twelve (12) weeks, and a reasonable number of small and aquatic animals, unless they are a licensee, ~~community cat caregiver~~, veterinary clinic or animal shelter.

On the amendment:
DEFEATED 18/COTW

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

Committee discussed:

- Ensuring that the definitions are well defined.

On the main motion:
CARRIED UNANIMOUSLY 18/COTW

Motion: It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that Council approve:
If a person is providing temporary care for more than a total of six (6) cats and dogs over the age of twelve (12) weeks, they shall notify the animal bylaw officer with the number and species of animals, reason and estimated length of time they will be providing care.

CARRIED UNANIMOUSLY 18/COTW

Motion: It was moved by Councillor Thornton-Joe, seconded Councillor Young, that Council approve:
Limit on Pets:
No person shall keep, or allow to be kept on a Lot:
a. More than twelve (12) rabbits

- b. More than four (4) guinea pigs
- c. Any ungulate
- d. Mink or chinchilla.

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

Limit on Pets:

No person shall keep, or allow to be kept on a Lot:

- a. More than ~~twelve (12)~~ **four (4)** rabbits
- b. More than four (4) guinea pigs
- c. Any ungulate
- d. Mink or chinchilla.

Amendment to the amendment:

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

Limit on Pets:

No person shall keep, or allow to be kept on a Lot:

- a. More than ~~twelve (12)~~ **four (4)** rabbits **older than twelve (12) weeks.**
- b. More than four (4) guinea pigs
- c. Any ungulate
- d. Mink or chinchilla.

On the amendment to the amendment:
CARRIED UNANIMOUSLY 18/COTW

On the amendment:
CARRIED UNANIMOUSLY 18/COTW

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

Limit on Pets:

No person shall keep, or allow to be kept on a Lot:

- a. More than four (4) rabbits older than twelve (12) weeks.
- b. More than four (4) guinea pigs **older than twelve (12) weeks.**
- c. Any ungulate
- d. Mink or chinchilla.

On the amendment:
CARRIED UNANIMOUSLY 18/COTW

On the main motion:
CARRIED 18/COTW

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

Against: Councillor Loveday

Mayor Helps withdrew from the meeting at 9:53 a.m. due to a potential non-pecuniary conflict of interest with the following item, due to owning three hens.

Councillor Madoff assumed the Chair in her absence.

Motion: It was moved by Councillor Isitt, seconded by Councillor Young, that Council approve:

Limit on Pets:

No person shall keep, or allow to be kept on a Lot:

- a. More than four (4) rabbits older than twelve (12) weeks.
- b. More than four (4) guinea pigs older than twelve (12) weeks.
- c. Any ungulate
- d. Mink or chinchilla.
- e. any poultry or roosters other than up to twelve (12) hens.**

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

Limit on Pets:

No person shall keep, or allow to be kept on a Lot:

- e. More than four (4) rabbits older than twelve (12) weeks.
- f. More than four (4) guinea pigs older than twelve (12) weeks.
- g. Any ungulate
- h. Mink or chinchilla.
- ~~e. any poultry or roosters other~~ **more than up to twelve (12) hens.**
- f. any roosters**

On the amendment:
CARRIED UNANIMOUSLY 18/COTW

On the main motion:
CARRIED UNANIMOUSLY 18/COTW

Mayor Helps returned at 10:09 a.m. and assumed the Chair.

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

Add in our bylaw the definition for an aggressive dog, a dangerous dog and a vicious dog.

“Aggressive Dog” means a Dog that:

- a. Has without justifiable provocation displayed Aggressive Behavior towards a person or animal; or
- b. Has without justifiable provocation caused a minor injury to a person or animal.

“Dangerous Dog” means a Dog that:

- a. Has killed or seriously injured a person;
- b. Has killed or seriously injured an animal, while in a public place or while on private property, other than property owned or occupied by the person responsible for the dog;
- c. Has previously been deemed a vicious dog and has since attached or caused injury to a person or animal after being deemed a vicious dog; or
- d. As defined in the Community Charter S.B.C. 2003c.26, as amended.

“Vicious Dog” means a dog that:

- a. Has without justifiable provocation caused a serious injury to a person or animal; or
- b. Has a known propensity, tendency or disposition to attack without justifiable provocation; or
- c. Has on more than one occasion caused a minor injury to a person or animal; or
- d. Has while running at large, aggressively pursued or harassed a person without justifiable provocation or has demonstrated a propensity, tendency or disposition to do so as deemed by and Animal Control Officer or Animal Shelter Manager.

And add in our Animal Control Bylaw in Section 5 on Dangerous Dogs (Page 12).

CARRIED UNANIMOUSLY 18/COTW

Motion:

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

In our Animal Control Bylaw under Part 3-Animal Welfare add a section titled Animal Cruelty

48. Notwithstanding any other provision of this bylaw, no person shall:
 - a. abandon an animal
 - b. tease, torment, or provoke and animal;
 - c. cause, permit or allow an animal to suffer, or
 - d. train or allow any animal to fight.

CARRIED UNANIMOUSLY 18/COTW

Motion:

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

And under our Outdoor Shelter Requirements in section 10, change the wording to:

10. Outdoor Shelter Requirements:

1. A person responsible for an animal shall ensure that the animal has protection from all the elements;
2. No person responsible for an animal shall permit the animal to suffer from hyperthermia, hypothermia, dehydration, discomfort, or exertion causing unnecessary pain, suffering or injury.

CARRIED UNANIMOUSLY 18/COTW

Mayor Helps withdrew from the meeting at 10:17 a.m. due to a potential non-pecuniary conflict of interest with the following item, due to owning three hens.

Councillor Madoff assumed the Chair in her absence.

Motion:

It was moved by Councillor Isitt, seconded by Councillor Young, that Council approve:

Keeping of Urban Hens:

- 4.1 be a resident of the property where the hens are kept;

Motion to Refer:

It was moved by Councillor Loveday, seconded by Councillor Thornton-Joe, that Council refer all bylaw amendments regarding to beekeeping and urban chickens to the Urban Food Table, Capital City Beekeepers and other stakeholders.

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

Refer all bylaw amendments regarding to beekeeping and urban chickens to the Urban Food Table, Capital City Beekeepers and other stakeholders, **after staff have reported back at our next quarterly update with resource implications.**

Amendment to the amendment:

It was moved by Councillor Isitt, that the amendment be amended as follows: Refer all bylaw amendments regarding to beekeeping and urban chickens to the Urban Food Table, Capital City Beekeepers and other stakeholders, **after staff have reported back at our next quarterly update with resource implications.**

On the amendment to the amendment:
Failed due to no seconder 18/COTW

Amendment to the amendment:

It was moved by Councillor Thornton-Joe, seconded by Councillor Madoff, that the amendment be amended as follows: Refer all bylaw amendments regarding to beekeeping and urban chickens to the Urban Food Table, Capital City Beekeepers and other stakeholders, **after staff have reported back at our next quarterly update as soon as possible with resource implications.**

On the amendment to the amendment:
DEFEATED 18/COTW

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

On the amendment:
DEFEATED UNANIMOUSLY 18/COTW

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

Refer the issue of chickens and beekeeping to staff to look at the resource implications of reviewing our current bylaws.

On the amendment:
DEFEATED UNANIMOUSLY 18/COTW

On the main motion to refer:
DEFEATED UNANIMOUSLY 18/COTW

Motion to refer:

It was moved by Councillor Isitt, that the existing bylaw and proposed revisions be referred to the Urban food Table and the Capital City Beekeepers for comment in conjunction with staff drafting the bylaw.

Failed due to no seconder 18/COTW

Motion to refer:

It was moved by Councilor Madoff, seconded by Councillor Thornton-Joe, that Council refer the proposed bylaw amendments regarding beekeeping and urban chickens to the Urban Food Table.

Amendment: It was moved by Councillor Loveday, seconded by Councillor Thornton-Joe, that the motion be amended as follows:
Refer the proposed bylaw amendments regarding beekeeping and urban chickens to the Urban Food Table **and Capital City beekeeping.**

On the amendment:
CARRIED 18/COTW

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

Against: Councillor Isitt

Amendment: It was moved by Councillor Loveday, seconded by Councillor Isitt, that the motion be amended as follows:
Refer the proposed bylaw amendments ~~regarding beekeeping and urban chickens~~ to the Urban Food Table and Capital City beekeeping.

On the amendment:
DEFEATED 18/COTW

For: Councillor Isitt and Loveday

Against: Councillors Alto, Coleman, Lucas, Madoff, Thornton-Joe, and Young

Amendment: It was moved by Councillor Loveday, seconded by Councillor Isitt, that the motion be amended as follows:
Refer the ~~proposed~~ **BCSPCA Animal Responsibility** Bylaw amendments to the Urban Food Table and to the Capital City Beekeeping.

Amendment to the amendment:

It was moved by Councillor Thornton-Joe, seconded by Councillor Loveday, that the amendment be amended as follows:
Refer the ~~proposed~~ **BCSPCA Animal Responsibility** Bylaw, ~~amendments~~ **section on urban hens and urban bees,** to the Urban Food Table and to the Capital City Beekeeping.

On the amendment to the amendment
CARRIED UNANIMOUSLY 18/COTW

On the amendment:
CARRIED UNANIMOUSLY 18/COTW

Amendment: It was moved by Isitt, seconded Loveday, that the motion be amended as follows:

Refer the BCSPCA Animal Responsibility Bylaw, section on urban hens and urban bees, to the Urban Food Table and to the Capital City Beekeeping **indicating that Council has taken no position on these provisions at this time.**

On the amendment:
CARRIED 18/COTW

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

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

Refer the BCSPCA Animal Responsibility Bylaw, section on urban hens and urban bees, to the Urban Food Table and to the Capital City Beekeeping indicating that Council has taken no position on these provisions at this time **and add as an appendix the bylaws from the City of Surrey and Duncan.**

On the amendment:
CARRIED UNANIMOUSLY 18/COTW

Main Motion to Refer as amended:

Refer the BCSPCA Animal Responsibility Bylaw, section on urban hens and urban bees, to the Urban Food Table and to the Capital City Beekeeping indicating that Council has taken no position on these provisions at this time and add as an appendix the bylaws from the City of Surrey and Duncan.

On the main motion to refer as amended:
CARRIED 18/COTW

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

Mayor Helps returned to the meeting at 11:23 a.m. and assumed the Chair

Motion: It was moved by Mayor Helps, seconded by Councillor Alto, that the rest of item 1 be referred to the March 1, 2018 Committee of the Whole.

CARRIED UNANIMOUSLY

Committee recessed at 11:24 a.m. and reconvened at 11:29 a.m.

Councillors Alto, Coleman, and Isitt were not present when the meeting reconvened.

Councillor Coleman returned to the meeting at 11:30 a.m.

Councillor Alto returned to the meeting at 11:30 a.m.

Councillor Isitt returned to the meeting at 11:38 a.m.

5. LAND USE MATTERS

5.1 Tax Incentive Application No. 00029 for 816 Government Street and 811-813 Wharf Street (Downtown)

Committee received a report dated February 7, 2018, from the Director of Sustainable Planning and Community Development regarding recommendations for a 10 year tax exemption under the City's Tax Incentive Program to assist in the rehabilitation of the heritage building located at 816 Government/811-813 Wharf Street.

Motion: It was moved by Councillor Young, seconded by Councillor Coleman, that Council instruct the City Solicitor to prepare a Tax Exemption Bylaw for 816 Government Street / 811-813 Wharf Street for 51.59% of assessed value for 10 years, pursuant to Section 392 of the Local Government Act with the following conditions:

1. That a covenant identifying the tax exemption be registered on the title to the property and any possible future strata titles.
2. That the final costs of seismic upgrading be verified by the Victoria Civic Heritage Trust.

Committee discussed:

- Whether the upgrades could be completed without the tax incentives.
- Concerns with the public subsidizing wealthy owners of these condos with approving the Tax Incentive.

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

3. **subject to transient accommodation not being permitted within the units subject to the tax exemption.**

Motion to postpone:

It was moved by Mayor Helps, seconded by Isitt, that Council postpone consideration of the matter to March 1, 2018 after receiving legal advice at today's closed meeting.

Mayor Helps recalled the motion to postpone.

Amendment to the amendment:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that the amendment be amended as follows:
Bullet # 3 be moved to the end of # 1 after titles and transient accommodation be replaces with STR.

On the amendment to the amendment:
DEFEATED 18/COTW

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

On the amendment:
DEFEATED 18/COTW

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

On the main motion:

That Council instruct the City Solicitor to prepare a Tax Exemption Bylaw for 816 Government Street / 811-813 Wharf Street for 51.59% of assessed value for 10 years, pursuant to Section 392 of the Local Government Act with the following conditions:

1. That a covenant identifying the tax exemption be registered on the title to the property and any possible future strata titles.
2. That the final costs of seismic upgrading be verified by the Victoria Civic Heritage Trust.

On the main motion:
CARRIED 18/COTW

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

5.2 Development Permit with Variances Application No. 00069 for 1928 Oak Bay Avenue (South Jubilee)

Committee received a report dated February 9, 2018, from the Director of Sustainable Planning and Community Development regarding recommendations for the Development Permit with Variances Application to allow for a two-storey addition to an existing building in order to add seven dwelling units.

Councillor Isitt withdrew from the meeting at 12:01 p.m. and returned at 12:03 p.m.

Committee discussed:

- How many bicycle stalls will be added to the property.
- Whether owners will be allowed to park on Redfern Street.

Motion: It was moved by Councillor Young, seconded by Councillor Alto, 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 with Variances Application No. 00069 for 1928 Oak Bay Avenue, in accordance with:

1. Plans date stamped February 7, 2018.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the interior (east) setback from 2.40m to 0.00m;
 - ii. reduce the flanking street (west) setback from 2.40m to 0.87m;
 - iii. reduce the required number of parking stalls from 14 to 10.

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

CARRIED UNANIMOUSLY 18/COTW

5.3 Development Permit with Variances Application No. 00045 for 777 Herald Street (Downtown)

Committee received a report dated February 7, 2018, from the Director of Sustainable Planning and Community Development regarding recommendations for the Development Permit with Variances Application to construct a twenty-six storey mixed-use building. The variances relates to height, reduction of the setback ratio and a reductions in the minimum site area.

Councillor Lucas withdrew from the meeting at 12:08 p.m. and returned at 12:10 p.m.

Committee discussed:

- Whether underground parking will be available to the public.
- How the sky gardens will be maintained.
- The long-term viability of the sky gardens.

Motion:

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

“That Council authorize the issuance of Development Permit with Variance Application No. 00045 for 777 Herald Street, in accordance with:

1. Plans date stamped January 24, 2018
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. increase the height from 72 metres to 75 metres
 - ii. reduce the massing step back from 13.2m to 2.1m, measured at the upper most storey of the building
 - iii. reduce the minimum site area from 4480m² to 2100m²
3. The Development Permit lapsing two years from the date of this resolution.

Amendment:

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

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 with Variance Application No. 00045 for 777 Herald Street, in accordance with:

1. Plans date stamped January 24, 2018
2. **Ensuring the ongoing provision and maintenance of the sky garden.**
3. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. increase the height from 72 metres to 75 metres
 - ii. reduce the massing step back from 13.2m to 2.1m, measured at the upper most storey of the building
 - iii. reduce the minimum site area from 4480m² to 2100m²

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

On the amendment:
CARRIED 18/COTW

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

Against: Councillors Loveday and Madoff

On the main motion as amended:

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 with Variance Application No. 00045 for 777 Herald Street, in accordance with:

1. Plans date stamped January 24, 2018
2. Ensuring the ongoing provision and maintenance of the sky garden.
3. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. increase the height from 72 metres to 75 metres
 - ii. reduce the massing step back from 13.2m to 2.1m, measured at the upper most storey of the building
 - iii. reduce the minimum site area from 4480m² to 2100m²
4. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY 18/COTW

Committee recessed at 12:52 a.m. and reconvened at 1:21 p.m.

Councillors Isitt and Loveday returned to the meeting at 1:23 pm

Mayor Helps withdrew from the meeting at 1:24 p.m. due to a potential non-pecuniary conflict of interest with the following item, due to her relationship with an AirBnB operator. Councillor Thornton-Joe assumed the Chair in her absence.

Councillor Lucas withdrew from the meeting at 1:24 p.m. due to a pecuniary conflict of interest with the following item, as she is the general manager of a hotel.

Councillor Madoff withdrew from the meeting at 1:24 p.m. due to a pecuniary conflict of interest with the following item, as she runs a Bed and Breakfast in her home.

6. STAFF REPORTS

6.1 Short Term Rentals Business Regulations

Committee received a report dated February 15, 2018, from the City Clerk regarding proposed short term rental business regulations.

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

1. Approve of the proposed short term rental annual business licence fee of \$150 for principal residence and \$1,500 for all other short-term rentals;
2. Direct staff to bring forward the Short Term Rental Regulation Bylaw at the February 22, 2018 Council meeting for introductory readings;
3. Approve holding an opportunity for receiving public comments on the proposed Bylaw in conjunction with the Public Hearing for Zoning Amendment Bylaw (Short Term Rental Home Occupations) Bylaw No. 18-035; and,
4. Direct staff to report back to Council in Quarter 4 of 2018 with an update on the short term rental program, including budget implications.

Motion to postpone:

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

That Council:

1. Approve of the proposed short term rental annual business licence fee of \$150 for principal residence and \$1,500 for all other short-term rentals;
2. Direct staff to bring forward the Short Term Rental Regulation Bylaw at the February 22, 2018 Council meeting for introductory readings;
3. Approve holding an opportunity for receiving public comments on the proposed Bylaw in conjunction with the Public Hearing for Zoning Amendment Bylaw (Short Term Rental Home Occupations) Bylaw No. 18-035; and,
4. Direct staff to report back to Council in Quarter 4 of 2018 with an update on the short term rental program, including budget implications.

On the motion to postpone:

DEFEATED/18COTW

For: Councillors Alto and Thornton-Joe
Against: Councillors Coleman, Isitt, Loveday, and Young

On the main motion:

CARRIED 18/COTW

For: Councillors Coleman, Isitt, Loveday, and Young
Against: Councillors Alto and Thornton-Joe

Mayor Helps returned to the meeting at 2:08 p.m. and assumed the Chair

Councillor Lucas and Madoff returned to the meeting at 2:08 p.m.

6.2 Sheltering Prohibition in Reeson Park and Quadra Park

Committee received a report dated February 19, 2018, from Mayor Helps and Councillor Lucas regarding recommendations for a proposed prohibition on sheltering in Reeson Park and Quadra Park.

Motion: It was moved by Mayor Helps, seconded by Councillor Lucas, that subject to the Province agreeing to keep:

- The Out of the Rain (St Andrew's Presbyterian - 680 Courtney) 30 Mats youth 15-25 only, slated to close April 15th
 - And the Cool Aid Seasonal Shelter - 755 Pandora – Mats, Co-Ed, slated to close March 31st – open beyond a seasonal basis
- or the equivalent number of spaces at other locations, Council direct staff to amend the Parks Regulation Bylaw to prohibit overnight sheltering (camping) in Reeson Park and Quadra Park.

Motion to extend:

It was moved by Mayor Helps, seconded by Councillor Lucas, the meeting be extended until 4pm.

CARRIED UNANIMOUSLY 18/COTW

Motion to Postpone:

It was moved by Councillor Loveday, seconded by Councillor Isitt, that the motion be postponed until after Council receives the results of the “point in time” count.

DEFEATED 18/COTW

For:

Councillors Alto, Isitt, and Loveday

Against:

Mayor Helps, Councillors Coleman, Lucas, Madoff, Thornton-Joe and Young

Amendment:

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

That subject to the Province agreeing to keep:

- The Out of the Rain (St Andrew's Presbyterian - 680 Courtney) 30 Mats youth 15-25 only, slated to close April 15th
- And the Cool Aid Seasonal Shelter - 755 Pandora – Mats, Co-Ed, slated to close March 31st – open beyond a seasonal basis

or the equivalent number of spaces at other locations, Council direct staff to amend the Parks Regulation Bylaw to prohibit overnight sheltering (camping) in Reeson Park and Quadra Park.

And that the Mayor be requested to write to the Minister Responsible for Housing, with a copy to the Premier and MLAs from the Capital Region, requesting a commitment from the Provincial Government to ensure the adequate supply of shelters or housing to meet the needs in the community.

On the amendment:

CARRIED UNANIMOUSLY 18/COTW

Committee requested that the motion be divided

On the main motion as amended:

That subject to the Province agreeing to keep:

- The Out of the Rain (St Andrew's Presbyterian - 680 Courtney) 30 Mats youth 15-25 only, slated to close April 15th
- And the Cool Aid Seasonal Shelter - 755 Pandora – Mats, Co-Ed, slated to close March 31st – open beyond a seasonal basis

or the equivalent number of spaces at other locations, Council direct staff to amend the Parks Regulation Bylaw to prohibit overnight sheltering (camping) in Reeson Park and Quadra Park.

On the main motion as amended:
CARRIED 18/COTW

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

The Chair recalled the previous motion.

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

That subject to the Province agreeing to keep:

- The Out of the Rain (St Andrew's Presbyterian - 680 Courtney) 30 Mats youth 15-25 only, slated to close April 15th
- And the Cool Aid Seasonal Shelter - 755 Pandora – Mats, Co-Ed, slated to close March 31st – open beyond a seasonal basis

or the equivalent number of spaces at other locations, Council direct staff to amend the Parks Regulation Bylaw to prohibit overnight sheltering (camping) in Reeson Park and Quadra Park.

And that the Mayor be requested to write to the Minister Responsible for Housing, with a copy to the Premier and MLAs from the Capital Region, requesting a commitment from the Provincial Government to ensure the adequate supply of shelters or housing to meet the needs in the community **for the unhoused population.**

On the amendment:
CARRIED 18/COTW

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

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

That subject to the Province agreeing to keep:

- The Out of the Rain (St Andrew's Presbyterian - 680 Courtney) 30 Mats youth 15-25 only, slated to close April 15th
- And the Cool Aid Seasonal Shelter - 755 Pandora – Mats, Co-Ed, slated to close March 31st – open beyond a seasonal basis

or the equivalent number of spaces at other locations, Council direct staff to amend the Parks Regulation Bylaw to prohibit overnight sheltering (camping) in Reeson Park and Quadra Park.

And that the Mayor be requested to write to the Minister Responsible for Housing, with a copy to the Premier and MLAs from the Capital Region, requesting a commitment from the Provincial Government to ensure the adequate supply of ~~shelters or~~ housing to meet the needs in the community for the unhoused population.

On the amendment:
CARRIED UNANIMOUSLY 18/COTW

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

That subject to the Province agreeing to keep:

- The Out of the Rain (St Andrew's Presbyterian - 680 Courtney) 30 Mats youth 15-25 only, slated to close April 15th
- And the Cool Aid Seasonal Shelter - 755 Pandora – Mats, Co-Ed, slated to close March 31st – open beyond a seasonal basis

or the equivalent number of spaces at other locations, Council direct staff to amend the Parks Regulation Bylaw to prohibit overnight sheltering (camping) in Reeson Park and Quadra Park.

And that the Mayor be requested to write to the Minister Responsible for Housing, with a copy to the Premier and MLAs from the Capital Region, requesting a commitment from the Provincial Government to ensure the adequate supply of housing **with supports** to meet the needs in the community for the unhoused population.

On the amendment:
CARRIED UNANIMOUSLY 18/COTW

Amendment: It was moved by Councillor Thornton-Joe, seconded by Councillor Young, that the motion be amended as follows:

That subject to the Province agreeing to keep:

- The Out of the Rain (St Andrew's Presbyterian - 680 Courtney) 30 Mats youth 15-25 only, slated to close April 15th
- And the Cool Aid Seasonal Shelter - 755 Pandora – Mats, Co-Ed, slated to close March 31st – open beyond a seasonal basis

or the equivalent number of spaces at other locations, Council direct staff to amend the Parks Regulation Bylaw to prohibit overnight sheltering (camping) in Reeson Park and Quadra Park.

And that the Mayor be requested to write to the Minister Responsible for Housing, with a copy to the Premier and MLAs from the Capital Region, requesting a commitment from the Provincial Government to ensure the adequate supply of housing with supports to meet the needs in the community for the unhoused population **throughout the region**.

On the amendment:
CARRIED UNANIMOUSLY 18/COTW

On the main motion as amended:

That subject to the Province agreeing to keep:

- The Out of the Rain (St Andrew's Presbyterian - 680 Courtney) 30 Mats youth 15-25 only, slated to close April 15th
- And the Cool Aid Seasonal Shelter - 755 Pandora – Mats, Co-Ed, slated to close March 31st – open beyond a seasonal basis

or the equivalent number of spaces at other locations, Council direct staff to amend the Parks Regulation Bylaw to prohibit overnight sheltering (camping) in Reeson Park and Quadra Park.

And that the Mayor be requested to write to the Minister Responsible for Housing, with a copy to the Premier and MLAs from the Capital Region, requesting a commitment from the Provincial Government to ensure the adequate supply of housing with supports to meet the needs in the community for the unhoused population throughout the region.

CARRIED UNANIMOUSLY 18/COTW

Committee recessed at 2:48 p.m. and reconvened at 2:52 p.m.

7. Workshop

7.1 Draft Fairfield Neighbourhood Plan

Committee received a report dated February 8, 2018, from the Director of Sustainable Planning and Community Development regarding the public feedback and next steps for the Draft Fairfield Neighbourhood Plan.

Committee discussed:

- Concerns with the accelerated area planning process.

Motion:

It was moved by Mayor Helps seconded by Councillor Coleman, that Council direct staff to amend the plan as follows:

1. Infill housing menu for traditional residential areas:
 - a. Remove option for double row townhouses in housing sub-area 4 (near Ross Bay Village).
 - b. Retain other options for infill housing in draft plan
 - c. Staff review and consideration of additional parking and open space requirements (e.g. additional parking space required if more than one unit on lot)
 - d. Incorporate open space guidelines into development of additional design guidelines for infill housing (2018-2020)

Motion to Postpone:

It was moved by Councillor Isitt, seconded by Mayor Helps that the motion be postponed until No. 2 (Townhouses near Ross Bay Village) has been considered.

CARRIED UNANIMOUSLY 18/COTW

Motion: It was moved by Mayor Helps, seconded by Councillor Coleman that Council direct staff to amend the plan as follows:

2. Townhouses near Ross Bay village (“sub-area 4”)
 - a. Remove “sub-area 4” as a distinct area; would become part of sub-area 1 (General Area).
 - b. As per sub-area 1, remove option for townhouses in more than one row. Support other infill housing options indicated for sub-area 1. Single row townhouses would be considered on suitably-sized lots adjacent to villages and larger corner lots (same as sub-area 1).
 - c. Re-instate option for small lot house development in this area

CARRIED UNANIMOUSLY 18/COTW

Motion to lift from table:

It was moved by Councillor Alto, seconded by Councillor Coleman that the motion regarding 1 be lifted from the floor.

CARRIED UNANIMOUSLY 18/COTW

Motion: It was moved by Mayor Helps seconded by Councillor Coleman, that Council direct staff to amend the plan as follows:

1. Infill housing menu for traditional residential areas:
 - a. Remove option for double row townhouses in housing sub-area 4 (near Ross Bay Village).
 - b. Retain other options for infill housing in draft plan
 - c. Staff review and consideration of additional parking and open space requirements (e.g. additional parking space required if more than one unit on lot)
 - d. Incorporate open space guidelines into development of additional design guidelines for infill housing (2018-2020)

CARRIED UNANIMOUSLY 18/COTW

Councillor Thornton-Joe withdrew at 3:30 p.m. and returned at 3:32 p.m.

Motion: It was moved by Mayor Helps seconded by Councillor Coleman that Council direct staff to amend the plan as follows:

3. Urban place designation west of Cook Street Village (Cook Street to Heywood Street)
 - a. Support “gentle density” approach:
 - i. Re-instate OCP designations for traditional residential areas but expand option for larger houseplexes (4+ units), emphasize adaptation of heritage properties, ground-oriented housing up to 3 storeys, and creative housing on laneways in this area
 - ii. Retain option for single or double townhouses in area
 - iii. Add new policy to consider other new and innovative housing types that meet plan objectives
 - iv. Consider reduced parking requirements for houseplexes with more than 3 units in this area

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

3. Urban place designation west of Cook Street Village (Cook Street to Heywood Street)
 - a. Support “gentle density” approach:
 - i. Re-instate OCP designations for traditional residential areas but expand option for larger houseplexes (4+ units), emphasize adaptation of heritage properties, ground-oriented housing up to 3 storeys, and creative housing on laneways in this area
 - ii. Retain option for single or double townhouses in area
 - iii. Add new policy to consider other new and innovative housing types that meet plan objectives
 - iv. Consider reduced parking requirements for houseplexes with more than 3 units in this area

On the amendment:
CARRIED UNANIMOUSLY 18/COTW

On the main motion as amended:

3. Urban place designation west of Cook Street Village (Cook Street to Heywood Street)
 - a. Support “gentle density” approach:
 - i. Re-instate OCP designations for traditional residential areas but expand option for larger houseplexes (4+ units), emphasize adaptation of heritage properties, ground-oriented housing up to 3 storeys, and creative housing on laneways in this area
 - ii. Retain option for single townhouses in area
 - iii. Add new policy to consider other new and innovative housing types that meet plan objectives.
 - iv. Consider reduced parking requirements for houseplexes with more than 3 units in this area

On the main motion as amended:
CARRIED UNANIMOUSLY 18/COTW

Councillor Loveday withdrew at 3:37 p.m. returned at 3:38 p.m.

Motion: It was moved by Councillor Madoff seconded by Mayor Helps, that Council direct staff to amend the plan as follows:

4. Infill housing East of Cook Street Village
 - a. Support “gentle density” approach:
 - i. East Village sub-area (Cook Street to Chester Street): expand option for larger houseplexes (4+ units), emphasize adaptation of heritage properties, ground-oriented housing up to 3 storeys, and creative housing on laneways in this area. Retain option for single or double row townhouses; review site requirements to consider feedback.
 - ii. Sub-area 3: expand option for larger houseplexes (4+ units), emphasize adaptation of heritage properties, ground-oriented housing up to 2.5 storeys, and creative housing on laneways in this area. Retain option for single or double row townhouses; review site requirements to consider feedback.
 - iii. Add new policy to consider other creative, innovative housing types that meet plan objectives

- iv. Consider reduced parking requirements for 3+ unit houseplexes

Committee discussed:

- Ensuring consistency of terms throughout the document.

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

That Council direct staff to amend the plan as follows:

4. Infill housing East of Cook Street Village

a. Support “gentle density” approach:

- i. East Village sub-area (Cook Street to Chester Street): expand option for larger houseplexes (4+ units), emphasize adaptation of heritage **and character** properties, ground-oriented housing up to 3 storeys, and creative housing on laneways in this area. Retain option for single or double row townhouses; review site requirements to consider feedback.
- ii. Sub-area 3: expand option for larger houseplexes (4+ units), emphasize adaptation of heritage **and character** properties, ground-oriented housing up to 2.5 storeys, and creative housing on laneways in this area. Retain option for single or double row townhouses; review site requirements to consider feedback.
- iii. Add new policy to consider other creative, innovative housing types that meet plan objectives
- iv. Consider reduced parking requirements for 3+ unit houseplexes.

On the amendment:

CARRIED UNANIMOUSLY 18/COTW

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

That Council direct staff to amend the plan as follows:

4. Infill housing East of Cook Street Village

a. Support “gentle density” approach:

- i. East Village sub-area (Cook Street to Chester Street): expand option for larger houseplexes (4+ units), emphasize adaptation of heritage and character properties, ground-oriented housing up to 3 storeys, and creative housing on laneways in this area. Retain option for single ~~or double~~ row townhouses; review site requirements to consider feedback.
- ii. Sub-area 3: expand option for larger houseplexes (4+ units), emphasize adaptation of heritage and character properties, ground-oriented housing up to 2.5 storeys, and creative housing on laneways in this area. Retain option for single or double row townhouses; review site requirements to consider feedback.
- iii. Add new policy to consider other creative, innovative housing types that meet plan objectives
- iv. Consider reduced parking requirements for 3+ unit houseplexes.

On the amendment:

CARRIED UNANIMOUSLY 18/COTW

On the main motion as amended:

That Council direct staff to amend the plan as follows:

4. Infill housing East of Cook Street Village
 - a. Support “gentle density” approach:
 - i. East Village sub-area (Cook Street to Chester Street): expand option for larger houseplexes (4+ units), emphasize adaptation of heritage and character properties, ground-oriented housing up to 3 storeys, and creative housing on laneways in this area. Retain option for single row townhouses; review site requirements to consider feedback.
 - ii. Sub-area 3: expand option for larger houseplexes (4+ units), emphasize adaptation of heritage and character properties, ground-oriented housing up to 2.5 storeys, and creative housing on laneways in this area. Retain option for single or double row townhouses; review site requirements to consider feedback.
 - iii. Add new policy to consider other creative, innovative housing types that meet plan objectives
 - iv. Consider reduced parking requirements for 3+ unit houseplexes.

On the main motion as amended:
CARRIED UNANIMOUSLY 18/COTW

Motion:

It was moved by Councillor Lucas, seconded by Councillor Coleman that Council direct staff to amend the plan as follows:

5. Accommodate larger share of Fairfield’s growth through “gentle density”
 - a. Encourage more gentle density in traditional residential areas around Cook Street Village and along Fairfield Road (sub-area 2), option for larger houseplexes (4+ units), emphasizing adaptation of heritage properties and creative laneway housing
 - b. Continue to support other housing types as proposed in plan; review site requirements, open space and parking policies to consider feedback.

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

That Council direct staff to amend the plan as follows:

5. Accommodate larger share of Fairfield’s growth through “gentle density”
 - a. Encourage more gentle density in traditional residential areas around Cook Street Village and along Fairfield Road (sub-area 2), option for larger houseplexes (4+ units), emphasizing adaptation of heritage **and character** properties and creative laneway housing
 - b. Continue to support other housing types as proposed in plan; review site requirements, open space and parking policies to consider feedback.

On amendment:
CARRIED UNANIMOUSLY 18/COTW

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

That Council direct staff to amend the plan as follows:

5. Accommodate larger share of Fairfield’s growth through “gentle density”

- a. Encourage more gentle density in ~~traditional residential areas around Cook Street Village and along Fairfield Road~~ (sub-area 2), including options for larger houseplexes (4+ units), emphasizing adaptation of heritage and character properties and creative laneway housing
- b. Continue to support other housing types as proposed in plan; review site requirements, open space and parking policies to consider feedback.

On amendment:
CARRIED UNANIMOUSLY 18/COTW

On main motion as amended:

That Council direct staff to amend the plan as follows:

5. Accommodate larger share of Fairfield's growth through "gentle density"
 - a. Encourage more gentle density in sub-area 2, including options for larger houseplexes (4+ units), emphasizing adaptation of heritage and character properties and creative laneway housing
 - b. Continue to support other housing types as proposed in plan; review site requirements, open space and parking policies to consider feedback.

On the main motion as amended:
CARRIED UNANIMOUSLY 18/COTW

Motion:

It was moved by Mayor Helps, seconded by Councillor Loveday, that Council: Direct staff to work collaboratively with the Neighbourhood working group, Fairfield Gonzales Neighbourhood association CALUC, the Cook Street Village Residents Networks, and others in the community to further develop a program of gentle density to meet Fairfield's diverse population and housing needs.

CARRIED UNANIMOUSLY 18/COTW

Committee discussed:

- Moving the remainder of the Fairfield Neighbourhood Plan items to the March 1, 2018 Committee of the Whole meeting.

8. ADJOURNMENT

Motion:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that the Committee of the Whole meeting of February 22, 2018, be adjourned at 4:01 p.m.

CARRIED UNANIMOUSLY 18/COTW

CERTIFIED CORRECT:

CITY CLERK

MAYOR