



MINUTES – VICTORIA CITY COUNCIL

MEETING OF THURSDAY, MARCH 15, 2018, AT 12:20 P.M.

<u>PLACE OF MEETING:</u>	Council Chambers, City Hall
<u>COMMITTEE MEMBERS PRESENT:</u>	Mayor Helps (Chair), Councillors Coleman, Madoff, Thornton-Joe, and Young
<u>ABSENT:</u>	Councillor Isitt
<u>ABSENT FOR A PORTION OF THE MEETING:</u>	Councillors Alto, Loveday, and Lucas
<u>STAFF PRESENT:</u>	J. Jenkyns – Acting City Manager; C. Coates – City Clerk; C. Havelka – Deputy City Clerk; P. Bruce – Fire Chief; S. Thompson – Director of Finance; A. Hudson – Assistant Director of Community Planning; T. Zworski – City Solicitor; B. Dellebuur – Assistant Director of Transportation; T. Soulliere, Director of Parks, Recreation, and Facilities; B. Eisenhauer – Head of Engagement; C. Mycroft – Manager of Executive Operations; A. M. Ferguson – Recording Secretary

Councillors Alto, Loveday, and Lucas were not present at the time the meeting convened.

APPROVAL OF AGENDA

Motion:

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

Carried Unanimously

Councillor Alto joined the meeting at 12:22 p.m.

UNFINISHED BUSINESS

1. **Letter from the City of Prince George**

Council received a letter dated January 29, 2018, in which the City was carbon-copied, providing support for the request that the BC Motor Vehicle Act be reviewed and modernized.

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Young, that the correspondence dated January 29, 2018 from the City of Prince George be received for information.

Carried Unanimously

Councillor Loveday and Lucas joined the meeting at 12:22 p.m.

2. **Letter from the District of Sicamous**

Council received a letter dated February 14, 2018, in which the City was carbon-copied, regarding cannabis sales revenue sharing with local governments.

Motion:

It was moved by Councillor Loveday, seconded by Councillor Alto, that the correspondence dated February 14, 2018 from the District of Sicamous be received for information.

Carried Unanimously

3. **Letter from the City of Enderby**

Council received a letter dated February 20, 2018, in which the City was carbon-copied, regarding their support for the sharing of revenue generated by the sale of cannabis, with local governments.

Motion:

It was moved by Councillor Alto, seconded by Councillor Coleman, that the correspondence dated February 20, 2018 from the City of Enderby be received for information.

Carried Unanimously

4. **Council Member Motion: Follow up on Council Motion re: Human Rights and Non-Discrimination**

Council received a council member motion, following up on the motion made at the February 22, 2018 Council Meeting regarding Human Rights and Non-Discrimination.

Motion:

It was moved by Councillor Alto, seconded by Councillor Loveday, that as part of the regular work and support that staff provides to CALUCs that Council direct staff to prepare and deliver skills training to ensure that the policy position, actions and materials included in the Council Member Motion 'Follow up on Council Motion re: Human Rights and Non-Discrimination', and its Appendices, are clearly understood, fairly applied, and that the CALUC Chairs and members have the tools to do the job Council asks of them.

Council discussed:

- *Concerns about tasking the community associations with monitoring the conduct of participants.*

Amendment:

It was moved by Councillor Young, that the motion be amended to include the following:

That Council direct staff to bring a detailed curriculum and instruction material for approval before educational sessions begin.

Motion failed due to no seconder

Amendment:

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

That as part of the regular work and support that staff provides to CALUCs that Council direct staff to **organize a** ~~prepare and deliver~~ skills training to ensure that the policy position, actions and materials included in the Council Member Motion 'Follow up on Council Motion re: Human Rights and Non-Discrimination', and its Appendices, are clearly understood, fairly applied, and that the CALUC Chairs and members have the tools to do the job Council asks of them.

**On the amendment:
Carried Unanimously**

Main motion as amended:

It was moved by Mayor Helps, seconded by Councillor Alto, that the motion be amended as follows:
That as part of the regular work and support that staff provides to CALUCs that Council direct staff to organize a skills training to ensure that the policy position, actions and materials included in the Council Member Motion 'Follow up on Council Motion re: Human Rights and Non-Discrimination', and its Appendices, are clearly understood, fairly applied, and that the CALUC Chairs and members have the tools to do the job Council asks of them.

On the main motion as amended:
Carried

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

Motion arising:

It was moved by Councillor Loveday, that Council direct staff to explore with the CALUCs the idea of CALUCs being able to request support and facilitation help when they know a contentious meeting is upcoming.

The Mayor requested that the motion arising come forward as a notice of motion to a future meeting

5. Council Member Motion: Gonzales Plan

Council received a Council member motion dated March 13, 2018, from Mayor Helps regarding the Gonzales Plan.

Motion:

It was moved by Mayor Helps, seconded by Councillor Madoff, that Council directs staff to:

1. Prepare a revised version of the Gonzales Neighbourhood Plan, to include the following changes:
 - a. Remove the opportunity for small apartment buildings in Traditional Residential areas along Fairfield Road (sub-area 1)
 - b. Remove the opportunity for double-row townhouses in Queen Anne Heights/Foul Bay Road/Gonzales Hill (sub-area 2) and all other Traditional Residential areas (sub-area 3).
 - c. Refine the housing policies and guidelines to ensure infill housing form and character is compatible with the existing neighbourhood.
 - d. Give attention to the potential unintended consequences of loss of affordable rental housing currently provided in older house conversions and small rental buildings that could be jeopardized by signals in the plan that redevelopment is welcome.
 - e. Add a definition of affordable housing to the plan.
 - f. Remove Montague Court from the Small Urban Village proposed at Fairfield Road at Lillian Street and Wildwood Avenue, and maintain its Traditional Residential designation. Continue to propose the Small Urban Village designation for the other adjacent properties in this location to reflect their existing commercial (C-1) zoning.
 - g. Re-visit plan policies for Gonzales Hill/Queen Anne Heights/Foul Bay Road (Sub-Area 2) and consider opportunities to fill policy gaps, such as properties adjacent to the park and policies to encourage dialogue with the CRD on management of Gonzales Hill Park.
 - h. Add anticipated population projections to the introduction section of the plan.
 - i. Revise the Gonzales Neighbourhood Plan following forthcoming updates to the Tree Preservation Bylaw and implementation of the Urban Forest Master Plan to strengthen language with regard to green space and tree preservation.
2. Once revised, re-engage with the residents of the Gonzales neighborhood, through a variety of mechanisms to elicit further feedback on the revised version of the plan and with a focus on reaching people of a range of ages and household types.
 - a. Communicate the definition of the Small Urban Village designation, and clarify policies and impacts related to Montague Court.

3. Once revised, provide a mid-range synopsis of the plan for those who desire information more than can be presented in a few bullet points and less than is provided in the whole plan.

Council agreed to vote on the motion separately as follows.

Motion:

It was moved by Mayor Helps, seconded by Councillor Madoff, that Council directs staff to:

1. Prepare a revised version of the Gonzales Neighbourhood Plan, to include the following changes:
 - a. Remove the opportunity for double-row townhouses in Queen Anne Heights/Foul Bay Road/Gonzales Hill (sub-area 2) and all other Traditional Residential areas (sub-area 3).
 - b. Refine the housing policies and guidelines to ensure infill housing form and character is compatible with the existing neighbourhood.
 - c. Give attention to the potential unintended consequences of loss of affordable rental housing currently provided in older house conversions and small rental buildings that could be jeopardized by signals in the plan that redevelopment is welcome.
 - d. Add a definition of affordable housing to the plan.
 - e. Remove Montague Court from the Small Urban Village proposed at Fairfield Road at Lillian Street and Wildwood Avenue, and maintain its Traditional Residential designation. Continue to propose the Small Urban Village designation for the other adjacent properties in this location to reflect their existing commercial (C-1) zoning.
 - f. Re-visit plan policies for Gonzales Hill/Queen Anne Heights/Foul Bay Road (Sub-Area 2) and consider opportunities to fill policy gaps, such as properties adjacent to the park and policies to encourage dialogue with the CRD on management of Gonzales Hill Park.
 - g. Add anticipated population projections to the introduction section of the plan.
 - h. Revise the Gonzales Neighbourhood Plan following forthcoming updates to the Tree Preservation Bylaw and implementation of the Urban Forest Master Plan to strengthen language with regard to green space and tree preservation.
2. Once revised, re-engage with the residents of the Gonzales neighborhood, through a variety of mechanisms to elicit further feedback on the revised version of the plan and with a focus on reaching people of a range of ages and household types.
 - a. Communicate the definition of the Small Urban Village designation, and clarify policies and impacts related to Montague Court.
3. Once revised, provide a mid-range synopsis of the plan for those who desire information more than can be presented in a few bullet points and less than is provided in the whole plan.

Carried Unanimously

Motion:

It was moved by Mayor Helps, seconded by Councillor Madoff, that Council directs staff to:

1. Prepare a revised version of the Gonzales Neighbourhood Plan, to include the following changes:
 - a. Remove the opportunity for small apartment buildings in Traditional Residential areas along Fairfield Road (sub-area 1).

Amendment:

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

1. Prepare a revised version of the Gonzales Neighbourhood Plan, to include the following changes:
 - a. ~~Remove~~ **Limit** the opportunity for small apartment buildings in Traditional Residential areas along Fairfield Road (sub-area 1).

On the amendment:

Carried

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

Main motion as amended:

That Council directs staff to:

1. Prepare a revised version of the Gonzales Neighbourhood Plan, to include the following changes:
 - a. Limit the opportunity for small apartment buildings in Traditional Residential areas along Fairfield Road (sub-area 1).

On the main motion as amended:

Carried

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

REPORTS OF COMMITTEES

1. Committee of the Whole – February 22 and March 1, 2018 – Fairfield Neighbourhood Plan

1. Workshop: Fairfield Neighbourhood Plan – from February 22, 2018 COTW Meeting

Motion:

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

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

Motion:

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

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

Motion:

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

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 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

Carried Unanimously

Motion:

It was moved by Councillor Loveday, seconded by Councillor Lucas:
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 properties, ground-oriented housing up to 2.5 storeys, and creative housing on laneways in this area. Retain option for single 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.

Carried Unanimously

Motion:

It was moved by Councillor Coleman, seconded by Councillor Loveday:
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.

Amendment:

It was moved by Mayor Helps, seconded by Councillor Thornton-Joe, that the motion be amended to include the following point:

- c. **Work collaboratively with the Neighbourhood working group Fairfield Gonzales Neighbourhood Association CALUC, the Cook Street Village Residents Network, and others in the community to further develop a program of gentle density to meet Fairfield’s diverse population and housing needs.**

On the amendment:
Carried Unanimously

Amendment:

It was moved by Mayor Helps, seconded by Councillor Thornton-Joe, that the motion be amended to include the following point:

- d. **That staff work with the neighbourhood to clearly define what is meant by gentle density in both Fairfield and Gonzales.**

On the amendment:
Carried Unanimously

Main motion as amended:

It was moved by Councillor Coleman, seconded by Councillor Loveday:
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.

- c. Work collaboratively with the Neighbourhood working group Fairfield Gonzales Neighbourhood Association CALUC, the Cook Street Village Residents Network, and others in the community to further develop a program of gentle density to meet Fairfield's diverse population and housing needs.
- d. **That staff work with the neighbourhood to clearly define what is meant by gentle density in both Fairfield and Gonzales.**

On the main motion as amended:
Carried Unanimously

2. Workshop: Fairfield Neighbourhood Plan – from March 1, 2018 COTW Meeting

Motion:

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

- 6. Design of Cook Street Village Built Form
 - a. Detailed review of plan policies and guidelines by staff to consider additional adjustments/ revisions based on feedback (e.g. character, setbacks, massing, street wall, shading, impacts to street trees, transitions) through additional urban design analysis. To be incorporated in next version of plan.
 - b. that consideration be given to a two storey street wall with step backs of any additional storeys.
Direct staff to assign an urban designer to work collaboratively with those interested to produce an integrated and completed set of conceptual drawings of urban design and public realm enhancements for the Cook Street Village that can be used as a basis for more detailed public realm design during phase four of the bike network implementation, while not tying the conceptual design to a preferred bike lane treatment.

Amendment:

It was moved by Mayor Helps, seconded by Councillor Alto, that the motion be amended as follows:
Direct staff to assign an urban designer to work collaboratively with those interested to produce an integrated and completed set of conceptual drawings of urban design and public realm enhancements for the Cook Street Village that can be used as a basis for more detailed public realm design during phase four of the bike network implementation, while not tying the conceptual design to a preferred bike lane treatment **ensuring that all proposed concepts allow for bikes to move safely through the village for people of all ages and abilities.**

On the amendment:
Carried Unanimously

Main motion as amended:

That Council direct staff to amend the plan as follows:

- 6. Design of Cook Street Village Built Form
 - a. Detailed review of plan policies and guidelines by staff to consider additional adjustments/ revisions based on feedback (e.g. character, setbacks, massing, street wall, shading, impacts to street trees, transitions) through additional urban design analysis. To be incorporated in next version of plan.
 - b. that consideration be given to a two storey street wall with step backs of any additional storeys.

Direct staff to assign an urban designer to work collaboratively with those interested to produce an integrated and completed set of conceptual drawings of urban design and public realm enhancements for the Cook Street Village that can be used as a basis for more detailed public realm design during phase four of the bike network implementation, while not tying the conceptual design to a preferred bike lane treatment ensuring that all proposed concepts allow for bikes to move safely through the village for people of all ages and abilities.

On the main motion as amended:
Carried Unanimously

Motion:

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

7. Design of Cook Street Village Streetscape and Cycling Infrastructure
 - a. Expand design principles in plan based on community feedback (e.g. recognize Lekwungen history, shading, character, lighting, community gathering, slowing traffic, artistic elements)
 - b. Broaden scope of AAA cycling route design to an Integrated Streetscape Plan for Cook Street Village, pending budget approval, to include sidewalks, boulevards, street trees, on-street parking, loading, public spaces and connections to neighbourhood destinations (2021 design; 2022 implementation).
 - c. Parking management strategy for Cook Street Village area identified as short-term action.

Carried Unanimously

Motion:

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

8. Effectiveness of Rental Retention Area Policies
 - a. Conduct additional analysis of policies related to density bonus (8.1.3.) through development of City-wide inclusionary housing policy
 - b. Consider if neighbourhood specific policies are needed following Market Rental Revitalization Strategy and development of inclusionary housing policy (2018)
 - c. Retain the emphasis on rental retention including existing rental buildings and affordable housing in the area.
 - d. Consider if new zoning tools being contemplated by the province could be used for rental retention and affordable housing in the rental retention area.

Carried Unanimously

Motion:

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

9. Northwest Corner and Fort Street
 - a. Maintain direction in plan, with staff review for potential refinements for location of heights, commercial uses in certain locations and public space impacts.
 - b. Some anticipated growth shifted from Cook Street Village area

Carried

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

Motion:

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

10. Design Concept for Ross Bay Urban Village (Fairfield Plaza)
 - a. Maintain direction in plan, with revisions to land use and design policies to address concerns regarding transition, parking.
 - b. Develop site-specific design guidelines, with focus on transition to surrounding properties.
 - c. Remove images, to avoid concept being misconstrued as a development application.
 - d. That the designation of Stannard Avenue be consistent along its entire length as traditional residential.
 - e. Direct staff to check in with the surrounding neighbours specifically with the people who wrote in with their specific concerns.

Carried Unanimously

Motion:

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

11. Identification of Potential Heritage Conservation Areas
 - a. Remove reference to specific street names/ areas in plan policies (10.2.3).
 - b. Reword to reinforce citizen-initiated efforts to establish heritage conservation areas

Carried Unanimously

Motion:

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

12. Topics Outside Scope of Neighbourhood Plan
 - a. Continue approach where neighbourhood plan provides general direction for these topics, with more detail provided by other initiatives.
 - b. Continue to share community feedback with relevant staff. Continue to make reference to concurrent and upcoming City-wide initiatives in neighbourhood plan.

Carried Unanimously

Motion:

It was moved by Councillor Loveday, seconded by Councillor Coleman:
That Council direct staff to clarify the population and housing projections for the Fairfield Local Area Plan which includes a typology of housing growth and a update based on 2016 Census information.

Carried Unanimously

Motion:

It was moved by Councillor Loveday, seconded by Councillor Coleman:
For the remainder of the process, that Council direct staff to collaborate with neighbourhood stakeholders as per the project plan approved by Council in June 2016 and as per the definition provided by the International Association of Public Participation which is "To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution."

Carried Unanimously

3. Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 21) No. 18-003

Motion:

It was moved by Councillor Loveday, seconded by Councillor Alto, that Council direct staff to do some targeted engagement on the Gonzales neighbourhood plan based on the feedback received and bring the Gonzales plan back for Council's consideration.

Carried Unanimously

2. Committee of the Whole – March 1, 2018

1. Development Variance Permit No 00205 for 632 Raynor Avenue (Victoria West)

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Coleman, 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 Variance Permit Application No. 00205 for 632 Raynor Avenue, in accordance with:

1. Plans date stamped February 2, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Reduce the required vehicle parking from three stalls to one stall for a triplex conversion.

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

Carried Unanimously

2. Attendance at Federation of Canadian Municipalities Annual Conference

Motion:

It was moved by Councillor Loveday, seconded by Councillor Coleman, that Council authorize the attendance and associated costs for Councillor Isitt to attend the FCM Conference to be held in Halifax, May 31 to June 4, 2018.

The approximate cost for attending is:

Registration	\$900.00
Transportation	\$800.00
Accommodation	\$900.00
Meals	\$240.00
Approximate Cost	\$2840.00

Carried Unanimously

3. Attendance at Local Government Forum on Backcountry Access

Motion:

It was moved by Councillor Coleman, seconded by Councillor Loveday, that Council authorize the attendance and associated costs for Councillor Isitt to attend the Local Government Forum on Backcountry Access, which took place in Port Alberni on February 23, 2018

The approximate cost is attending is:

Accommodation	\$122.00
Meals	\$41.00
Approximate Cost	\$163.00

Carried Unanimously

4. David Foster Harbour Pathway Extension – Johnson Street Bridge Underpass

Motion:

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

1. Finalize this detailed design and proceed with procurement and construction of the proposed Johnson Street Bridge Underpass.
2. Update the 2018 Financial Plan to set a project budget of \$544,000 for the extension of the David Foster Harbour Pathway under the new Johnson Street Bridge, consisting of \$444,000 from the Harbour Pathway Capital Budget from the deferred pedestrian bridges and \$100,000 contribution from the Trans Canada Trail Foundation.
3. Incorporate maintenance and operating costs of this new section of the pathway as part of the 2019 Operating budget.

Carried Unanimously

5. National Cycling Strategy

Motion:

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

1. That Council request that the Federation of Canadian Municipalities advocate to the Federal government to create a National Cycling Strategy and that the FCM work to build a knowledge framework and set of tools to inform a national process to advance cycling and active transportation across Canada.
2. That Council forward this motion to the September FCM Board Meeting for consideration.

3. That Council request that the Mayor, on behalf of Council, write to the federal Minister of Transportation and Minister of Environment, encouraging the passage and implementation of Bill C-312, the National Cycling Strategy Act, with electronic copies of the letter sent to Members of Parliament representing constituencies on Vancouver Island.

Carried Unanimously

3. Committee of the Whole – March 8, 2018

Councillor Coleman excused himself from the meeting at 1:17 p.m. due to a pecuniary conflict of interest with the following item, as his family member lives nearby the subject site.

1. Victoria Housing Fund Application for the North Park Manor at 875 North Park Street

Motion:

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

That Council approve a Victoria Housing Fund grant to the North Park Manor Society in the amount of \$30,000 to assist in the construction of three bachelor units of housing for low and medium income seniors at the North Park Manor, located at 875 North Park Street, subject to the following conditions:

1. The grant will be disbursed to the applicant once the Housing Fund Grant Agreement and Housing Agreement have been executed by the applicant.
2. The North Park Manor Society enters into a Housing Fund Grant Agreement to the satisfaction of the City Solicitor that includes the requirements that:
 - a) the North Park Manor Society will identify the City of Victoria as a contributor on publications, documents, and public events related to the development, completion and operation of the project;
 - b) upon project completion, North Park Manor Society will submit a final report to the Sustainable Planning and Community Development Department; and
 - c) the grant is to be repaid by the North Park Manor Society if the project does not proceed as proposed.
3. The North Park Manor Society enters into a Housing Agreement securing the housing units at rental levels consistent with the Victoria Housing Fund Guidelines in a form satisfactory to the City Solicitor and Director of Sustainable Planning and Community Development.

Carried Unanimously

Councillor Coleman returned at 1:19 p.m.

2. Attendance at the Federation of Canadian Municipalities Annual Conference, May 31 - June 3, 2018

Motion:

It was moved by Councillor Loveday, seconded by Councillor Coleman, that Council authorize the attendance and associated costs for Councillor Alto to attend the FCM Conference to be held in Halifax, NS, May 31 through June 3, 2018.

Carried Unanimously

3. Attendance at the Association of Vancouver Island Coastal Communities 2018 Annual Convention and Annual General Meeting – April 13-15, 2018

Motion:

It was moved by Councillor Loveday, seconded by Councillor Coleman, that Council authorize the attendance and associated costs for Mayor Helps to attend the AVICC Conference to be held in Victoria, April 13-15, 2018.

Carried Unanimously

4. Advocacy for Youth Programs Funding for Quadra Village Community Centre

Motion:

It was moved by Councillor Loveday, seconded by Councillor Lucas, that Council request that the Mayor, on behalf of Council, write to the Member of the Legislative Assembly for Victoria-Swan Lake, copying the provincial Minister of Children and Family Development, requesting that funding be identified and allocated within provincial jurisdiction to ensure continuity and improvements over time for youth programs delivered by the Quadra Village Community Centre.

Carried Unanimously

5. Temporary Use Permit Application No. 00007 for 629 and 635 Chatham Street

Motion:

It was moved by Councillor Loveday, seconded by Councillor Thornton-Joe, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, authorize the issuance of Temporary use Permit Application No. 00007 for 635 Chatham Street in accordance with:

1. Plans date stamped December 22, 2017;
2. Development meeting all *Zoning Regulation Bylaw* requirements;
3. The applicant providing a landscape cost estimate for the entire cost of the onsite landscaping in accordance with the Landscape Plan prepared by Murdoch de Greeff Landscape Architects dated December 22, 2017, and a landscape security deposit in the amount of 120% of the Landscape Cost Estimate payable to the City prior to the issuance of the building permit; and
4. The Temporary use Permit lapsing three years from the date of this resolution.

Carried Unanimously

6. Strategic Direction: Inclusionary Housing and Density Bonus Policy

Motion:

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

1. Consider the following strategic approaches in the development of a new Inclusionary Housing and Density Bonus Policy and direct staff to:
 - a) Establish affordable housing targets and levels of affordability to guide community amenity contribution negotiations;
 - b) Prioritize City objectives for community amenity contributions given limits on bonus density;
 - c) Develop a framework for the provision of bonus density in exchange for on-site affordable housing units, where feasible, within areas of the City through the zoning bylaw in a manner consistent with the Local Government Act;
 - d) Retain a consultant to update the economic analysis that informed the Density Bonus Policy (2016) to inform the above considerations,
 - e) Direct staff to negotiate approach to CACs
 - f) Direct staff to establish more precise targets and levels of affordability and;
 - g) Direct staff to consider pre-zoning areas of the City (using bonus density zoning) for affordable housing.
2. Direct staff to consult with stakeholders and the Community Association Land Use Committees on a draft policy.

Carried

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

4. Committee of the Whole – February 22 and March 8, 2018 – Proposed Animal Control Bylaw Amendments

1. Proposed Animal Control Bylaw Amendments - From February 22, 2018 COTW Meeting

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Coleman, that Council direct staff to:

1. Change the name of our bylaw from Animal Control Bylaw to Victoria Animal Responsibility Bylaw.
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.

Carried Unanimously

Motion:

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

3. Add a section called: Limit on Pets.
 1. 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.
 2. 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.
 3. No person shall keep, or allow to be kept on a Lot:
 - a. More than four (4) rabbits older than 12 weeks
 - b. More than four (4) guinea pigs older than 12 weeks
 - c. Any ungulate
 - f. any roosters

Carried Unanimously

Motion:

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

3. No person shall keep, or allow to be kept on a Lot:
 - d. Mink

Carried

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

Council discussed:

- The rationale for not including chinchilla.

Mayor Helps excused herself from the meeting at 1:31 p.m. due to a pecuniary conflict of interest as she has kept chickens on her property. Councillor Thornton-Joe assumed the Chair in her absence.

Motion:

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

3. No person shall keep, or allow to be kept on a Lot:
 - e. More than twelve (12) hens

Carried Unanimously

Motion:

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

Keeping of Urban Hens:

- 4.1 Be a resident of the property where the hens are kept.

Amendment:

It was moved by Councillor Loveday, seconded by Councillor Alto, that the following motion be referred to the Urban Food Table:

That Council direct staff to amend the bylaw as follows:

Keeping of Urban Hens:

- 4.1 Be a resident of the property where the hens are kept.

On the amendment:
Defeated

For: Councillors Alto and Loveday

Opposed: Councillors Coleman, Lucas, Madoff, Thornton-Joe and Young

Main motion:

That Council direct staff to amend the bylaw as follows:

Keeping of Urban Hens:

- 4.1 Be a resident of the property where the hens are kept.

Main motion:
Carried

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

Opposed: Councillor Loveday

Motion:

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

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.

Carried Unanimously

Mayor Helps returned to the meeting at 1:46 p.m. and assumed the Chair.

Motion:

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

4. 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 attacked 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),

5. And lastly, under our Outdoor Shelter Requirements in section 10 to:

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

Motion:

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

6. 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 any 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.

Amendment:

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

6. 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 any 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.
 - e. choke kick or punch**

On the amendment:
Carried Unanimously

Main motion:

6. 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 any 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.
 - e. choke kick or punch**

On the main motion as amended:
Carried Unanimously

2. Proposed Animal Control Bylaw Amendments - From March 8, 2018 COTW Meeting

Motion:

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

1. Amend our Animal Control Bylaw to prohibit the sale of cats, kittens, dogs, puppies, and rabbits in pet stores or other type of retail premises. The only exemption is if these animals are offered for adoption from a recognized animal rescue society or shelter organization at which time the current bylaw policy would still apply.

Carried

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

Motion:

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

2. Vehicle for Hire Bylaw: Each horse while transporting passengers must display an identification number which is visible and legible. This identification number must correspond with the name, description and health record of the horse and is to be provided to the licensing officer and SPCA at the beginning of the season.

Carried Unanimously

CORRESPONDENCE

1. Letter from the Corporation of the Township of Spallumcheen

Council received a letter dated February 22, 2018, regarding support for a resolution being considered by the Association of Vancouver Island Coastal Communities for Asset Management.

Motion:

It was moved by Councillor Loveday, seconded by Councillor Alto, that the correspondence dated February 22, 2018 from the Corporation of the Township of Spallumcheen be received for information.

Carried Unanimously

CLOSED MEETING

Motion:

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

- *Section 90 1(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;*
- *Section 90 1(b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;*
- *Section 90 1(c) labour relations or other employee relations;*
- *Section 90 1(f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;*
- *Section 90 1(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.*

Carried Unanimously

APPROVAL OF CLOSED AGENDA

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that Council approve the closed agenda.

Amendment:

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that Council approve the closed agenda with the following items on the consent agenda:

Item No. 2 - Law Enforcement

Item No. 4 - Land

Item No. 5 - Land

**On the amendment:
Carried Unanimously**

Main motion as amended:

That Council approve the closed agenda with the following changes:

Item No. 2 - Law Enforcement

Item No. 4 - Land

Item No. 5 - Land

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

CONSENT AGENDA

1. Law Enforcement (Cannabis Retailer Compliance Inspection - 2623 Bridge St. – Green Buddha)

Council received a confidential report dated February 27, 2018, from the City Clerk regarding law enforcement.

The motion was recorded and kept confidential.

2. Land (726 Johnson Street - Lease Amendment)

Council received a confidential report dated March 2, 2018, from the Head of Strategic Real Estate regarding a land item.

The motion was recorded and kept confidential.

3. Land

Council received a confidential report dated March 5, 2018, from the Head of Strategic Real Estate regarding a land item.

The motion was recorded and kept confidential.

NEW BUSINESS

4. Land

Council received a confidential report dated March 5, 2018, from the Head of Strategic Real Estate regarding a land item.

The discussion and motion were recorded and kept confidential.

5. Legal Advice

Council received confidential verbal legal advice from the City Solicitor.

The discussion and motion were recorded and kept confidential.

All staff except the City Manager were excused from the meeting at 2:20 p.m.

6. Employee Relations

Council received a confidential verbal overview from Mayor Helps regarding employee relations.

ADJOURNMENT

Motion:

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

Time: 3:14 p.m.

Carried Unanimously

CERTIFIED CORRECT:

CITY CLERK

MAYOR