



MINUTES - COMMITTEE OF THE WHOLE

May 17, 2018, 9:00 A.M.

COUNCIL CHAMBERS, CITY HALL, 1 CENTENNIAL SQUARE

Located on the traditional territory of the Esquimalt and Songhees People

PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, Councillor Young

STAFF PRESENT: J. Jenkyns - Acting City Manager, C. Coates - City Clerk, P. Bruce - Fire Chief, S. Thompson - Director of Finance, F. Work - Director of Engineering & Public Works, B. Eisenhauer - Head of Engagement, C. Havelka - Deputy City Clerk, A. Meyer - Assistant Director of Development Services, A. Hudson - Assistant Director of Community Planning, C. Mycroft - Manager of Executive Operations, AM Ferguson - Committee Secretary, T. Zworski - City Solicitor, M. Palmer - Chief Information Officer, S. Blazey - GIS Technician, M. Betanzo - Senior Planner, J. Paul, Assistant Director of Engineering, AM. Ferguson - Committee Secretary

GUEST: T. Whalen - Principal Environmental Engineer - SLR Consultants

A. APPROVAL OF AGENDA

Moved By Councillor Coleman

Seconded By Councillor Alto

That the agenda be approved.

Amendment:

Moved By Councillor Alto

Seconded By Councillor Lucas

That the agenda be amended to include the following items on the consent agenda:

Consent agenda:

Item No. C. 1 - Minutes from the meeting held April 5, 2018

Item No. E. 2 - 483/485 Garbally Road and 2960/2962 Bridge Street - Rezoning Application No.00623 (Burnside/Gorge)

Item No. F. 2 - Hands of Time License Renewal

Item No. F. 3 - Proclamation "Victims and Survivors of Crime Week" May 27 - June 2, 2018

Item No. F. 4 - Proclamation - "Orca Awareness Month" June 2018

Item No. F. 5 - Proclamation - "Intergenerational Day" June 1, 2018

Item No. F. 6 - Proclamation - "Co-op Housing Day" June 9, 2018

Item No. F. 7 - Proclamation - "Planning Institute of BC 60th Anniversary Day" June 9, 2018

Item No. F. 8 - Proclamation - "Pollinator Week" June 18-24, 2018

Item No. F. 9 - Addenda: Proclamation - "International Day against Homophobia, Transphobia and Biphobia" May 17, 2018

Item No. H. 1 - Attendance at the Canadian Capital Cities Annual Conference, May 30 – May 31, 2018

Item No. H. 2 - Appointments to the Accessibility Working Group

CARRIED UNANIMOUSLY

Main motion as amended:

CARRIED UNANIMOUSLY

B. CONSENT AGENDA

Moved By Councillor Coleman

Seconded By Councillor Alto

That the following items be approved without further debate

CARRIED UNANIMOUSLY

B.1 Minutes from the meeting held April 5, 2018

Moved By Councillor Coleman

Seconded By Councillor Alto

That the minutes from the April 5, 2018 Committee of Whole meeting be approved.

CARRIED UNANIMOUSLY

B.2 483/485 Garbally Road and 2960/2962 Bridge Street - Rezoning Application No.00623 (Burnside/Gorge)

Committee received a report dated May 3, 2018, from the Director of Sustainable Planning and Community Development regarding an application to allow a liquor retail store and a brew pub as permitted uses accessory to a brewery.

Moved By Councillor Coleman

Seconded By Councillor Alto

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00623 for 483/485 Garbally Road and 2960/2962 Bridge Street; that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set, subject to receipt of fully executed Statutory Right-of-Ways (SRW) of 0.86m on Bridge Street, and 1.38m on Garbally Road, to the satisfaction of the Director of Engineering and Public Works

CARRIED UNANIMOUSLY

B.3 Hands of Time License Renewal

Committee received a report dated May 4, 2018, from the Acting City Manager regarding the renewal of an agreement for two sculptures located on Provincial property at 1112 Wharf Street.

Moved By Councillor Coleman

Seconded By Councillor Alto

That Council authorize the Mayor and City Clerk to execute the agreement to renew the five year agreement between the City of Victoria and the Province of British Columbia to site two sculptures located on Provincial property at 1112 Wharf Street.

CARRIED UNANIMOUSLY

B.4 Proclamation "Victims and Survivors of Crime Week" May 27 - June 2, 2018

Committee received a report dated May 7, 2018, from the City Clerk regarding a proclamation for the Victims and Survivors of Crime Week.

Moved By Councillor Coleman
Seconded By Councillor Alto

That the Victims and Survivors of Crime Week Proclamation be forwarded to the May 24, 2018 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

B.5 Proclamation - "Orca Awareness Month" June 2018

Committee received a report dated May 7, 2018, from the City Clerk regarding a proclamation for Orca Awareness Month.

Moved By Councillor Coleman
Seconded By Councillor Alto

That the Orca Awareness Month Proclamation be forwarded to the May 24, 2018 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

B.6 Proclamation - "Intergenerational Day" June 1, 2018

Committee received a report dated May 7, 2018, from the City Clerk regarding a proclamation for Intergeneration Day.

Moved By Councillor Coleman
Seconded By Councillor Alto

That the Intergenerational Day Canada Proclamation be forwarded to the May 24, 2018 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

B.7 Proclamation - "Co-op Housing Day" June 9, 2018

Committee received a report dated May 7, 2018, from the City Clerk regarding a proclamation for Co-Op Housing Day.

Moved By Councillor Coleman
Seconded By Councillor Alto

That the Co-Op Housing Day Proclamation be forwarded to the May 24, 2018 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

B.8 Proclamation - "Planning Institute of BC 60th Anniversary Day" June 9, 2018

Committee received a report dated May 7, 2018, from the City Clerk regarding a proclamation for the Planning Institute of BC 60th Anniversary Day.

Moved By Councillor Coleman

Seconded By Councillor Alto

That the *Planning Institute of BC 60th Anniversary Day Proclamation* be forwarded to the May 24, 2018 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

B.9 Proclamation - "Pollinator Week" June 18-24, 2018

Committee received a report dated May 7, 2018, from the City Clerk regarding a proclamation for Pollinator Week.

Moved By Councillor Coleman

Seconded By Councillor Alto

That the *Pollinator Week Proclamation* be forwarded to the May 24, 2018 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

B.10 Addenda: Proclamation - "International Day against Homophobia, Transphobia and Biphobia" May 17, 2018

Committee received a report dated May 15, 2018, from the City Clerk regarding a proclamation for International Day against Homophobia, Transphobia and Biphobia.

Moved By Councillor Coleman

Seconded By Councillor Alto

1. That the *International Day against Homophobia, Transphobia and Biphobia* Proclamation be forwarded to the May 17, 2018 Council meeting for Council's consideration.
2. Subject to Committee of the Whole's consideration of the above recommendation, that the motion be forwarded to the Special Council Meeting of May 17, 2018.

CARRIED UNANIMOUSLY

B.11 Attendance at the Canadian Capital Cities Annual Conference, May 30 – May 31, 2018

Committee received a Council Member motion dated May 9, 2018, from Councillor Alto regarding a request to attend the Canadian Capital Cities Annual Conference.

Moved By Councillor Coleman

Seconded By Councillor Alto

That Council authorize the attendance and associated costs for Councillor Alto to attend the CCCO Conference to be held in Halifax, NS, May 30 and 31, 2018.

CARRIED UNANIMOUSLY

B.12 Appointments to the Accessibility Working Group

Committee received a Council member motion dated May 9, 2018 from Councillors Thornton-Joe and Isitt regarding appointments to the Accessibility Working Group.

Moved By Councillor Coleman

Seconded By Councillor Alto

That Council rescind the appointment of Councillor Thornton-Joe to the Accessibility Working Group, and appoint Councillor Isitt in her place, for the balance of the appointment term.

CARRIED UNANIMOUSLY

D. UNFINISHED BUSINESS

D.1 Open Data Portal Launch

Committee received a report dated May 4, 2018, from the Head of Engagement regarding an update and demonstration of the City's new Open Data portal.

Councillor Loveday left the meeting at 9:16 am.

Councillor Loveday joined the meeting at 9:16 am.

Moved By Councillor Alto

Seconded By Councillor Isitt

That Council receive this report for information.

Committee discussed:

- *Commitment to transparency and accessible data.*

CARRIED UNANIMOUSLY

D.2 Letter from the Minister of Transport

Committee received a letter dated March 27, 2018 from the Minister of Transport providing a response to the briefing note of February 6 and 26, 2018 regarding the Victoria Harbour Water Airport.

That Council receive the letter dated March 27, 2018 from the Minister of Transport for information.

Moved By Councillor Isitt

Seconded By Councillor Loveday

That Council request that the mayor write to the Ministry of Transport pacific division (Vancouver) requesting the noise exposure forecast be provided to the city within 30 days.

Amendment:

Moved By Councillor Isitt

Seconded By Mayor Helps

That the motion be amended to include the following point:

2. That Council request that the Mayor write to the Ministry of Transport requesting clarification on the anticipated date of publication of the draft regulations for the Victoria Harbour Airport.

Amendment to amendment:

Moved By Councillor Coleman

That the amendment be amended to include the following point:

2. That Council request that the Mayor write to the Ministry of Transport requesting clarification on the anticipated date of publication of the draft regulations **and the quality of life impacts** for the Victoria Harbour Airport.

MOTION FAILED DUE TO NO SECONDER

Amendment to amendment:

Moved By Mayor Helps

Seconded By Councillor Isitt

That the amendment be amended in the following point:

2. That Council request that the Mayor write to the Ministry of Transport requesting clarification on the anticipated date of publication of the ~~draft regulations~~ **proposed regulatory amendments**.

On the amendment to the amendment:

CARRIED UNANIMOUSLY

Amendment to amendment:

Moved By Councillor Isitt

Seconded By Mayor Helps

2. That Council request that the Mayor write to the Ministry of Transport **and the Ministry of Transport (Pacific Division – Vancouver)** requesting clarification on the anticipated date of publication of the proposed regulatory amendments for the Victoria Harbour Airport.

On the amendment to the amendment:

CARRIED UNANIMOUSLY

On the amendment:

CARRIED UNANIMOUSLY

Main motion as amended:

1. That Council request that the Mayor write to the Ministry of Transport (Pacific Division - Vancouver) requesting the noise exposure forecast for the Victoria Harbour Airport be provided to the City within 30 days.
2. That Council request that the Mayor write to the Ministry of Transport and the Ministry of Transport (Pacific Division – Vancouver) requesting clarification on the anticipated date of publication of the proposed regulatory amendments for the Victoria Harbour Airport.

On the main motion as amended:

CARRIED UNANIMOUSLY

E. LAND USE MATTERS

E.1 672 Niagara Street - Rezoning Application No. 00609 & Development Permit with Variances Application No. 00029 (James Bay)

Committee received reports dated May 1, 2018, from the Director of Sustainable Planning and Community Development regarding an application to construct a three-storey, multi-family building.

Moved By Councillor Loveday

Seconded By Councillor Thornton-Joe

That Committee allow the applicant to address Council.

CARRIED UNANIMOUSLY

Moved By Councillor Lucas

Seconded By Councillor Alto

Rezoning Application No. 00609

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00609 for 672 Niagara Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.
2. That final adoption of the Bylaws be considered subject to:
 - a. registration of a 2.38m Statutory Right-of-Way over the Niagara Street frontage on title of the lands

Development Permit with Variances Application No. 00029

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00609, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00029 for 672 Niagara Street, in accordance with:

1. Plans date stamped February 16, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce required number of parking stalls from six to four
 - ii. reduce the flanking street side yard setback from 1.5m to 0.72m
 - iii. reduce the internal side yard setback from 3.00m to 1.03m
 - iv. reduce the front yard setback from 5.0m to 4.38m
 - v. increase the maximum site coverage from 40% to 46%.
3. The Development Permit lapsing two years from the date of this resolution.

Committee discussed:

- *Plans for the tenants in the existing rental.*

Amendment:

Moved By Councillor Madoff

Seconded By Councillor Lucas

That the motion be amended to include the following point:

4. Request the applicant reconsider the use of the slate grey veneer on the lower floor of the building.

On the amendment:

CARRIED UNANIMOUSLY

Main motion as amended:

Rezoning Application No. 00609

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00609 for 672 Niagara Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.
2. That final adoption of the Bylaws be considered subject to:
 - a. registration of a 2.38m Statutory Right-of-Way over the Niagara Street frontage on title of the lands

Development Permit with Variances Application No. 00029

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00609, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00029 for 672 Niagara Street, in accordance with:

1. Plans date stamped February 16, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce required number of parking stalls from six to four
 - ii. reduce the flanking street side yard setback from 1.5m to 0.72

- iii. reduce the internal side yard setback from 3.00m to 1,03
 - iv. reduce the front yard setback from 5.0m to 4.38
 - v. increase the maximum site coverage from 40% to 46%.
- 3. The Development Permit lapsing two years from the date of this resolution.
 - 4. Request the applicant reconsider the use of the slate grey veneer on the lower floor of the building.

On the main motion as amended:

CARRIED UNANIMOUSLY

E.3 566 Yates Street - Development Permit with Variances Application No. 00067 (Downtown)

Committee received a report dated April 26, 2018, from the Director of Sustainable Planning and Community Development regarding an application to renovate the interior of an existing building to provide a residential unit at the ground floor.

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 Permit with variance Application No. 00067 for 566-570 Yates Street in accordance with:

- 1. Plans date stamped January 11, 2018.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances: i. permit residential uses on the ground floor.
- 3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

F. STAFF REPORTS

F.1 Laurel Point Park Environmental Remediation

Committee received a report dated April 27, 2018, from the Director of Engineering and Public Works regarding the recently completed environmental risk assessment and remediation action plan at Laurel Point Park and to provide an update on the adjacent remediation work planned by Transport Canada for their property at Laurel Point.

Committee discussed:

- *Impacts to hotels during tourist season and mitigation strategies.*
- *Desire for a natural play feature in the area.*

Moved By Mayor Helps

Seconded By Councillor Madoff

That Council direct staff to:

1. Bring forward amendments to the 2018 Financial Plan bylaw to add \$3.1 million for the environmental remediation at Laurel Point Park with funding from the Tax Sale Lands Reserve.
2. Approve funding of \$50,000 from contingencies for the removal, storage, and reinstallation of various City assets on Laurel Point federal lands.
3. Authorize the Mayor and City Clerk to execute, on behalf of the City, an Agreement with the federal government as represented by Transport Canada, in a form satisfactory to the City Solicitor, to allow remediation of City land in conjunction with the Transport Canada Middle Harbour Fill Site remediation project.

Subject to Council's consideration of the recommendations noted above:

1. Forward the Committee of the Whole recommendations to the Special Council Meeting of May 17, 2018.

CARRIED UNANIMOUSLY

I. ADJOURNMENT OF COMMITTEE OF THE WHOLE

Moved By Councillor Alto

Seconded By Councillor Coleman

That the Committee of the Whole Meeting be adjourned at 9:24 a.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR