



MINUTES – VICTORIA CITY COUNCIL

MEETING OF THURSDAY, OCTOBER 26, 2017, AT 6:30 P.M.

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| <u>PLACE OF MEETING:</u> | Council Chambers, City Hall |
| <u>PRESENT:</u> | Mayor Helps in the Chair, Councillors Alto, Coleman, Isitt, Lucas, Thornton-Joe, and Young. |
| <u>ABSENT:</u> | Councillors Loveday and Madoff |
| <u>STAFF PRESENT:</u> | 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; T. Soulliere – Director of Parks, Recreation, & Facilities; J. Tinney – Director of Sustainable Planning & Community Development; T. Zworski- City Solicitor; B. Eisenhaur - Head of Engagement; C. Havelka – Deputy City Clerk; A. Meyer – Acting Director of Development Services; C. Mycroft – Manager of Executive Operations; P. Martin - Council Secretary. |

APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Motion:

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

Amendment:

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that Lenore LeMay be added to the second Request to Address Council section of the agenda.

On the amendment:
Carried Unanimously

Amendment:

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that Zoey Manard be added to the second Request to Address Council section of the agenda.

On the amendment:
Carried Unanimously

On the main motion as amended:
Carried Unanimously

REQUESTS TO ADDRESS COUNCIL

Motion:

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

Carried Unanimously

1. **Ryan Painter: Mental Health**

Outlined why Council should update the Official Community Plan to acknowledge that cities play a role in creating mentally healthy spaces and by focusing on initiatives to address mental illness in our communities.

Councillor Lucas withdrew from the meeting at 6:41 p.m. due to a pecuniary conflict of interest with the following item, as she is the general manager of a hotel which uses plastic bags.

2. **Rachael Montgomery: Plastic Bag Ban Regulation**

Outlined why Council should ban single-use plastic bags and place a fee on paper bags.

3. **Gillian Montgomery: Plastic Bag Ban Regulation**

Outlined why Council should ban single-use plastic bags by July 2018.

4. **Margaret McCullough: Plastic Bag Ban**

Outlined why Council should pass a bylaw to ban single-use plastic bags.

Councillor Lucas returned to the meeting at 6:56 p.m.

5. **Barry Petrachenko: IIHF World Junior Hockey Bid**

Outlined why Council should provide financial support associated with co-hosting the 2019 IIHF World Junior Championship.

PROCLAMATIONS

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, that the following Proclamation be endorsed:

1. "CRPS/RSD Awareness Day" – November 6, 2017

Carried Unanimously

PUBLIC AND STATUTORY HEARINGS

1. **Development Permit with Variances Application No. 00046 for 1032 Harling Lane, No. 00047 for 1038 Harling Lane, and No. 00048 for 1044 Harling Lane**

1. **Opportunity for Public Comment**

Development Permit with Variances No. 00046, No. 00047, and No. 00048

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 1032 Harling Lane, 1038 Harling Lane, and 1044 Harling Lane in Development Permit Area 15A: Intensive Residential Small Lot, for purposes of establishment of objectives for the form and character of intensive residential development.

The Development Permits will vary the following requirements of the *Zoning Regulation Bylaw*, for each lot:

- Reduce the front yard setback for an outdoor feature (arbour).
- Reduce the separation distance for the arbour from the dwelling.

Legal description of the land:

Lot C, Fairfield Farm Estate, Victoria City Plan EPP20983

Lot D, Fairfield Farm Estate, Victoria City Plan EPP20983

Lot E, Fairfield Farm Estate, Victoria City Plan EPP20983

Alison Meyer (Assistant Director of Development Services): Advised that the application is to consider a development permit with variances to approve an outdoor feature (arbour). The proposal requires a variance for a setback from the front property line and separation space from the main building.

Mayor Helps opened the opportunity for public comment at 7:01 p.m.

Mayor Helps closed the opportunity for public comment at 7:02 p.m.

2. **Development Permit with Variances Approval**

Motion:

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

1032 Harling Lane

That Council authorize the issuance of Development Permit with Variances Application No. 00046 for 1032 Harling Lane in accordance with:

1. Plans date stamped July 21, 2017
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the front yard setback from 18m to 17.30m for an outdoor feature (arbour)
 - ii. reduce the separation distance from 2.4m to 1.58m for the arbour from the dwelling.
3. The Development Permit lapsing two years from the date of this resolution.

1038 Harling Lane

That Council authorize the issuance of Development Permit Application with Variances No. 00047 for 1038 Harling Lane in accordance with:

1. Plans date stamped July 21, 2017
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the front yard setback from 18m to 17.20m for an outdoor feature
 - ii. reduce the separation distance from 2.4m to 1.72m for the arbour from the dwelling.
3. The Development Permit lapsing two years from the date of this resolution.

1044 Harling Lane

That Council authorize the issuance of Development Permit Application with Variances. No. 00048 for 1044 Harling Lane in accordance with:

1. Plans date stamped July 21, 2017.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the front yard setback from 18m to 17.27m
 - ii. reduce the separation distance from 2.4m to 1.68m for the arbour from the dwelling.
3. The Development Permit lapsing two years from the date of this resolution.

Carried Unanimously

2. Heritage Designation Application No. 000161 and Tax Incentive Program Application No. 00027 for 506 Fort Street

1. Opportunity for Public Comment Heritage Designation No. 000161

Under the provisions of the Local Government Act, the City of Victoria intends to designate the exterior of the building located at 506 Fort Street, legally described as Lot 1, Section 18, Victoria District, Plan 29564, as protected heritage property, under Heritage Designation (506 Fort Street) Bylaw No. 17-031.

2. Tax Incentive Program Application No. 00027

For the purpose of assisting in the preservation and rehabilitation of heritage property, including the seismic upgrading, and residential use of heritage property, the Council of the Corporation of the City of Victoria proposes a bylaw that would exempt the heritage building located at 506 Fort Street, Victoria, BC, from municipal property taxes for 4 consecutive years.

The proposed exemption would apply if:

1. the Victoria Civic Heritage Trust verifies and advised the City that the upgrading of the property is complete and fully paid for by the owner, and is in accordance with the B.C. Building Code;
2. all parts of the heritage building on the property that are located above its ground floor are available to be used for residential purposes, and uses ancillary thereto;
3. a covenant pursuant to section 219 of the *Land Title Act* identifying the tax exemption and the restrictions on the use of the heritage building on the property stated in paragraph (b) of this notice has been registered at the Land Title Office against title for the property.

The estimated amount of municipal property taxes that would be imposed on the property if it were not exempt for the year in which Bylaw 17-105 takes effect and the following two years is approximately \$52,667.12.

Alison Meyer (Assistant Director of Development Services): *Advised that the application is to consider an application to designate the property as a Municipal Heritage Site and provide a tax exemption for the property for four years.*

Mayor Helps opened the opportunity for public comment at 7:03 p.m.

Mayor Helps closed the opportunity for public comment at 7:04 p.m.

3. Bylaw Approval

Motion:

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

1. *Heritage Designation (506 Fort Street) Bylaw No. 17-032*

Carried Unanimously

4. Bylaw Approval

Motion:

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

1. *Heritage Designation (506 Fort Street) Bylaw No. 17-032*
2. *Tax Exemption (506 Fort Street) Bylaw No. 17-105*
3. *Housing Agreement (506 Fort Street) Bylaw No. 17-104*

Carried Unanimously

3. **Rezoning Application No. 00586 for 304 Cook Street**

1. **Public Hearing**

Rezoning Application No. 00586

To rezone the land known as 304 Cook Street from the CR-3M Zone, Commercial Residential Apartment Modified District, to the CR-3M-2 Zone, Commercial Residential Apartment (Sutlej) District, to permit a liquor retail store use.

New Zone: CR-3M-2 Zone, Commercial Residential Apartment (Sutlej) District

Legal description: Lot 51, Fairfield Farm Estate, Victoria City, Plan 28

Existing Zone: CR-3M Zone, Commercial Residential Apartment Modified District

Alison Meyer (Assistant Director of Development Services): *Advised that the application is to consider a rezoning application to allow for the retail sale of liquor.*

Mayor Helps opened the public hearing at 7:06 p.m.

Glen Barlow (Applicant): Provided information regarding the application which is to rezone the land to allow for the retail sale of liquor as a craft boutique liquor store. Also outlined were the addition of a small flower shop in the front area of the building, and the addition of bike racks.

Councillor Isitt withdrew from the meeting at 7:09 p.m. and returned at 7:10 p.m.

Karen Felsky (Sutlej Street): Expressed concerns relating to the application due to the lack of parking.

Council discussed the following:

- *Parking concerns within Cook Street Village.*

Mayor Helps closed the public hearing at 7:23 p.m.

2. **Bylaw Approval**

Motion:

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

1. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1120) No. 17-102*

Council discussed the following:

- *That the retail store is an appropriate addition to the village.*

Carried Unanimously

3. **Bylaw Approval**

Motion:

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

1. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1120) No. 17-102*

Carried Unanimously

4. **Rezoning Application No. 00571 for 2639-2641 Quadra Street**

4. **Public Hearing**

Rezoning Application No. 00571

To rezone the land known as 2639-2641 Quadra Street from the C1-QV Zone, Quadra Village District, to the C1-QC Zone, Quadra Village (Cannabis) District, to permit a storefront cannabis retailer.

New Zone: C1-QC Zone, Quadra Village (Cannabis) District

Legal description: Lot 9, Block 16, Section 4, Victoria District, Plan 240

Existing Zone: C1-QV Zone, Quadra Village District

Alison Meyer (Assistant Director of Development Services): *Advised that the application is to consider to rezone the property to allow for the retail sale of cannabis.*

Mayor Helps opened the public hearing at 7:31 p.m.

Marianne Emmett (Applicant): Provided information regarding the application, advising that they comply with all regulations.

Chantelle Tuton (Belmont Road): Expressed support for the application as it is a positive addition to the neighbourhood.

Mayor Helps closed the public hearing at 7:38 p.m.

5. **Bylaw Approval**

Motion:

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

1. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1109) No. 17-079*

Carried

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

Adoption of Zoning Regulation Bylaw, Amendment Bylaw (No. 1109) No. 17-079 is pending registration of the Statutory Right-of-Way of 3.2m on Quadra Street.

REQUESTS TO ADDRESS COUNCIL

Motion:

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

Carried Unanimously

Councillor Lucas withdrew from the meeting at 7:42 p.m. due to a pecuniary conflict of interest with the following items, due to her proximity to the businesses in question and as she is the general manager of a hotel which uses plastic bags.

1. **Chris Zmuda: City Hall – Cannabis – Small Business**
Outlined why Council should review the allowance of cannabis dispensaries in the City and how they are ruining small businesses.
2. **Carolyn Whittaker: Plastic Bag Ban Regulation**
Outlined why Council should ban the use of single-use plastic bags.
3. **Chris-Ann Lake: Ban the Bag Victoria**
Outlined why Council should ban the use of single-use plastic bags.

Councillor Lucas returned to the meeting at 7:57 p.m..

4. **Lenore LeMay: Rezoning Application for 1625 Quadra Street**
Outlined why Council should postpone or not decline the rezoning application for 1625 Quadra Street.

Councillor Lucas withdrew from the meeting at 8:03 p.m. due to a pecuniary conflict of interest with the following item, as she is the general manager of a hotel which uses plastic bags.

5. **Zoey Minneard: Plastic Bag Ban**
Outlined why Council should ban the use of single-use plastic bags.

Councillor Lucas returned to the meeting at 8:08 p.m.

UNFINISHED BUSINESS

1. **Letter from the Minister of Forests, Lands, Natural Resource Operations and Rural Development**
Council received a letter of response dated October 19, 2017, regarding the City of Victoria Council's resolution to support optimizing community benefits of forest resources.

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, that the correspondence dated October 19, 2017 from the Minister of Forests, Lands, Natural Resource Operations and Rural Development be received for information.

Carried Unanimously

2. **Rise and Report from Closed Meeting for Information**

a. **From the April 6, 2017 Closed Council Meeting**

1. That Council authorizes the Mayor and City Clerk to execute a lease, in a form satisfactory to the City Clerk, for premises at 707 Douglas Street with Wilson's Transportation Ltd. for a period of 17 months and 10 days commencing April 21, 2017 at a base rent of \$11,676.00 per annum (\$14.00/ft²), plus GST, subject to the publication of the statutory notices required by the Community Chart.
2. That Council authorize a rise and report upon the execution of the lease agreement.

REPORTS OF COMMITTEES

1. **Committee of the Whole – October 12, 2017 (Report B)**

1. **Land Use Procedures Bylaw Amendments – Temporary Use Permits Notification**

Motion:

It was moved by Councillor Alto, seconded by Councillor Isitt, that Council direct staff to amend the Storefront Cannabis Retailer Rezoning Policy to specify that Temporary Use Permit applications require the notification distance for Council's opportunity for public comment be 100 metres.

Carried Unanimously

2. **Committee of the Whole – October 12, 2017 (Report C)**

1. **2018 Committee and Council Meeting Schedule - Correction**

Motion:

It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that Council approve the corrected 2018 Committee of the Whole and Council meeting schedule for the June Council Meeting as noted below and make available to the public as required under Section 127 of the *Community Charter*.

Carried Unanimously

3. **Committee of the Whole – October 19, 2017**

1. **Rezoning Application No. 00569 and Development Permit with Variances Application No. 00044 for 540 Discovery Street and 2000 & 2010 Government Street**

Motion:

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

Rezoning Application No. 00569

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00569 for 540 Discovery Street and 2000 & 2010 Government Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Development Permit with Variances Application No. 00044

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. 00569, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00044 for 540 Discovery Street and 2000 & 2010 Government Street, in accordance with:

1. Plans date stamped July 13, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Part 7.45, Section 4(1): reduce the width of access at the street from 5m to 4.36m;
 - ii. Schedule C, Section C and D: reduce the required number of parking spaces from 45 to 5;
 - iii. Sign Bylaw No. 14-097, Part 4, Section 18(4): to allow the sign to project above and over the wall to which it is attached;
 - iv. Sign Bylaw No. 14-097 Part 4 Section 18(7): increase the width of a projecting sign at its base from 0.40m to 0.58m;
3. The Development Permit lapsing two years from the date of this resolution.
4. Register a Section 219 Covenant on the property located at 513 Pembroke Street to secure this lot for employee parking from the brewery located at 540 Discovery and 2000/2010 Government Street.

Carried Unanimously

2. **Rezoning and Development Permit with Variances Application No. 00597 for 737 Belton Avenue and 1137 Dominion Road**

Motion:

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

Rezoning Application No. 00597

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00597 for 737 Belton Avenue and 1137 Dominion Road, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Development Permit with Variances Application No. 00597

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. 00597, if it is approved, consider the following motion:

"That Council authorize the issuance of a Development Permit Application for 737 Belton Avenue and 1137 Dominion Road, in accordance with:

1. Plans date stamped July 24, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Lot B: reduce the front setback from 6.0m to 4.24m;
 - ii. Lot B: reduce the rear setback from 6.0m to 4.65m; and,
 - iii. Lot B: reduce the east side setback from 2.4m to 2.15m.
3. The Development Permit lapsing two years from the date of this resolution."

Carried Unanimously

3. **Rezoning Application No. 00557 for 2616-2626 Douglas Street**

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Coleman, that Council defer the proposed development outlined in Rezoning Application No. 00557 for 2616-2626 Douglas Street until after the Public Hearing for Rezoning Application No. 00533 for 603 Gorge Road East.

Carried Unanimously

4. **Victoria Housing Reserve Fund Application for the Fairfield Hotel at 1601 – 1609 Douglas Street**

Motion:

It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that Council approve a Victoria Housing Reserve Fund grant to Pacifica Housing Advisory Association in the amount of \$500,000 (\$250,000 now and \$250,000 in five years) to assist in the retention of 62 units of no/low income housing at the Fairfield Hotel, located at 1601-1609 Douglas Street, subject to the following conditions:

1. The grant will be eligible for payment to the applicant, Pacifica Housing Advisory Association, upon approval by Council and once the Housing Reserve Fund Housing and Grant Agreements have been executed with the City of Victoria, and would be dispersed in two parts: \$250,000 upon grant signing, and the remaining \$250,000 in five years (60 months).
2. Should Pacifica Housing Advisory Association cease operations of the Fairfield, any remaining portion of the grant is to be repaid to the City of Victoria at a pro-rated amount reflective of the months remaining in the lease, to be outlined in the housing agreement.
3. Pacifica Housing Advisory Association will ensure that the City of Victoria is identified as a contributor on publications, documents, and public events related to the project.
4. Upon project completion, Pacifica Housing Advisory Association will submit a final report to the Sustainable Planning and Community Development Department, which will include tenant relocation plans.

Carried Unanimously

5. **Johnson Street Bridge Replacement Project Quarterly Update**

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Coleman, that City Council receive this report for information.

Carried Unanimously

6. **Strategic Plan Grant-Program - External Grant Review Committee Recommendations on Policy and Process**

Motion:

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

1. Amend the Strategic Plan Grant policy, application process, application form and review process recommended by the External Grant Review Committee as follows:

- a. Policy:
 - i. Deem capital requests ineligible
 - ii. Limit applications to initiatives that are based in the City of Victoria, or the portion of the activity that takes place in the City of Victoria
 - iii. Add the following assessment criteria:
 1. Capacity of an organization to deliver the project
 2. Evidence of need
 3. Community impact
 4. Feasibility
- b. Application process:
 - i. Implement an annual weighting of the eligible Strategic Plan objectives by Council to inform potential applicants of Council's priorities for the year.
 - ii. Specify a consistent timeline for the granting process
 1. Council's weighting of Strategic Plan Objectives- October
 2. Application intake open- November 15
 3. Application deadline- January 31
 4. External Grant Review Committee recommendations to Council - April 30
 5. Project period- July 1 to June 30
 6. Recruit two new members for the External Grant Review Committee - August
 7. Project evaluation reports to City- September 30
 8. External Grant Review Committee reviews evaluation reports for the prior year- January 31
 - iii. Update the Grant page on the City's website clearly outlining eligibility criteria, Council weighting of strategic priorities, assessment criteria, the range and average of awards in previous years, encourage diverse funding sources, provide links to Grant Writing Handbook and "Other Funding Sources" from the Victoria Foundation's website
 - iv. As part of the application package, clearly state the largest and average awarded amounts from the prior year
- c. Application form and reporting:
 - i. Only list the strategic objectives that have been weighted by Council
 - ii. Encourage applicants to only select their primary strategic objectives
 - iii. Add assessment criteria for strength of organization, evidence of need, community impact and feasibility
 - iv. Restrict the length of applications (character count, and no supplementary pages)
 - v. Establish consistent submission format/number of documents
 - vi. Refine the budget template and clarify requirements
 - vii. Require that grant applications include key objectives, how they plan to measure success, and also reporting back on how the applicant met the objectives
 - viii. Clearly outline the maximum 3 consecutive grants for the same purpose
- d. Review process
 - i. Continue using Council weighted strategic plan objectives
 - ii. Continue using the assessment criteria (strength of organization, evidence of need, community impact and feasibility)
 - iii. Continue using the evaluation matrix developed by the External Grant Review Committee
 - iv. Maintain a five member Committee, but add overlapping terms
2. Amend the Term of Reference for the External Grant Review Committee to provide for rotating membership with overlapping terms starting for the 2018 granting year
 - a. Three members for two cycle terms
 - b. Two members for a one cycle term, with annual recruitment to replace these two members
 - c. The two outgoing members to be responsible for evaluating reports from current year grant recipients.

Carried

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

Councillor Young withdrew from the meeting at 8:17 p.m. due to a non-pecuniary conflict of interest with the following item, as members of his family live in close proximity.

7. Temporary Use Permit with Variances Application No. 00002 for 514 Government Street

Motion:

It was moved by Councillor Alto, 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 Temporary Use Permit Application No. 00002 for 514 Government Street, in accordance with:

1. Plans date stamped July 13, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:

- i. reduce the required amount of parking from ten stalls to one.
3. The Development Permit lapsing three years from the date of this resolution.

Carried Unanimously

Councillor Young returned to the meeting at 8:18 p.m.

8. Rezoning Application No. 00575 for 1625 Quadra Street

Motion:

It was moved by Councillor Isitt, seconded by Councillor Lucas, that Council decline Rezoning Application No. 00575 for the property located at 1625 Quadra Street.

Carried Unanimously

Councillor Isitt withdrew from the meeting at 8:19 p.m. due to a non-pecuniary conflict of interest with the following item, as his father lives in close proximity.

9. Rezoning Application No.00576 & Development Permit Application No. 000514 for 425 Oswego Street

Motion:

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

Rezoning Application No.00576

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00576 for 425 Oswego Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set subject to the applicant reducing the scale, massing and height of the proposed single-family dwelling to the satisfaction of the Director of Sustainable Planning and Community Development.

Development Permit Application No. 000514

That Council authorize the issuance of Development Permit Application No. 000514 for 425 Oswego Street, in accordance with:

1. Plans date stamped August 16, 2017 (amended to reduce the scale, massing and height of the proposed single-family dwelling to the satisfaction of the Director of Sustainable Planning and Community Development).
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. The Development Permit lapsing two years from the date of this resolution.

Carried Unanimously

Councillor Isitt returned to the meeting at 8:19 p.m.

Councillor Coleman withdrew from the meeting at 8:20 p.m. due to a non-pecuniary conflict of interest with the following item, his father-in-law resides in close proximity.

10. Land Use Contract Discharge (Rezoning Application No. 00568) & Development Permit with Variances Application No. 00050 for 875 and 877 North Park

Motion:

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

Land Use Contract Discharge (Rezoning Application No. 00568)

That Council instruct staff to prepare the necessary Land Use Contract Discharge Bylaw in order to authorize the proposed development for 875 and 877 North Park, that first and second reading of the Land Use Contract Discharge Bylaw be considered by Council and a Public Hearing date be set subject to the preparation and execution of a Housing Agreement to ensure that the rental units remain rental in perpetuity to the satisfaction of the City Solicitor.

Development Permit with Variances Application No. 00050

That Council after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Land Use Contract Discharge Application (Rezoning Application No. 00568,) if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00050 for 875 and 877 North Park, in accordance with:

1. Plans date stamped August 2, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Schedule C, Part A (10): reduce the required number of parking spaces from 84 to 52 parking spaces.
3. The Development Permit lapsing two years from the date of this resolution."

Carried Unanimously

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

11. Active Transportation Advisory Committee- Motions for Consideration

Motion:

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

1. That Council direct staff to write to the Province of BC to request their review and comments related to any potential amendment of the *Motor Vehicle Act* to allow the use of wheel-chairs and mobility scooters in protected bike lanes.
2. That Council direct staff to Continue the analysis and development of car share, transportation demand management strategies, as part of the development of the City's Sustainable Mobility Strategy, to include consideration of the following specifics:
 - Car share parking management best-practice, and
 - City corporate car share program opportunities.

Carried Unanimously

12. Council Workshop - Draft Victoria West Neighbourhood Plan

Motion:

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

1. Direct staff to consider feedback from Council and the community and prepare a final proposed Victoria West Neighbourhood Plan.
2. Refer the draft Victoria West Neighbourhood Plan and associated Design Guidelines to the Advisory Design Panel for comment.

Carried Unanimously

2. Committee of the Whole – October 26, 2017

1. Sponsorship of 2019 International Ice Hockey Federation (IIHF) World Junior Hockey Championship

Motion:

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council approve up to \$70,000 in financial support associated with co-hosting the 2019 IIHF World Junior Championship with funding from 2017 surplus and direct the organizing committee to seek funding from the CRD and other municipalities for a total local government contribution of up to \$70,000.

Amendment:

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

That Council approve up to \$70,000 in financial support associated with co-hosting the 2019 IIHF World Junior Championship with funding from 2017 surplus ~~and direct the organizing committee to seek funding from the CRD and other municipalities for a total local government contribution of up to \$70,000.~~

The Director of Parks, Recreation, & Facilities, provided updated information advising of the additional financial benefits to the City.

On the amendment:

Carried

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

Opposed: Councillor Isitt

Main motion as amended:

That Council approve up to \$70,000 in financial support associated with co-hosting the 2019 IIHF World Junior Championship with funding from 2017 surplus.

On the main motion as amended:

Carried

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

Opposed: Councillor Isitt

2. Updated on Rezoning Application No. 000525 and Development Permit with Variances No. 00035 for 1201 Fort Street and 1050 Pentrelew Place, and associated Official Community Plan Amendment (Rockland)

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Isitt, that the application be referred to staff to work with the applicant to address the following issues, and report to Committee of the Whole:

1. Revise the density, massing, height and setbacks of the building to south, to provide a more sensitive transition to the ground-oriented adjacent and nearby properties and mitigate concerns relating to overlook;
2. Revise the massing, height and visual appearance of the townhouses, and remove the rooftop decks, to provide a more sensitive transition to the Pentrelew Place frontage and nearby properties;
3. Revise the design and visual appearance of the driveway access on Pentrelew Place;
4. Consider fixtures for public use and enjoyment in the landscape plan for the greenspace bounded by the proposed pathway, Fort Street and the property to the east subject to CPTED principles.
5. Demonstrate how the application is consistent with the objectives of Development Permit 7b that is to encourage buildings that enhance the heritage character of the Fort Street corridor.

Carried Unanimously

3. Rezoning Application No. 00519 and Development Permit Application No. 000495 for 71 and 75 Montreal Street (James Bay)

Motion:

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

Rezoning Application No. 00519

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00519 for 71 and 75 Montreal Street, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council, and a Public Hearing date be set by staff once the following conditions are met:

1. Preparation and execution by the applicant of a Housing Agreement to ensure that a future strata corporation could not pass bylaws that would prohibit or restrict the rental of units to non-owners to the satisfaction of City Staff.
2. Preparation and execution by the applicant of a section 219 covenant for sewerage attenuation to mitigate the impact of increased density, as required, to the satisfaction of City Staff.

Development Permit Application No. 000495

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

“That Council authorize the issuance of Development Permit Application No. 000495 for 71-75 Montreal Street in accordance with:

1. Plans dated stamped August 16, 2017
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. The Development Permit lapsing two years from the date of this resolution.”

Carried

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

4. Rezoning Application No. 00540 for 608 Esquimalt Road (Victoria West)

Motion:

It was moved by Councillor Lucas, 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. 00540 for 608 Esquimalt Road, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set once staff receive proof of registration at the Land Titles Survey Authority of an executed Statutory Right-of-Way (SRW) of 2.03m on Esquimalt Road.

Carried

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

5. Downtown Public Realm Plan Adoption

Motion:

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

1. Approve the City of Victoria Downtown Public Realm Plan, 2017, to replace the City of Victoria Downtown Beautification Strategy and Kit-of-Parts, January 26, 1995.
2. Direct staff to amend the Subdivision and Development Services Bylaw to reference the Downtown Public Realm Plan to direct frontage improvements for development within the downtown.
3. Maintain and restore all existing ceramic tile names throughout the downtown to the greatest extent possible.

4. That future planning and design work to be undertaken in the comprehensive redevelopment of Douglas Street include the consideration of retaining the iconic cluster lamps that significantly contributes to the gateway of the capital city.

Carried Unanimously

6. Draft 2018 – 2022 Financial Plan

Motion:

It was moved by Mayor Helps, seconded by Councillor Coleman, that Council receive this report for information and further consideration on November 7, 2017.

Carried Unanimously

Councillor Lucas withdrew from the meeting at 8:33 p.m. due to a pecuniary conflict of interest with the following item, as she is the general manager of a hotel which uses plastic bags.

7. Single-Use Checkout Bag Reduction Program – Bag Regulation Strategy

Motion:

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

1. Introduce a bylaw for first reading no later than December 2017 to regulate checkout bags.
2. Engage with stakeholders on the draft Checkout Bag Regulation Bylaw and report back to Committee of the Whole on December 14, 2017 with the following information:
 - a. A summary of bylaw key points/issues from business and community stakeholders,
 - b. Any recommended changes to the bylaw; and
 - c. Communication, engagement and enforcement considerations and plan, including resource implications and recommendation.
3. Measure and report on the performance of the bag regulation program after one year in effect, using waste audits and retailer bag sales data, wherever possible, and analyze and review the complete program with improvement recommendations;
4. Include the development of a Single-Use Materials Management Plan in the ongoing development of the City's Sustainable Waste Management Strategy.
5. Work with the Province, RecycleBC and other institutions to develop a performance specification for the preferred sustainable reusable bag in order to help business and industry choose amongst options, and also influence bag design sustainability standards.

That Council:

6. Request the Mayor to write letters to each of the following key stakeholders to support regional consistency and a wise, renewed focus on waste avoidance programs:
 - a. To the CRD, and Provincial governments before December 2017 requesting support for the City's approach to single-use checkout bag regulations and the overall increased investment in innovative strategies with a focus on waste-prevention, and the required stewardship programs to drastically reduce single-use materials, including plastic bags;
 - b. To major food producers before January 2018, requesting increased efforts in the development and implementation of improved use/application of recyclable, sustainable and eco-benign packaging for food and household items;
 - c. To the CRD and neighbouring municipalities by the 31st of October 2017 requesting feedback and/or support for the City's single-use checkout bylaw principles and rules and provide any comments to the City of Victoria no later than November 30, 2017; and
 - d. Forward the draft bylaw to the Accessibility Working group as part of the engagement process

Carried

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

Councillor Lucas returned to the meeting at 8:48 p.m.

8. Work Without Permit – 2360 & 2370 Forbes Street/Bylaw Files #46560 & #46514

Motion:

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that Council direct the City Clerk to file a notice in the Land Title Office in relation to two properties located at 2360 Forbes Street, legally described as LOT 6, SECTION 75, VICTORIA, PLAN 811, and 2370 Forbes Street, legally described as LOT 7, SECTION 75, VICTORIA, PLAN 8111 indicating that resolutions relating to these properties have been made under the authority delegated pursuant to Section 57(3) of the Community Charter and the provisions of the Property Maintenance Delegation Bylaw, and advise that further information regarding these resolutions may be inspected at the Legislative & Regulatory Services Department in Victoria City Hall.

Carried Unanimously

9. **Capital Regional District Board and Hospital Board Weighted Votes**

Motion:

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that Council allocate the additional CRD Board and Hospital Board vote to the highest votes received in the election for CRD Directors.

Amendment:

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

that Council allocate the additional CRD Board and Hospital Board vote to the **Council member with the** highest votes received in the election for CRD Directors.

On the amendment:
Carried Unanimously

Councillor Coleman withdrew from the meeting at 8:50 p.m.

BYLAWS

1. **Bylaw for Rezoning Application No. 00541 for 1068 Chamberlain Street**

Motion:

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

- a. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1125) No. 17-114*

Carried Unanimously

Motion:

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

Following consideration of Rezoning Application No. 00541 that Council consider this updated motion with respect to Development Permit with Variances No. 000488:

"That Council authorize the issuance of Development Permit with Variances Application No. 000488 for 1068 Chamberlain Street, in accordance with:

1. Plans date stamped July 14, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. allow parking in the front yard
 - b. reduce the minimum rear yard setback from 12.78m to 10.26m.
3. The Development Permit lapsing two years from the date of this resolution."

Carried Unanimously

2. **Bylaw for Rezoning Application No. 00545 for 750 Pemberton Road**

Motion:

It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that the following bylaw **be given first and second reading:**

- a. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1117) No. 17-096*

Carried Unanimously

Motion:

It was moved by Councillor Alto, seconded by Councillor Lucas, that the following bylaw **be given first, second, and third reading:**

- b. *Housing Agreement (750 Pemberton Road) Bylaw (2017) No. 17-097*

Carried Unanimously

Councillor Coleman returned to the meeting at 8:52 p.m.

Motion:

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

- c. *Heritage Designation (750 Pemberton Road – Carriage House) Bylaw No. 17-086*

Carried Unanimously

Councillor Lucas withdrew from the meeting at 8:52 p.m. due to a pecuniary conflict of interest with the following item, as she is the general manager of a hotel and oversees all liquor licences.

3. **Bylaw for Liquor Licence Fee Bylaw Amendments**

Motion:

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

- a. *Liquor Licensing Fee Bylaw, Amendment Bylaw (No. 2) No. 17-118*

Carried Unanimously

Councillor Lucas returned to the meeting at 8:53 p.m.

4. **Bylaw for Parks Regulation Bylaw Amendments**

Motion:

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

- a. *Parks Regulation Bylaw, Amendment Bylaw (No. 8) No. 17-099*

Carried

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

5. **Bylaw for 2018-2019 Permissive Property Tax Exemption**

Motion:

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

- a. *Tax Exemption (Permissive) Bylaw, 2018-2019 No. 17-103*

Carried

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

6. **Update and Consolidation of Building and Plumbing Bylaws**

Motion:

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

- a. *Building and Plumbing Regulation Bylaw No. 17-113*

Carried Unanimously

Motion:

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

- b. *Miscellaneous Bylaw Consequential Amendments Bylaw No. 17-112*

Carried Unanimously

7. **Bylaw for Land Use Procedures**

Motion:

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

- a. *Land Use Procedures Bylaw, Amendment Bylaw (No. 6) No. 17-107*

Carried Unanimously

QUESTION PERIOD

A question period was held.

ADJOURNMENT

Motion:

It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that the Council meeting adjourn.
Time: 8:57 p.m.

Carried Unanimously

CERTIFIED CORRECT:

CITY CLERK

MAYOR