

**COMMITTEE OF THE WHOLE MOTIONS**  
**FROM THE MEETING HELD NOVEMBER 9, 2017**

For the Council Meeting of November 9, 2017, the Committee recommends the following:

1. **Heritage Designation Application No. 000169 for 35 San Jose Avenue (James Bay)**

That Council consider the following motion:

“That Council approve the designation of the Heritage-Registered property located at 35 San Jose Avenue, pursuant to Section 611 of the *Local Government Act*, as a Municipal Heritage Site and that first and second reading of the Heritage Designation Bylaw be considered by Council and that a Public Hearing date be set.”

2. **Requests for Boulevard Removal for the Taxed Boulevard Program**

That Council approve the removal of 1000 block Craigdarroch Road (west side) from the Taxed Boulevard Program effective the 2018 tax year.

3. **Council Resolution for Emergency Services Grant Application**

That Council:

1. Authorize staff to apply for a \$25,000 grant through the Community Emergency Preparedness Fund for Emergency Social Services (ESS) training and exercise program.
2. Authorize the Mayor and City Clerk to execute any agreements related to a successful grant application.

4. **Motion regarding the South Island Prosperity Project**

That Council receive the report for information and promote the November 25, 2017 Smart South Island Symposium.

5. **Update Report – Rezoning Application No. 00516 and Development Permit with Variances Application No. 000462 for 1120, 1124, and 1128 Burdett Avenue (Fairfield)**

That Council authorize the following in relation to the proposed bylaws and set a Public Hearing date for Rezoning Application No. 00516 for 1120, 1124 and 1128 Burdett Avenue:

1. Amend Schedule 1 of the Zoning Regulation Bylaw Amendment No. 17-047.
2. Give third reading to Zoning Regulation Bylaw Amendment No. 17-047 as amended.
3. Rescind third reading of the Housing Agreement Bylaw No. 17-048.
4. Amend Schedule A of the Housing Agreement Bylaw No. 17-048.
5. Give third reading to Housing Agreement Bylaw No. 17-048 as amended.

Following consideration of Rezoning Application No. 00516, if it is approved, that Council consider this updated motion with respect to Development Permit with Variances No. 000462:

“That Council authorize the issuance of Development Permit with Variances Application No. 000462 for 1120, 1124 and 1128 Burdett Avenue, in accordance with:

1. Plans date stamped August 11, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. increase the height from 12m to 13.53m (previously 13.55m)

- ii. increase the site coverage from 40% to 51.42% (previously 57.06%)
  - iii. reduce the open site space from 50% to 46.58% (previously 42.16%)
  - iv. reduce the minimum required front yard setback from 10.5m to 5.11m for the building (previously 4.51m)
  - v. reduce the east side yard setback from 6.77m to 3.75m for the building, and 2.82m for the parkade stairs
  - vi. reduce the west side yard setback from 6.77m to 4.22m for the building face, 2.22m for the balconies, and nil for the parkade
  - vii. reduce the required residential parking from 1.2 spaces per dwelling unit to 0.8 spaces per dwelling unit (previously 1.02 spaces per dwelling unit).
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff.
  4. That Council authorize the City Solicitor to execute an Encroachment Agreement for a fee of \$750, plus \$25 per m<sup>2</sup> of exposed shored face during construction in a form satisfactory to staff. This is to accommodate shoring for construction of the underground parking structure if the method of construction involves anchor pinning into the public Right-of-Way.
  5. The Development Permit lapsing two years from the date of this resolution.”

**Motion Arising:**

That Council write a letter of thanks to the CMHC for the rental construction financing program.

**6. Development Variance Permit Application No. 00197 for 501-503 Government Street (James Bay)**

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. 00197 for 501-503 Government Street, in accordance with:

1. Plans date stamped August 25, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. increase the maximum commercial floor area from 45m<sup>2</sup> to 95m<sup>2</sup>.
3. The Development Permit lapsing two years from the date of this resolution.”

**7. Temporary Use Permit Application No. 0005 for 2610 Rock Bay Avenue**

That Council defer the proposal outlined in Temporary Use Permit with Variance Application No. 00005 for 2610 Rock Bay Avenue until the Public Hearing for Rezoning Application No. 00533 for 603 Gorge Road East.

**8. Rezoning Application No. 00601 for 1541-1545 Fort Street (Rockland)**

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00601 for 1541-1545 Fort Street, 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 3.439m on Fort Street and 1.407m on Verrinder Avenue.

9. **1240 Yates Street – Lease Agreement**

That Council authorizes the Mayor and City Clerk to execute a lease agreement, in a form satisfactory to the City Clerk, for premises at 1240 Yates Street with the Provincial Rental Housing Corporation for a period of up to 6 months commencing no earlier than November 1, 2017 and ending April 30, 2018, subject to the publication of the statutory notices required by the Community Charter.

10. **2017 Development Summit Action Plan**

That Council:

1. Approve the 2017 Development Summit Action Plan (Attachment 1)
2. Direct staff to provide an update to Council on the status of the action items outlined in the Action Plan in May 2018.
3. Direct staff to organize the 2018 Development Summit and report back on details of the planned event in May 2018.
4. Add to the Development Summit Action Plan: ask departments for their top 5 challenges if staff were empowered to facilitate business and development

11. **Provincial Cannabis Consultation**  
**Minimum Age**

That the City recommend to the province that the minimum age for possession is consistent with the minimum age for the consumption of alcohol.

**Personal Possession**

That Council take no position on personal possession.

**Public consumption**

That Council request that the province establish a licensing scheme to allow for designated consumption lounges with a use model that takes into consideration the health and wellbeing of all users and employees.

**Drug –Impaired Driving**

That Council direct staff to include comments supporting strong restrictions on drug impaired driving, zero tolerance for impairment standards for L and N License holders, education, and awareness campaigns regarding cannabis impaired driving and supporting expanded roadside testing, suspension, and prohibition programs.

And that Council direct staff to write the Provincial and Federal Governments to request that Cannabis legalization and associated regulation frameworks be constructed in a way that will lower policing and enforcement costs for municipalities.

**Personal Cultivation**

That Council supports the Bill C-45 provisions for cultivation.

**Distribution Model**

That Council calls on the Province to introduce a distribution model for medical and non-medical cannabis that maintains opportunities for local enterprise, craft enterprise and small business in the cultivation, distribution and retail sale of medical and non-medical cannabis.

**Retail Model**

That the City recommend that:

1. The Province develop a retail regime that makes room for both public and private retail operations and that the Province establish regulations covering retailers and ensuring that there is a provincial standard.
2. That within the Provincial regime local governments retain their zoning authority as to the location of both public and private retail outlets.
3. The Province to introduce a retail model for medical and non-medical cannabis that maintains opportunities for local enterprise, craft enterprise and small business in the cultivation, distribution and retail sale of medical and non-medical cannabis.

**General Motions:**

That with the exception of provincially regulated smoking lounges, local smoking regulations apply to smoking of cannabis.

That senior levels of government, in discussion with FCM and UBCM, develop a fair and equitable revenue sharing model with local governments.

**12. Council Workshop – Draft Create Victoria Arts and Culture Master Plan**

That Council:

Direct staff to update the draft Create Victoria Arts and Culture Master Plan based on public input received and prepare a final proposed plan for Council consideration.

Receive the Economic Impact Assessment report for information.