

**MINUTES OF THE
COMMITTEE OF THE WHOLE MEETING
HELD THURSDAY, OCTOBER 5, 2017, 9:00 A.M.**

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

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

Absent: Councillor Madoff

Staff Present: J. Jenkyns – Acting City Manager; C. Coates – City Clerk; C. Havelka – Deputy City Clerk; P. Bruce – Fire Chief; S. Thompson – Director of Finance; J. Jensen – Head of Human Resources; J. Tinney – Director of Sustainable Planning & Community Development; T. Soulliere – Director of Parks, Recreation, & Facilities; F. Work – Director of Engineering & Public Works; B. Eisenhauer – Head of Engagement; M. Betanzo – Senior Planner, Development Services; C. Wain – Senior Planner, Development Services; C. Medd – Planner, Development Services; C. Mycroft – Manager of Executive Operations; A.K. Ferguson – Recording Secretary

Guest: B. Cox – External auditor, BDO; D. Casey – Consultant, Boulevard Consulting Group

2. APPROVAL OF AGENDA

Motion: It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that the Agenda of the October 5, 2017, Committee of the Whole meeting be approved.

Amendment: It was moved by Councillor Loveday, seconded by Councillor Alto, that the Agenda of the October 5, 2017, Committee of the Whole meeting be amended as follows:

Consent Agenda:

Item No. 1 – Minutes from the Meeting held September 14, 2017

Item No. 7 – Heritage Designation Application No. 000168 for 1120 Faithful Street (Fairfield)

**Item No. 11 – Proclamation “International Deaf Week”
September 18 – 24, 2017**

**Item No. 12 – Noise Exposure Forecast for Port of Victoria Harbour
Airport**

Item No. 13 – Maintaining and Improving Inter-City Bus Service

On the amendment:
CARRIED UNANIMOUSLY 17/COTW

Main motion as amended:

That the amended Agenda of the October 5, 2017 Committee of the Whole Meeting be approved with the following amendments:

Consent Agenda:

Item No. 1 – Minutes from the Meeting held September 14, 2017

Item No. 7 – Heritage Designation Application No. 000168 for 1120 Faithful Street (Fairfield)

Item No. 11 – Proclamation “International Deaf Week” September 18 – 24, 2017

Item No. 12 – Noise Exposure Forecast for Port of Victoria Harbour Airport

Item No. 13 – Maintaining and Improving Inter-City Bus Service

On the main motion as amended:
CARRIED UNANIMOUSLY 17/COTW

3. CONSENT AGENDA

Motion: It was moved by Councillor Isitt, seconded by Councillor Coleman, that the following items be approved without further debate:

3.1 Minutes from the meeting held September 14, 2017

Motion: It was moved by Councillor Isitt, seconded by Councillor Coleman, that the Minutes of the meeting held September 14, 2017 be adopted.

CARRIED UNANIMOUSLY 17/COTW

3.2 Heritage Designation Application No. 000168 for 1120 Faithful Street (Fairfield)

Committee received a report dated September 21, 2017, from the Director of Sustainable Planning and Community Development regarding the owner request to designate the exterior of the Heritage-Registered property located at 1120 Faithful Street.

Motion: It was moved by Councillor Isitt, seconded by Councillor Coleman, that Council consider the following motion:

"That Council approve the designation of the property located at 1120 Faithful Street, pursuant to Section 611 of the Local Government Act, as a Municipal Heritage Site, and the first and second reading of the Heritage

Designation Bylaw be considered by Council and a Public Hearing date be set."

CARRIED UNANIMOUSLY 17/COTW

3.3 Proclamation "International Deaf Week" September 18-24, 2017

Committee received a report dated September 26, 2017, from the City Clerk regarding the Proclamation "International Deaf Week" September 18-24, 2017

Motion: It was moved by Councillor Isitt, seconded by Councillor Coleman, That the International Deaf Week Proclamation be forwarded to the October 5, 2017 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY 17/COTW

3.4 Noise Exposure Forecast for Port of Victoria Harbour Airport

Committee received a Council member motion dated September 21, 2017 from Councillors Loveday and Isitt requesting that the Mayor write to Transport Canada requesting the current Noise Exposure Forecast specific to the Port of Victoria Harbour airport operations.

Motion: It was moved by Councillor Isitt, seconded by Councillor Coleman, that Council request that the Mayor, on behalf of Council, write to the Executive Regional Director Issues and Program Management, Pacific Region, Transport Canada, requesting that Transport Canada provide the City of Victoria within 30 days with the current Noise Exposure Forecast (NEF).

CARRIED UNANIMOUSLY 17/COTW

3.5 Maintaining and Improving Inter-City Bus Service

Committee received a Council member motion dated October 3, 2017, from Councillor Isitt regarding the need for the province to continue providing inter-city bus services.

Motion: It was moved by Councillor Isitt, seconded by Councillor Coleman, that Council adopt the following resolution and direct staff to forward copies to the BC Passenger Transportation Board, the BC Minister of Transportation, Members of the Legislative Assembly, and local governments in British Columbia, requesting favourable consideration:

Resolution: Maintaining and Improving Inter-City Bus Service

WHEREAS inter-city bus service provides a vital transportation link for many British Columbians, including people with low incomes, youth, senior citizens, people with disabilities and indigenous people;

AND WHEREAS there is a strong public interest in the maintenance and improvement of inter-city bus service, as reflected in public oversight provisions in the BC Passenger Transportation Act and Regulations;

THEREFORE BE IT RESOLVED THAT the City of Victoria calls on the BC Passenger Transportation Board to decline the application from Greyhound Canada to eliminate inter-city bus routes, including Victoria-Nanaimo, Victoria-Vancouver and the route along the “Highway of Tears”;

AND BE IT FURTHER RESOLVED THAT the City of Victoria calls on the BC Passenger Transportation Board, the Government of British Columbia and BC Transit to explore the provision of inter-city bus service as a public transportation service, in order to ensure long-term viability, safety, affordability and connectivity between BC communities.

CARRIED UNANIMOUSLY 17/COTW

4. PRESENTATION

4.1 2017 External Audit Plan

Committee received a report dated September 25, 2017, from the Director of Finance providing Council with the audit plan from BDO Canada LLP, the City’s external auditor, for the 2017 financial statement audit.

Committee discussed:

- Whether the external audit would look at legal issues that may impact the City.
- Possible changes to accounting standards that may impact the City.

Motion: It was moved by Councillor Coleman, seconded by Councillor Alto, that Council receive this report for information.

CARRIED UNANIMOUSLY 17/COTW

5. LAND USE MATTERS

5.1 Rezoning Application No. 00555 for 308 Menzies Street (James Bay)

Committee received a report dated September 18, 2017, from the Director of Sustainable Planning and Community Development regarding the proposal to rezone the property located at 308 Menzies Street to a site specific zone to add office and retail as permitted uses at this location.

Committee discussed:

- How the contamination of the site will be addressed and when that will have to take place.

Motion: It was moved by Councillor Coleman, seconded by Councillor Young, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 000555 for 308 Menzies Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

CARRIED UNANIMOUSLY 17/COTW

5.2 Development Permit with Variances Application No. 00026 for 308 Menzies Street (James Bay)

Committee received a report dated September 18, 2017, from the Director of Sustainable Planning and Community Development regarding the Development Permit with Variances application for the property located at 308 Menzies Street. The variances are related to reducing the required number of parking stalls and reducing the rear yard setback.

Motion: It was moved by Councillor Coleman, seconded by Councillor Young, 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. 00555, if it is approved, consider the following motion:

"That Council authorizes the issuance of Development Permit Application No. 00026 for 308 Menzies Street, in accordance with:

1. Plans date stamped July 26, 2017 (as amended to address overhead canopy design to the satisfaction of the Director of Sustainable Planning and Community Development.)
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Schedule C, Section 16(c), reduce the required number of parking spaces from fifteen to eight;
 - ii. Zoning Bylaw No. 80-159, Part 4.1.6, reduce the required rear yard setback from six metres to 1.52 metres.
3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY 17/COTW

5.3 Development Permit with Variances No. 00034 for 515 & 533 Chatham Street (Downtown)

Committee received a report dated September 22, 2017, from the Director of Sustainable Planning and Community Development regarding the Development Permit with Variances application for the property located at 515 and 533 Chatham Street. The variances are in relation to height, number of buildings on a lot and the location of residential use on the ground floor.

Committee discussed:

- Whether the pathway could be secured by a legal mechanism or Council direction.
- Whether the design should go through the CALUC process.
- The look of the building and whether balconies could be a consideration in the design of the building.
- The possibility of incorporating a housing agreement to secure the units as rentals.
- Whether the parkade would be visible from the street.

Councillor Loveday withdrew from the meeting at 9:44 am and returned at 9:46 am

Committee discussed:

- Concerns with the break and texture of the buildings and whether the buildings could be a varied height.
- Concerns with the powerlines being attached to the building and not being located in the ground.
- Concerns with two of the buildings not being accessible.
- The location of the gates and proximity to the building.

Motion:

It was moved by Councillor Coleman, seconded by Councillor Lucas, that subject to receipt of revised plans from the applicant addressing technical inconsistencies as required to the satisfaction of the Director of Planning and Sustainability, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00034 for 515 and 533 Chatham Street in accordance with:

1. Plans date stamped September 21, 2017.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Part 6.7.1 (e) - Relaxation to allow residential use on the ground floor;
 - ii. Part 6.7.6 (1) - Increase the height from 15m to 19.52m;
 - iii. General Regulations Part 19 - Relaxation to allow more than one building on a lot.
3. Confirmation of cladding details and metal panel layout to the satisfaction of the Director of Planning and Sustainability.
4. Reconciliation of existing easements, as required to the satisfaction of the City Solicitor.
5. Council authorizing anchor-pinning into the City right-of-way provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
6. Council authorizing the street level projecting canopies over the City right-of-way on Chatham Street and Store Street provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
7. Final plans to be in accordance with the plans identified above to the satisfaction of City staff.
8. The Development Permit lapsing two years from the date of this resolution."

Committee discussed:

- Ensuring that the rentals are secured for the property.

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

That subject to receipt of revised plans from the applicant addressing technical inconsistencies as required to the satisfaction of the Director of Planning and Sustainability, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00034 for 515 and 533 Chatham Street in accordance with:

1. Plans date stamped September 21, 2017.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Part 6.7.1 (e) - Relaxation to allow residential use on the ground floor;
 - ii. Part 6.7.6 (1) - Increase the height from 15m to 19.52m;
 - iii. General Regulations Part 19 - Relaxation to allow more than one building on a lot.
3. Confirmation of cladding details and metal panel layout to the satisfaction of the Director of Planning and Sustainability.
4. Reconciliation of existing easements, as required to the satisfaction of the City Solicitor.
5. Council authorizing anchor-pinning into the City right-of-way provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
6. Council authorizing the street level projecting canopies over the City right-of-way on Chatham Street and Store Street provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
7. Final plans to be in accordance with the plans identified above to the satisfaction of City staff.
8. The Development Permit lapsing two years from the date of this resolution."
9. **Direct staff to ask the applicant to enter into a housing agreement to secure the units as rental for a period of 20 years.**

Amendment to the amendment:

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

That subject to receipt of revised plans from the applicant addressing technical inconsistencies as required to the satisfaction of the Director of Planning and Sustainability, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00034 for 515 and 533 Chatham Street in accordance with:

1. Plans date stamped September 21, 2017.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Part 6.7.1 (e) - Relaxation to allow residential use on the ground floor;
 - ii. Part 6.7.6 (1) - Increase the height from 15m to 19.52m;
 - iii. General Regulations Part 19 - Relaxation to allow more than one building on a lot.
3. Confirmation of cladding details and metal panel layout to the satisfaction of the Director of Planning and Sustainability.
4. Reconciliation of existing easements, as required to the satisfaction of the City Solicitor.

5. Council authorizing anchor-pinning into the City right-of-way provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
6. Council authorizing the street level projecting canopies over the City right-of-way on Chatham Street and Store Street provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
7. Final plans to be in accordance with the plans identified above to the satisfaction of City staff.
8. The Development Permit lapsing two years from the date of this resolution."
9. **Direct staff to ask the applicant to enter into a housing agreement to secure the units as rental for a period of 20 years or more.**

On the amendment to the amendment:
CARRIED UNANIMOUSLY 17/COTW

On the amendment:
CARRIED UNANIMOUSLY 17/COTW

Committee discussed:

- Concerns with the proposal only being "generally" consistent with the guidelines and not fully consistent.
- Concerns the look of the building being too institutional.

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

That subject to receipt of revised plans from the applicant addressing technical inconsistencies as required to the satisfaction of the Director of Planning and Sustainability, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00034 for 515 and 533 Chatham Street in accordance with:

1. Plans date stamped September 21, 2017.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Part 6.7.1 (e) - Relaxation to allow residential use on the ground floor;
 - ii. Part 6.7.6 (1) - Increase the height from 15m to 19.52m;
 - iii. General Regulations Part 19 - Relaxation to allow more than one building on a lot.
3. Confirmation of cladding details and metal panel layout to the satisfaction of the Director of Planning and Sustainability.
4. Reconciliation of existing easements, as required to the satisfaction of the City Solicitor.
5. Council authorizing anchor-pinning into the City right-of-way provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.

6. Council authorizing the street level projecting canopies over the City right-of-way on Chatham Street and Store Street provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
7. Final plans to be in accordance with the plans identified above to the satisfaction of City staff.
8. The Development Permit lapsing two years from the date of this resolution."
9. Direct staff to ask the applicant to enter into a housing agreement to secure the units as rental for a period of 20 years or more.
- 10. Consideration for balconies or larger windows to improve liveability.**

Committee discussed:

- Concerns with a cost being added to the units with the amendment.

On the amendment:
CARRIED 17/COTW

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

Amendment: It was moved by Councillor Thornton-Joe, that the motion be amended as follows:
That subject to receipt of revised plans from the applicant addressing technical inconsistencies as required to the satisfaction of the Director of Planning and Sustainability, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00034 for 515 and 533 Chatham Street in accordance with:

1. Plans date stamped September 21, 2017.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Part 6.7.1 (e) - Relaxation to allow residential use on the ground floor;
 - ii. Part 6.7.6 (1) - Increase the height from 15m to 19.52m;
 - iii. General Regulations Part 19 - Relaxation to allow more than one building on a lot.
3. Confirmation of cladding details and metal panel layout to the satisfaction of the Director of Planning and Sustainability.
4. Reconciliation of existing easements, as required to the satisfaction of the City Solicitor.
5. Council authorizing anchor-pinning into the City right-of-way provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
6. Council authorizing the street level projecting canopies over the City right-of-way on Chatham Street and Store Street provided that the

- applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
7. Final plans to be in accordance with the plans identified above to the satisfaction of City staff.
 8. The Development Permit lapsing two years from the date of this resolution."
 9. Direct staff to ask the applicant to enter into a housing agreement to secure the units as rental for a period of 20 years or more.
 10. Consideration for balconies or larger windows to improve liveability.
 11. **Consideration for some units to be larger to provide for families.**

MOTION FAILED DUE TO NO SECONDER

The applicant noted an error in the Advisory Design Panel Minutes and advised that the units are for market and are not rental units.

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

That subject to receipt of revised plans from the applicant addressing technical inconsistencies as required to the satisfaction of the Director of Planning and Sustainability, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00034 for 515 and 533 Chatham Street in accordance with:

1. Plans date stamped September 21, 2017.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Part 6.7.1 (e) - Relaxation to allow residential use on the ground floor;
 - ii. Part 6.7.6 (1) - Increase the height from 15m to 19.52m;
 - iii. General Regulations Part 19 - Relaxation to allow more than one building on a lot.
3. Confirmation of cladding details and metal panel layout to the satisfaction of the Director of Planning and Sustainability.
4. Reconciliation of existing easements, as required to the satisfaction of the City Solicitor.
5. Council authorizing anchor-pinning into the City right-of-way provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
6. Council authorizing the street level projecting canopies over the City right-of-way on Chatham Street and Store Street provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
7. Final plans to be in accordance with the plans identified above to the satisfaction of City staff.
8. The Development Permit lapsing two years from the date of this resolution."

9. Direct staff to ask the applicant to enter into a housing agreement to secure the units as rental for a period of 20 years or more.
10. Consideration for balconies or larger windows to improve liveability.
11. **Direct staff to undertake further discussions with the applicant regarding securing a legal easement for the pathway on the eastern edge of the property, and report back to Council with clarification of Council's authority to make approval of the application conditional on securing a legal easement for the pathway.**

Committee request that the amendment be separated into Item No. 11 and Item No. 12 and to vote on them separately.

Amendment to the amendment:

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

That subject to receipt of revised plans from the applicant addressing technical inconsistencies as required to the satisfaction of the Director of Planning and Sustainability, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00034 for 515 and 533 Chatham Street in accordance with:

1. Plans date stamped September 21, 2017.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Part 6.7.1 (e) - Relaxation to allow residential use on the ground floor;
 - ii. Part 6.7.6 (1) - Increase the height from 15m to 19.52m;
 - iii. General Regulations Part 19 - Relaxation to allow more than one building on a lot.
3. Confirmation of cladding details and metal panel layout to the satisfaction of the Director of Planning and Sustainability.
4. Reconciliation of existing easements, as required to the satisfaction of the City Solicitor.
5. Council authorizing anchor-pinning into the City right-of-way provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
6. Council authorizing the street level projecting canopies over the City right-of-way on Chatham Street and Store Street provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
7. Final plans to be in accordance with the plans identified above to the satisfaction of City staff.
8. The Development Permit lapsing two years from the date of this resolution."
9. Direct staff to ask the applicant to enter into a housing agreement to secure the units as rental for a period of 20 years or more.
10. Consideration for balconies or larger windows to improve liveability.

On the amendment to the amendment:

CARRIED UNANIMOUSLY 17/COTW

11. **Direct staff to undertake further discussions with the applicant regarding securing a legal easement for the pathway on the eastern edge of the property, and**

On the amendment:
CARRIED UNANIMOUSLY 17/COTW

12. **Direct staff to report back to Council with clarification of Council's authority to make approval of the application conditional on securing a legal easement for the pathway.**

On the amendment:
DEFEATED UNANIMOUSLY 17/COTW

Amendment: It was moved by Councillor Isitt, seconded by Councillor Loveday, that the motion be amended as follows:
That subject to receipt of revised plans from the applicant addressing technical inconsistencies as required to the satisfaction of the Director of Planning and Sustainability, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00034 for 515 and 533 Chatham Street in accordance with:

1. Plans date stamped September 21, 2017.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Part 6.7.1 (e) - Relaxation to allow residential use on the ground floor;
 - ii. Part 6.7.6 (1) - Increase the height from 15m to 19.52m;
 - iii. General Regulations Part 19 - Relaxation to allow more than one building on a lot.
3. Confirmation of cladding details and metal panel layout to the satisfaction of the Director of Planning and Sustainability.
4. Reconciliation of existing easements, as required to the satisfaction of the City Solicitor.
5. Council authorizing anchor-pinning into the City right-of-way provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
6. Council authorizing the street level projecting canopies over the City right-of-way on Chatham Street and Store Street provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
7. Final plans to be in accordance with the plans identified above to the satisfaction of City staff.
8. The Development Permit lapsing two years from the date of this resolution."
9. Direct staff to ask the applicant to enter into a housing agreement to secure the units as rental for a period of 20 years or more.
10. Consideration for balconies or larger windows to improve liveability.

11. Direct staff to undertake further discussions with the applicant regarding securing a legal easement for the pathway on the eastern edge of the property.
12. **Direct staff to undertake further discussions with the applicant regarding under-grounding electrical services on the Store Street and Chatham Street frontages of the property.**

On the amendment:
CARRIED UNANIMOUSLY 17/COTW

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

That subject to receipt of revised plans from the applicant addressing technical inconsistencies as required to the satisfaction of the Director of Planning and Sustainability, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00034 for 515 and 533 Chatham Street in accordance with:

1. Plans date stamped September 21, 2017.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Part 6.7.1 (e) - Relaxation to allow residential use on the ground floor;
 - ii. Part 6.7.6 (1) - Increase the height from 15m to 19.52m;
 - iii. General Regulations Part 19 - Relaxation to allow more than one building on a lot.
3. Confirmation of cladding details and metal panel layout to the satisfaction of the Director of Planning and Sustainability.
4. Reconciliation of existing easements, as required to the satisfaction of the City Solicitor.
5. Council authorizing anchor-pinning into the City right-of-way provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
6. Council authorizing the street level projecting canopies over the City right-of-way on Chatham Street and Store Street provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
7. Final plans to be in accordance with the plans identified above to the satisfaction of City staff.
8. The Development Permit lapsing two years from the date of this resolution."
9. **Direct staff to ask the applicant to enter into a housing agreement to secure the units as rental for a period of 20 years or more, to prevent future strata councils from prohibiting rentals.**
10. Consideration for balconies or larger windows to improve liveability.
11. Direct staff to undertake further discussions with the applicant regarding securing a legal easement for the pathway on the eastern edge of the property.

12. Direct staff to undertake further discussions with the applicant regarding under-grounding electrical services on the Store Street and Chatham Street frontages of the property.

Amendment to the amendment:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that the amendment be amended as follows:
that the amendment becomes additional language

On the amendment to the amendment:
DEFEATED 17/COTW

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

On the amendment:
CARRIED 17/COTW

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

Main Motion as amended:

That subject to receipt of revised plans from the applicant addressing technical inconsistencies as required to the satisfaction of the Director of Planning and Sustainability, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00034 for 515 and 533 Chatham Street in accordance with:

1. Plans date stamped September 21, 2017.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Part 6.7.1 (e) - Relaxation to allow residential use on the ground floor;
 - ii. Part 6.7.6 (1) - Increase the height from 15m to 19.52m;
 - iii. General Regulations Part 19 - Relaxation to allow more than one building on a lot.
3. Confirmation of cladding details and metal panel layout to the satisfaction of the Director of Planning and Sustainability.
4. Reconciliation of existing easements, as required to the satisfaction of the City Solicitor.
5. Council authorizing anchor-pinning into the City right-of-way provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
6. Council authorizing the street level projecting canopies over the City right-of-way on Chatham Street and Store Street provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
7. Final plans to be in accordance with the plans identified above to the satisfaction of City staff.
8. The Development Permit lapsing two years from the date of this resolution.
9. Direct staff to ask the applicant to enter into a housing agreement to prevent future strata councils from prohibiting rentals.
10. Consideration for balconies or larger windows to improve liveability.

11. Direct staff to undertake further discussions with the applicant regarding securing a legal easement for the pathway on the eastern edge of the property.
12. Direct staff to undertake further discussions with the applicant regarding undergrounding electrical services on the Store Street and Chatham Street frontages of the property."

On the Main Motion as amended:
CARRIED UNANIMOUSLY 17/COTW

Committee recessed at 10:35 am and returned at 10:41 am

5.4 Rezoning Application No. 00591 for 1122 Collinson Street (Fairfield)

Committee received a report dated September 21, 2017, from the Director of Sustainable Planning and Community Development regarding the proposal to rezone the property located at 1122 Collinson Street from the R1-B Zone, single Family Dwelling District, to a site specific zone to permit the proposed use of six self-contained units.

Committee discussed:

- Whether this and the surrounding properties are designated heritage.
- Possibility of transition support for current tenants and the ability for the City to make it a condition of approval.
- How the application is consistent with the OCP given that it is not slated for low income housing.

Motion: It was moved by Councillor Coleman, seconded by Councillor Young, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00591 for 1122 Collinson 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 preparation and execution of a Housing Agreement Bylaw to secure the six dwelling units as rental housing for 10 years to the satisfaction of the Director of Sustainable Planning and Community Development.

Committee discussed:

- Concerns with net loss of affordable rental housing units.
- The City exploring incentives for people to achieve affordable and rental housing.

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

To direct staff to negotiate a tenant relocation plan for residents.

On the amendment:
CARRIED UNANIMOUSLY 17/COTW

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

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00591 for 1122 Collinson 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 preparation and execution of a Housing Agreement Bylaw to secure the six dwelling units as rental housing for **5 years** ~~10 years~~ **on the condition of heritage designation of the building** to the satisfaction of the Director of Sustainable Planning and Community Development, and to direct staff to negotiate a tenant relocation plan for residents .

On amendment:
CARRIED 17/COTW

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

Main motion as amended:

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00591 for 1122 Collinson 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 preparation and execution of a Housing Agreement Bylaw to secure the six dwelling units as rental housing for 5 years on the condition of heritage designation of the building to the satisfaction of the Director of Sustainable Planning and Community Development, and to direct staff to negotiate a tenant relocation plan for residents.

On main motion as amended:
CARRIED 17/COTW

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

5.5 Review of Off-Street Parking Regulations (Schedule C of Zoning Regulation Bylaw 80-159)

Committee received a report dated September 21, 2017, from the Director of Sustainable Planning and Community Development providing information and recommendations on the draft Off-Street Parking Regulations and options for consulting and receiving feedback from the public and key stakeholders prior to a Public Hearing.

Committee discussed:

- Reasoning behind not requiring a regulation for charging stations instead of design guidelines.
- Other municipalities that offer cash in-lieu of onsite parking and whether it is working.

Motion: It was moved by Councillor Thornton-Joe, seconded by Mayor Helps, that Council direct staff to:
1. Undertake focused public consultation on the draft Off-Street Parking Regulations.

2. Report back to Council with the proposed Off-Street Parking Regulations that considers the public feedback received and a related Bylaw prior to advancing to a Public Hearing.
3. Prepare Design Guidelines related to charging and parking for Electric Vehicles, carry out the necessary stakeholder consultation to inform the guidelines and report back to Council prior to preparing the related Official Community Plan amendment.
4. Report back to Council with a scope of work, anticipated timelines and estimated costs associated with the preparation of Design Guidelines relating to Bicycle Parking.
5. Prepare amendments to the Land Use Procedures Bylaw to delegate Development Permit with Variance Applications for minor parking variances associated with small commercial operations, prepare Design Guidelines to inform the review of such variances, carry out the necessary engagement and report back to Council with an amending Bylaw prior to commencing work on an Official Community Plan amendment.

Committee discussed:

- Ensuring the Accessibility Working Group as well as the Disability Resource Centre have the ability to comment on the Off-Street Parking regulations.
- Ensuring neighbourhood associations are also able to comment.

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

That Council direct staff to:

1. Undertake focused public consultation on the draft Off-Street Parking Regulations.
2. Report back to Council with the proposed Off-Street Parking Regulations that considers the public feedback received and a related Bylaw prior to advancing to a Public Hearing.
3. Prepare Design Guidelines related to charging and parking for Electric Vehicles, carry out the necessary stakeholder consultation to inform the guidelines and report back to Council prior to preparing the related Official Community Plan amendment.
4. Report back to Council with a scope of work, anticipated timelines and estimated costs associated with the preparation of Design Guidelines relating to Bicycle Parking.
5. Prepare amendments to the Land Use Procedures Bylaw to delegate Development Permit with Variance Applications for minor parking variances associated with small commercial operations, prepare Design Guidelines to inform the review of such variances, carry out the necessary engagement and report back to Council with an amending Bylaw prior to commencing work on an Official Community Plan amendment.
6. **Send to the Neighbourhood Associations welcoming comments.**

On the amendment:
CARRIED UNANIMOUSLY 17/COTW

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

That Council direct staff to:

1. Undertake focused public consultation on the draft Off-Street Parking Regulations.
2. Report back to Council with the proposed Off-Street Parking Regulations that considers the public feedback received and a related Bylaw prior to advancing to a Public Hearing.
3. Prepare Design Guidelines related to charging and parking for Electric Vehicles, carry out the necessary stakeholder consultation to inform the guidelines and report back to Council prior to preparing the related Official Community Plan amendment.
4. Report back to Council with a scope of work, anticipated timelines and estimated costs associated with the preparation of Design Guidelines relating to Bicycle Parking.
5. Prepare amendments to the Land Use Procedures Bylaw to delegate Development Permit with Variance Applications for minor parking variances associated with small commercial operations, prepare Design Guidelines to inform the review of such variances, carry out the necessary engagement and report back to Council with an amending Bylaw prior to commencing work on an Official Community Plan amendment.
6. Send to the Neighbourhood Associations welcoming comments.
7. **Send to the Accessibility Working Group and Disability Resource Centre.**

On the amendment:
CARRIED UNANIMOUSLY 17/COTW

Main motion as amended:

That Council direct staff to:

1. Undertake focused public consultation on the draft Off-Street Parking Regulations.
2. Report back to Council with the proposed Off-Street Parking Regulations that considers the public feedback received and a related Bylaw prior to advancing to a Public Hearing.
3. Prepare Design Guidelines related to charging and parking for Electric Vehicles, carry out the necessary stakeholder consultation to inform the guidelines and report back to Council prior to preparing the related Official Community Plan amendment.
4. Report back to Council with a scope of work, anticipated timelines and estimated costs associated with the preparation of Design Guidelines relating to Bicycle Parking.
5. Prepare amendments to the Land Use Procedures Bylaw to delegate Development Permit with Variance Applications for minor parking variances associated with small commercial operations, prepare Design Guidelines to inform the review of such variances, carry out the necessary engagement and report back to Council with an amending Bylaw prior to commencing work on an Official Community Plan amendment.
6. Send to the Neighbourhood Associations welcoming comments.
7. Send to the Accessibility Working Group and Disability Resource Centre.

On the main motion as amended:
CARRIED UNANIMOUSLY 17/COTW

5.6 Application for a Permanent Change to Hours of Service for a Liquor Primary License (043332), Inn on the Harbour, 427 Belleville Street

Committee received a report dated September 8, 2017, from the Director of Sustainable Planning and Community Development regarding an application by Inn on the Harbour located at 427 Belleville Street, to change their Liquor Primary License service hours from 9:00 am to 1:00 am (Monday-Saturday) 9:00 am to 12:00 am on Sunday.

Committee discussed:

- The rationale for the 50m mailout and not 100m.
- The number of residents that were included in the 50m mailout.
- The amount of Liquor Primary locations that open at 9:00 am
- Provincial legislation that regulates how many hours a Liquor Primary is allowed to be open.

Motion:

It was moved by Councillor Loveday, seconded by Councillor Alto, that Council direct staff to provide the following response to the Liquor Licensing Agency:

1. Council, after conducting a review with respect to noise and community impacts, does support the application of Inn on the Harbour, located at 427 Belleville Street to change opening hours from 11:00 a.m. to 9:00 a.m. daily and the closing hours from 1:30 a.m. to 1:00 a.m. Monday through Saturday and maintain the closing time of 12:00 a.m. on Sunday. Providing the following comments on the prescribed considerations:
 - a. The impact of noise on the community in the vicinity of the establishment has been considered in relation to the request is not expected to be a significant issue.
 - b. If the application is approved, the impact on the community is expected to be negligible.
 - c. The views of residents were solicited via a mailout to neighbouring property owners and occupiers within 50 metres of the licensed location and a notice posted at the property. The City received one letter opposed to the application.
 - d. Council recommends the issuance of the license.

CARRIED UNANIMOUSLY 17/COTW

Councillor Lucas withdrew from the meeting at 11:58 am due to a pecuniary conflict of interest with the following item, as she is the general manager of a hotel and oversees all the liquor licences in the hotel.

5.7 Liquor Licensing Bylaw and Policy Review

Committee received a report dated September 8, 2017, from the Director of Sustainable Planning and Community Development providing information and recommendations for the amended Liquor Licencing Fee Bylaw and information on implications and opportunities should new requirements for Good Neighbour Agreements with all Food Primary Establishments which are open past midnight and directly adjacent to residential properties.

Motion:

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

1. That Council approve the draft Liquor Licence Policy (Attachment 1).
2. That Council direct staff to,
 - a. bring forward the Business Licence Bylaw to remove conditions to enter into a Good Neighbour Agreements and return to Council for first reading no later than November 3, 2017;
 - b. introduce a new education program for existing and new businesses to learn about City bylaws and policies that impact their operations through information dissemination during the business licence application/renewal process and have information readily available on the Victoria.ca website; and
 - c. work with the Victoria Police Service and the Provincial Government to develop' business-specific Good Neighbour Agreements for those establishments where on-going issues and concerns have been raised.
 - d. bring forward the Liquor Licencing Fee Bylaw for introductory readings on October 12, 2017

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

1. That Council approve the draft Liquor Licence Policy (Attachment 1).
2. That Council direct staff to,
 - a. bring forward the Business Licence Bylaw to remove conditions to enter into a Good Neighbour Agreements and return to Council for first reading no later than November 3, 2017;
 - b. introduce a new education program for existing and new businesses to learn about City bylaws and policies that impact their operations through information dissemination during the business licence application/renewal process and have information readily available on the Victoria.ca website; and
 - c. work with the Victoria Police Service and the Provincial Government to develop' business-specific Good Neighbour Agreements for those establishments where on-going issues and concerns have been raised.
 - d. bring forward the Liquor Licencing Fee Bylaw for introductory readings on October 12, 2017.
 - e. **that the report be sent to the Late Night Taskforce for comment.**

On the amendment:
CARRIED UNANIMOUSLY 17/COTW

Main motion as amended:

1. That Council approve the draft Liquor Licence Policy (Attachment 1).
2. That Council direct staff to,
 - a. bring forward the Business Licence Bylaw to remove conditions to enter into a Good Neighbour Agreements and return to Council for first reading no later than November 3, 2017;
 - b. introduce a new education program for existing and new businesses to learn about City bylaws and policies that impact their operations through information

- dissemination during the business licence application/renewal process and have information readily available on the Victoria.ca website; and
- c. work with the Victoria Police Service and the Provincial Government to develop' business-specific Good Neighbour Agreements for those establishments where on-going issues and concerns have been raised.
 - d. bring forward the Liquor Licencing Fee Bylaw for introductory readings on October 12, 2017.
 - e. that the report be sent to the Late Night Taskforce for comment.

On the main motion as amended:
CARRIED UNANIMOUSLY 17/COTW

Councillor Lucas returned to the meeting at 12:06 pm

6. NEW BUSINESS

6.1 Council Discussion on location of 2018 Levee

Committee discussed whether a free levee should be held at City Hall or the Crystal Pool.

Committee discussed:

- What the costs would be to hold a levee at City Hall and the Crystal Pool.

Motion: It was moved by Mayor Helps, seconded by Councillor Alto, that Council hold the levee at city Hall and a swim at Crystal Pool.

Committee discussed:

- Ensuring the events are free.

Amendment: It was moved by Councillor Isitt, seconded by Mayor Helps, that the motion be amended as follows:
That Council hold the **free** levee at City Hall and a swim at Crystal Pool.

CARRIED UNANIMOUSLY 17/COTW

7. ADJOURNMENT

Motion: It was moved by Councillor Alto, seconded by Councillor Coleman, that the Committee of the Whole meeting of October 5, 2017, be adjourned at 12:12 p.m.

CARRIED UNANIMOUSLY 17/COTW

CERTIFIED CORRECT:

CITY CLERK

MAYOR