

MINUTES OF THE
COMMITTEE OF THE WHOLE MEETING
HELD THURSDAY, JANUARY 11, 2018, 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, Lucas, Madoff, Thornton-Joe, and Young

Absent for a portion of the meeting: Councillor Loveday

Staff Present: J. Jenkyns – Acting City Manager; C. Coates – City Clerk; T. Zworski – City Solicitor; C. Havelka – Deputy City Clerk; P. Bruce – Fire Chief; S. Thompson – Director of Finance; J. Tinney – Director of Sustainable Planning & Community Development; B. Eisenhower – Head of Engagement; B. Dellebuur – Assistant Director of Transportation; A. Meyer – Assistant Director of Development Services; L. Taylor – Senior Planner; M. Angrove – Planner; C. Mycroft – Manager of Executive Operations; A. M. Ferguson – Recording Secretary

2. APPROVAL OF AGENDA

Motion: It was moved by Councillor Alto, seconded by Councillor Coleman, that the Agenda of the January 11, 2018, Committee of the Whole meeting be approved.

Amendment: It was moved by Councillor Coleman, seconded by Councillor Alto, that the Agenda of the January 11, 2018, Committee of the Whole meeting be amended as follows:

Consent Agenda:

Item No. 1 - Minutes from the meeting held November 16, 2017

Item No. 6 - Development Permit with Variance Application No. 00064 for 785 Caledonia Avenue

Item No. 8 - Land Use Procedures Bylaw and Building and Plumbing Bylaw Amendments Affordable Housing and Emergency Preparedness Container Application Fees

On the amendment:
CARRIED UNANIMOUSLY 18/COTW

Main motion as amended:

That the Agenda of the January 11, 2018, Committee of the Whole Meeting be approved with the following amendments:

Consent Agenda:

Item No. 1 - Minutes from the meeting held November 16, 2017

Item No. 6 - Development Permit with Variance Application No. 00064 for 785 Caledonia Avenue

Item No. 8 - Land Use Procedures Bylaw and Building and Plumbing Bylaw Amendments Affordable Housing and Emergency Preparedness Container Application Fees

On the main motion as amended:
CARRIED UNANIMOUSLY 18/COTW

3. CONSENT AGENDA

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

3.1 Minutes from the meeting held November 16, 2017

Motion: It was moved by Councillor Isitt, seconded by Councillor Alto, that the Minutes of the meeting held November 16, 2017, be adopted.

CARRIED UNANIMOUSLY 18/COTW

3.2 Development Permit with Variance Application No. 00064 for 785 Caledonia Avenue

Committee received a report dated December 28, 2017, from the Director of Sustainable Planning and Community Development regarding an application permit for changes to the exterior of the building and landscaping as well as to enclose a portion of the patio.

Motion: It was moved by Councillor Isitt, seconded by Councillor Alto, that Council authorize the issuance of Development Permit with Variance Application No. 00064 for 785 Caledonia Avenue in accordance with:

1. Plans date stamped November 23, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. Registration of the lot line adjustment at the Land Title and Survey Authority Office to the satisfaction of staff.
4. The Development Permit with Variance lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY 18/COTW

3.3 Land Use Procedures Bylaw and Building and Plumbing Bylaw Amendments Affordable Housing and Emergency Preparedness Container Application Fees

Committee received a report dated December 29, 2017, from the Director of Sustainable Planning and Community Development regarding recommended changes to the *Land Use Procedures Bylaw* and *Building and Plumbing Regulation Bylaw* related to application fees.

- Motion:** It was moved by Councillor Isitt, seconded by Councillor Alto, that Council direct staff to:
1. Bring forward amendments to the *Land Use Procedures Bylaw* which would change the definition of affordable housing, reduce the development application fees for emergency preparedness containers, and provide clarification of fees as described in this report.
 2. Bring forward amendments to the *Building and Plumbing Regulation Bylaw* which would change the definition of affordable housing as described in this report.

CARRIED UNANIMOUSLY 18/COTW

4. LAND USE MATTERS

4.1 Rezoning Application No. 00600 for 1038-1040 Fort Street

Committee received a report dated December 28, 2017, from the Director of Sustainable Planning and Community Development regarding an application to permit the retail sale of cannabis.

- Motion:** It was moved by Councillor Lucas, seconded by Councillor Young, that Council decline Rezoning Application No. 00600 for the property located at 1038-1040 Fort Street.

Committee discussed:

- The enforcement process for declined applications.

CARRIED UNANIMOUSLY 18/COTW

- Motion:** It was moved by Mayor Helps, seconded by Councillor Lucas, that Council direct staff to send letters to landlords who are leasing to cannabis dispensaries that have been declined by Council.

CARRIED UNANIMOUSLY 18/COTW

- Motion:** It was moved by Councillor Thornton-Joe, seconded by Mayor Helps, that Council direct staff to report back on merits and feasibility of seeking legal action against owners of building leasing to cannabis dispensaries declined by Council.

CARRIED UNANIMOUSLY 18/COTW

Motion to refer:

It was moved by Councillor Isitt, seconded by Councillor Young, that the following motion be referred to the in-camera meeting:

That Council direct staff to report back on merits and feasibility of seeking legal action against owners of building leasing to cannabis dispensaries declined by Council.

CARRIED 18/COTW

For: Councillors Alto, Coleman, Isitt, Lucas, Madoff, and Young

Against: Mayor Helps, Councillor Thornton-Joe

Councillor Loveday joined the meeting at 9:15 a.m.

4.2 Rezoning Application No. 00579 for 3175-3177 Harriet Road & 105 Burnside Road East

Committee received a report dated December 28, 2017, from the Director of Sustainable Planning and Community Development regarding an application to permit the retail sale of cannabis.

Motion: It was moved by Councillor Alto, seconded by Councillor Coleman, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00579 for 3175-3177 Harriet Road & 105 Burnside Road East, 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 3.66m on Burnside Road East.

Amendment: It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that the motion be amended to include the following:

2. **direct staff to send a letter to the Municipality of Saanich to inform them of this application and of the public hearing date.**

Amendment to the amendment:

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

2. **direct staff to send a letter to the Municipality of Saanich and the Gorge Tillicum Community Association to inform them of this application and of the public hearing date.**

On the amendment to the amendment:

CARRIED 18/COTW

For: Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Madoff, and Thornton-Joe

Against: Councillor Young

On the amendment:

CARRIED 18/COTW

For: Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Madoff, and Thornton-Joe

Against: Councillor Young

Main motion as amended:

That Council:

1. Instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00579 for 3175-3177 Harriet Road & 105 Burnside Road East, 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 3.66m on Burnside Road East.
2. Direct staff to send a letter to the Municipality of Saanich and the Gorge Tillicum Community Association to inform them of this application and of the public hearing date.

On the main motion as amended:

CARRIED 18/COTW

For: Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Madoff, and Thornton-Joe

Against: Councillor Young

4.3 Temporary Use Permit Application No. 00009 for 543-549 Herald Street

Committee received a report dated December 28, 2017, from the Director of Sustainable Planning and Community Development regarding an application to permit the retail sale of cannabis.

Committee discussed:

- Existing cannabis retailers in the area.

Motion: It was moved by Councillor Lucas, seconded by Councillor Young, that Council decline Temporary Use Permit Application No. 00009 for the property located at 543-549 Herald Street.

Committee discussed:

- The proximity to the Chinese Public School and the letters received from the school and the Chinese Consolidated Benevolent Association.
- The time the applicant has had to determine another location.

CARRIED 18/COTW

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

Against: Councillor Isitt

4.4 Temporary Use Permit Application No. 00008 for 2650-2654 Quadra Street

Committee received a report dated December 28, 2017, from the Director of Sustainable Planning and Community Development regarding an application to permit the retail sale of cannabis.

Motion: It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council decline Temporary Use Permit Application No. 00008 for the property located at 2650-2654 Quadra Street.

Committee discussed:

- Proximity to other dispensaries and the neighbourhoods support for the distance between dispensaries as laid out in the City's policy.

Councillor Loveday withdrew from the meeting at 9:33 a.m. and returned at 9:34 a.m.

CARRIED UNANIMOUSLY 18/COTW

4.5 Rezoning Application No. 00614 for 3103 Washington Avenue

Committee received a report dated December 28, 2017, from the Director of Sustainable Planning and Community Development regarding an application to permit the construction of four single-family dwellings.

Motion: It was moved by Councillor Young, seconded by Councillor Lucas, that Council decline Rezoning Application No. 00614 for the property located at 3103 Washington Street.

Committee discussed:

- Support from neighbours for the proposal.

DEFEATED 18/COTW

For: Councillor Young

Against: Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Madoff, and Thornton-Joe

Motion: It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00614 for 3103 Washington Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

- a. Preparation of the following documents, executed by the applicant to the satisfaction of City Staff:
 - i. Section 219 covenant to secure the design and associated landscaping of four proposed single-family dwelling Units, and to ensure the dwelling units are constructed in accordance with the plans approved by Council.

Committee discussed:

- The type of housing needed in the City and a desire for an affordability component to be included in the proposal.

CARRIED 18/COTW

For: Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Madoff, and Thornton-Joe

Against: Councillor Young

5. NEW BUSINESS

5.1 Letter from the Minister of Energy, Mines and Petroleum Resources

Committee received a letter dated August 8, 2017, from the Minister of Energy, Mines and Petroleum Resources regarding measures to encourage building retrofits for energy efficiency.

Motion: It was moved by Mayor Helps, seconded by Councillor Loveday, that Council refer this letter to the January 18, 2018, Committee of the Whole Meeting.

CARRIED UNANIMOUSLY 18/COTW

5.2 Letter from Transport Canada & the Minister of Transport

Committee received letters dated October 20, 2017 & August 8, 2017, regarding regulations and standards pertaining to Victoria Harbour Water Airport and the City's request for a noise exposure forecast.

Motion: It was moved by Councillor Isitt, seconded by Mayor Helps, that Council consider a response to the Minister of Transport Canada.

Committee discussed:

- The need for a permanent regulatory framework.

Amendment: It was moved by Mayor Helps, seconded by Councillor Isitt, that the motion be amended as follows:
That Council consider a response to the Minister of Transport Canada **including writing to the Minister and requesting that the proposed regulatory amendments be forwarded to Council for consideration.**

Amendment to the amendment:

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

That Council **request that the Mayor write** ~~consider a response~~ to the Minister of Transport Canada ~~including writing to the Minister and~~ **requesting that proposed regulatory amendments be forwarded to Council for consideration.**

On the amendment to the amendment:
CARRIED UNANIMOUSLY 18/COTW

Amendment to the amendment:

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

That Council **request that the Mayor write** to the Minister of Transport Canada **expressing concern over a decade and a half of delay in this**

regulatory decision and requesting that proposed regulatory amendments be forwarded to Council for consideration.

On the amendment to the amendment:
CARRIED UNANIMOUSLY 18/COTW

Amendment to the amendment:

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

That Council **request that the Mayor write** to the Minister of Transport Canada **expressing concern over a decade and a half of delay in this regulatory decision, indicating the City's willingness to work with the federal government on the finalization of regulations and requesting that proposed regulatory amendments be forwarded to Council for consideration.**

On the amendment to the amendment:
CARRIED UNANIMOUSLY 18/COTW

On the amendment:
CARRIED UNANIMOUSLY 18/COTW

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

That Council ~~request that the Mayor~~ write to the Minister of Transport Canada expressing concern over a decade and a half of delay in this regulatory decision, indicating the City's willingness to work with the federal government ~~on~~ **in** the finalization of regulations and requesting that proposed regulatory amendments be forwarded to Council for consideration.

On the amendment:
CARRIED UNANIMOUSLY 18/COTW

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

That Council write to the Minister of Transport Canada expressing concern over a decade and a half of delay in this regulatory decision, indicating the City's willingness to work with the federal government in the finalization of regulations and requesting that the proposed regulatory amendments be forwarded to this Council **in 2018** for consideration.

On the amendment:
CARRIED UNANIMOUSLY 18/COTW

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

That Council write to the Minister of Transport Canada expressing concern over a decade and a half of delay in this regulatory decision, indicating the City's willingness to work with the federal government in the finalization of regulations and requesting that the proposed regulatory amendments be

forwarded to this Council in 2018 for consideration **and include reference to the recommendations from the task force.**

Amendment to the amendment:

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

That Council write to the Minister of Transport Canada expressing concern over a decade and a half of delay in this regulatory decision, indicating the City's willingness to work with the federal government in the finalization of regulations and requesting that the proposed regulatory amendments be forwarded to this Council in 2018 for consideration **and include reference to the recommendations from the task force.**

On the amendment to the amendment:
CARRIED UNANIMOULSY 18/COTW

Amendment to the amendment:

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

That Council write to the Minister of Transport Canada expressing concern over a decade and a half of delay in this regulatory decision, indicating the City's willingness to work with the federal government in the finalization of regulations and requesting that the proposed regulatory amendments be forwarded to this Council in 2018 for consideration **and include the report and recommendations from the task force.**

On the amendment to the amendment:
CARRIED UNANIMOULSY 18/COTW

On the amendment:
CARRIED UNANIMOULSY 18/COTW

Main motion as amended:

That Council write to the Minister of Transport Canada expressing concern over a decade and a half of delay in this regulatory decision, indicating the City's willingness to work with the federal government in the finalization of regulations and requesting that the proposed regulatory amendments be forwarded to this Council in 2018 for consideration and include the report and recommendations from the Task Force from 2006.

On the main motion as amended:
CARRIED UNANIMOUSLY 18/COTW

5.3 Effective and Efficient Policing and Governance in the Capital Region

Committee received a Council member motion dated January 11, 2018, from Councillor Loveday regarding policing and governance in the Capital Region.

Motion:

It was moved by Councillor Loveday, seconded by Mayor Helps:

Be It Resolved That Council call on the Province of British Columbia to establish and fund a Citizens' Assembly on Amalgamation with interested municipalities from Greater Victoria

And Be It Further Resolved That the City of Victoria remain receptive to any initiatives for the creation of a regional police force and request the Mayor write to local Mayors requesting participation in discussions on the potential of a regional police force.

Amendment:

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

And Be It Further Resolved That the City of Victoria remain receptive to any initiatives for the creation of a regional police force and ~~request the Mayor write to local Mayors requesting participation in discussions on the potential of a regional police force~~ **that Council request that the Mayor participate in the discussions initiated by Saanich.**

On the amendment:

CARRIED UNANIMOUSLY 18/COTW

Committee discussed:

- Benefits and efficiencies of a regional police force.

Amendment:

It was moved by Councillor Madoff, seconded by Councillor Young, that the motion be amended in the second paragraph as follows:

And Be It Further Resolved That the City of Victoria remain receptive to any initiatives for the creation of a regional police force that Council request that the Mayor participate in the discussions initiated by Saanich **to fund a citizens assembly on amalgamation to discuss and explore options.**

On the amendment:

DEFEATED 18/COTW

For:

Councillor Isitt, Madoff, and Young

Against:

Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, and Thornton-Joe

Committee discussed:

- Examples of governance in other jurisdictions.

Amendment:

It was moved by Councillor Young, seconded by Councillor Coleman, that the motion be amended in the first paragraph as follows:

Be It Resolved That Council call on the Province of British Columbia to establish and fund a Citizens' Assembly on Amalgamation with interested ~~municipalities~~ **citizens** from Greater Victoria

Amendment to the amendment:

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

Be It Resolved That Council call on the Province of British Columbia to establish and fund a Citizens' Assembly on Amalgamation with interested municipalities **citizens** from Greater Victoria,

And forward this wording to Saanich and request that they amend their motion accordingly to reflect the intention of a citizens assembly;

On the amendment to the amendment:
CARRIED UNANIMOUSLY 18/COTW

Amendment to the amendment:

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

Be It Resolved That Council call on the Province of British Columbia to establish and fund a Citizens' Assembly on Amalgamation **in the Capital Regional District with interested municipalities** ~~citizens~~ **from Greater Victoria,**

~~And forward this wording to Saanich and request that they amend their motion accordingly to reflect the intention of a citizens assembly;~~

And Be It Further Resolved That the City of Victoria remain receptive to any initiatives for the creation of a regional police force that Council request that the Mayor participate in the discussions initiated by Saanich.

On the amendment to the amendment:
CARRIED 18/COTW

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

On the amendment:
CARRIED 18/COTW

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

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

Be It Resolved That Council call on the Province of British Columbia to establish and fund a Citizens' Assembly on Amalgamation **and governance** in the Capital Regional District,

And Be It Further Resolved That the City of Victoria remain receptive to any initiatives for the creation of a regional police force that Council request that the Mayor participate in the discussions initiated by Saanich.

On the amendment:
DEFEATED 18/COTW

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

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

Be It Resolved That Council call on the Province of British Columbia to establish and fund a Citizens' Assembly on Amalgamation in ~~the Capital Regional District~~ **Greater Victoria**,

And Be It Further Resolved That the City of Victoria remain receptive to any initiatives for the creation of a regional police force that Council request that the Mayor participate in the discussions initiated by Saanich.

On the amendment:
CARRIED UNANIMOUSLY 18/COTW

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

Be It Resolved That Council call on the Province of British Columbia to establish and fund a Citizens' Assembly on Amalgamation in Greater Victoria,

And forward this wording to Saanich for their consideration;

And Be It Further Resolved That the City of Victoria remain receptive to any initiatives for the creation of a regional police force that Council request that the Mayor participate in the discussions initiated by Saanich.

On the amendment:
CARRIED UNANIMOUSLY 18/COTW

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

Be It Resolved That Council call on the Province of British Columbia to establish and fund a Citizens' Assembly on Amalgamation in Greater Victoria,

And forward this wording to Saanich for their consideration;

And Be It Further Resolved That the City of Victoria remain receptive to any initiatives for the creation of a regional police ~~force~~ **service and** that Council request that the Mayor participate in the discussions initiated by Saanich.

On the amendment:
CARRIED UNANIMOUSLY 18/COTW

Main motion as amended:

Be It Resolved That Council call on the Province of British Columbia to establish and fund a Citizens' Assembly on Amalgamation in Greater Victoria,

And forward this wording to Saanich for their consideration;

And Be It Further Resolved That the City of Victoria remain receptive to any initiatives for the creation of a regional police service and that Council request that the Mayor participate in the discussions initiated by Saanich.

On the main motion as amended:
CARRIED UNANIMOUSLY 18/COTW

6. ADJOURNMENT

Motion: It was moved by Councillor Alto, seconded by Councillor Coleman, that the Committee of the Whole meeting of January 11, 2018, be adjourned at 10:54 a.m.

CARRIED UNANIMOUSLY 18/COTW

CERTIFIED CORRECT:

CITY CLERK

MAYOR