

**MINUTES OF THE
COMMITTEE OF THE WHOLE MEETING
HELD THURSDAY, JANUARY 25, 2018, 9:00 A.M.**

1. THE CHAIR CALLED THE MEETING TO ORDER AT 9:01 A.M.

Committee Members Present: Mayor Helps (Chair), Councillors Alto, Coleman, Loveday, Lucas, Madoff, and Young

Absent: Councillor Thornton-Joe

Absent for a portion of the meeting: Councillor Isitt

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. Tinney – Director of Sustainable Planning & Community Development; T. Soulliere – Director of Parks, Recreation, & Facilities; F. Work – Director of Engineering & Public Works; T. Zworski – City Solicitor; B. Eisenhauer – Head of Engagement; A. Meyer – Assistant Director of Development Services; R. Morhart – Manager of Permits & Inspections; J. Huggett – Project Director for the Johnson Street Bridge Replacement Project; L. Taylor – Senior Planner; A. Johnson – Senior Planner; C. Mycroft – Manager of Executive Operations; A.M. Ferguson – Recording Secretary

2. APPROVAL OF AGENDA

Motion: It was moved by Councillor Loveday, seconded by Councillor Alto, that the Agenda of the January 25, 2018, Committee of the Whole meeting be approved.

Amendment: It was moved by Councillor Isitt, seconded by Councillor Loveday, that the Agenda of the January 25, 2018, Committee of the Whole meeting be amended as follows:

Consent Agenda:

Item No. 6 - Rezoning Application No. 00608 for 323 Skinner Street

Item No. 7 - Development Permit Application No. 000523 for 323 Skinner Street

Item No. 10 - 816 Government Street (Customs House) - Road Dedication

Item No. 11 - Council Resolution for Emergency Operations Centre exercise Grant Application

Item No. 12 - Attendance at the Board Meeting of the Canadian Capital Cities Organization February 7 & 8, 2018

Item No. 13 - Attendance at the Federation of Canadian Municipalities Sustainable Communities Conference, Feb. 6-8, 2018

Item No. 14 - Contribution toward meeting costs for Victoria Community Association Network

Item No. 15 – Local Government Leadership Academy Attendance Request

On the amendment:
CARRIED UNANIMOUSLY 18/COTW

Main motion as amended:

That the Agenda of the January 25, 2018 Committee of the Whole Meeting be approved with the following amendments:

Consent Agenda:

Item No. 6 - Rezoning Application No. 00608 for 323 Skinner Street

Item No. 7 - Development Permit Application No. 000523 for 323 Skinner Street

Item No. 10 - 816 Government Street (Customs House) - Road Dedication

Item No. 11 - Council Resolution for Emergency Operations Centre exercise Grant Application

Item No. 12 - Attendance at the Board Meeting of the Canadian Capital Cities Organization February 7 & 8, 2018

Item No. 13 - Attendance at the Federation of Canadian Municipalities Sustainable Communities Conference, Feb. 6-8, 2018

Item No. 14 - Contribution toward meeting costs for Victoria Community Association Network

Item No. 15 - Local Government Leadership Academy Attendance Request

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

The Acting City Manager recognized the service of Fin Anderson, parks worker, who recently passed away and advised of a memorial service being held at 1:00 p.m.

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 Rezoning Application No. 00608 for 323 Skinner Street

Committee received a report dated January 11, 2018, from the Director of Sustainable Planning and Community Development regarding an application to convert an existing single-storey single-family dwelling to allow for a daycare that accommodates up to 32 children.

Motion: It was moved by Councillor Isitt, 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. 00608 for 323 Skinner 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 18/COTW

3.2 Development Permit Application No. 000523 for 323 Skinner Street

Committee received a report dated January 11, 2018, from the Director of Sustainable Planning and Community Development regarding an application to convert an existing single-storey single-family dwelling to allow for a daycare that accommodates up to 32 children.

Motion: It was moved by Councillor Isitt, seconded by Councillor Alto, that Council, after the Public Hearing for Rezoning Application No. 00608, if it is approved, consider the following motion:
"That Council authorize the issuance of Development Permit Application No. 000523 for 323 Skinner Street subject to submission of supplementary plans identifying the proposed sustainability features, to the satisfaction of the Director of Sustainable Planning and Community Development, in accordance with:

1. Plans date stamped December 15, 2017.
2. The development meeting all *Zoning Regulation Bylaw* requirements.
3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY 18/COTW

3.3 816 Government Street (Customs House) - Road Dedication

Committee received a report dated January 10, 2018, from the Director of Engineering and Public Works regarding a voluntary land dedication of 12.5 square metres as road right-of-way, where the sidewalk is over private property.

Motion: It was moved by Councillor Isitt, seconded by Councillor Alto, that Council authorize the Mayor and the City Clerk to execute legal documents to the satisfaction of the City Solicitor, allowing for the following at 816 Government Street:

- the dedication as road of 12.5 square metres of land; and
- the discharge of existing SRW CA4632179

CARRIED UNANIMOUSLY 18/COTW

3.4 Council Resolution for Emergency Operations Centre exercise Grant Application

Committee received a report dated January 12, 2018, from the Fire Chief regarding a grant application to UBCM for emergency operations centre training for City staff.

- Motion:** It was moved by Councillor Isitt, seconded by Councillor Alto, that Council:
1. Authorize staff to apply for a \$25,000 grant through the Community Emergency Preparedness Fund for Emergency Operations Centre (EOC) training and exercise development and delivery.
 2. Authorize the Mayor and City Clerk to execute any agreements related to a successful grant application.

CARRIED UNANIMOUSLY 18/COTW

3.5 Attendance at the Board Meeting of the Canadian Capital Cities Organization February 7 & 8, 2018

Committee received a Council member motion dated January 12, 2018, from Councillor Alto regarding a request to attend the Canadian Capital Cities Organization conference.

- Motion:** It was moved by Councillor Isitt, seconded by Councillor Alto, that Council authorize the attendance and associated costs for Councillor Alto to attend the in-person Board meeting of the Canadian Capital Cities Organization to be held in Ottawa, February 7 and 8, 2018.

CARRIED UNANIMOUSLY 18/COTW

3.6 Attendance at the Federation of Canadian Municipalities Sustainable Communities Conference, Feb. 6-8, 2018

Committee received a Council member motion dated January 12, 2018, from Councillor Alto regarding a request to attend the Federation of Canadian Municipalities Sustainable Communities conference.

- Motion:** It was moved by Councillor Isitt, seconded by Councillor Alto, that Council authorize the attendance and associated costs for Mayor Helps to attend the FCM Sustainable Communities Conference to be held in Ottawa, February 6-8, 2018.

CARRIED UNANIMOUSLY 18/COTW

3.7 Contribution toward meeting costs for Victoria Community Association Network

Committee received a Council member motion dated January 19, 2018, from Councillors Isitt and Loveday regarding meeting costs for Victoria Community Association Network.

- Motion:** It was moved by Councillor Isitt, seconded by Councillor Alto, that Council direct staff to:
1. Make provision for the following expenditures in the 2018 Financial Plan Bylaw, funded from new assessed revenue:
 - a. in-kind funding to cover security costs relating to meetings of the Victoria Community Association Network at Victoria City Hall, with annual expenditures for this purpose not to exceed \$800;
 - b. a monetary contribution of \$100 toward insurance costs for meetings of the Victoria Community Association Network;
 2. Include these expenditures adjusted for the rate of inflation in the draft Financial Plan for 2019 and subsequent years, until such time as Council adopts a different policy with respect to support for meetings of this network.

CARRIED UNANIMOUSLY 18/COTW

3.8 Local Government Leadership Academy Attendance Request

Committee received a Council member motion dated January 24, 2018, from Councillor Loveday regarding a request to attend the Local Government Leadership Academy.

- Motion:** It was moved by Councillor Isitt, seconded by Councillor Alto, that Council approve costs for registration, accommodation, transportation, and incidentals for Councillor Jeremy Loveday to attend the Local Government Leadership Academy conference from Jan.31-Feb 2. 2018.

CARRIED UNANIMOUSLY 18/COTW

4. Presentation

4.1 Johnson Street Bridge Quarterly Update Report

Committee received a report dated January 18, 2018, from the Project Director for the Johnson Street Bridge project regarding an update on the progress of the Johnson Street Bridge Replacement Project.

Councillor Isitt withdrew from the meeting at 9:31 a.m. and returned at 9:33 a.m.

Committee discussed:

- Delay and costs associated with the proposal.

Councillor Isitt excused himself from the meeting at 9:37 a.m. to attend a meeting with the Island Corridor Foundation.

Committee discussed:

- The warranty and proposed maintenance plan for the bridge.
- Design considerations and impacts of lighting.
- The concerns raised in Focus Magazine regarding the plates.

Motion: It was moved by Mayor Helps, seconded by Councillor Alto, that Council receive the report of January 8, 2018 for information.

Committee discussed:

- Timelines for completion of various sections of the proposal including public realm improvements, pedestrian walkways, and the new waterfront park.

CARRIED UNANIMOUSLY 18/COTW

5. UNFINISHED BUSINESS

5.1 Letter form the District of West Kelowna

Committee received a letter dated December 13, 2017, from the Mayor of the District of West Kelowna requesting support by writing to the province to lobby for a share of the cannabis tax sharing formula.

Motion: It was moved by Councillor Loveday, seconded by Councillor Alto, that the correspondence dated December 13, 2017 from the District of West Kelowna be received for information.

CARRIED UNANIMOUSLY 18/COTW

Councillor Lucas withdrew from the meeting at 10:15 a.m. and returned at 10:16 a.m.

6. LAND USE MATTERS

6.1 Rezoning Application No. 00602 & Development Permit with Variances Application No. 00065 for 736 Princess Avenue and Associated Official Community Amendment (Rock Bay)

Committee received a reports dated January 11, 2018, from the Director of Sustainable Planning and Community Development regarding an application to construct a six-storey, mixed-use building consisting of ground floor commercial and residential above with a floor space ratio of 4.51:1.

The Senior Planner noted a correction in the report stating the proposal is within the Rock Bay District not within the Core Mixed Use District, however the uses and densities the report refers to are correct.

Councillor Loveday withdrew from the meeting at 10:38 a.m. and returned at 10:39 a.m.

Committee discussed:

- Transition with nearby properties and the types of proposals that would be permitted on site.

Motion:

It was moved by Councillor Madoff, seconded by Councillor Young:

Rezoning Application No. 00602

That Council decline Rezoning Application No. 00602 for the property located at 736 Princess Avenue.

Development Permit with Variances Application No. 00065

That Council decline Development Permit with Variance Application No. 00065 for the property located at 736 Princess Avenue.

Committee discussed:

- Concerns and impacts of transitioning this site to residential and the need for housing in the city.
- Parking considerations and impacts to the street.
- The long term goals of the Official Community Plan and concerns of potential land speculation.

DEFEATED 18/COTW

For:

Councillors Madoff and Young

Opposed:

Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, and Lucas

Motion:

It was moved by Councillor Madoff, seconded by Councillor Young:

Rezoning Application No. 00602

That Council direct staff to work with the applicant on a proposal that complies with the land use and density policies in the Official Community Plan and Downtown Core Area Plan.

Development Permit with Variances Application No. 00065

That Council direct staff to work with the applicant to revise the proposal to comply with the OCP and reduce the magnitude of the parking variance and refer the application to the Advisory Design Panel, with a request that the Panel pay particular attention to:

1. The transition to the buildings along Princess Avenue.
2. Overall massing, architectural elements and finishes to ensure the integration with the local neighbourhood.
3. Type of glazing on the building.

Committee discussed:

- A desire for a creative proposal that could fit within the *Official Community Plan* and policies for the site.

Motion:

It was moved by Mayor Helps, seconded by Councillor Alto, that the motion be amended to include the following point:

Rezoning Application No. 00602

2. **work with the applicant to determine and secure a level of affordability in the project as a condition of the rezoning.**

On the amendment:

CARRIED UNANIMOUSLY 18/COTW

Main motion as amended:

Rezoning Application No. 00602

That Council direct staff to:

1. work with the applicant on a proposal that complies with the land use and density policies in the Official Community Plan and Downtown Core Area Plan.
2. work with the applicant to determine and secure a level of affordability in the project as a condition of the rezoning.

Development Permit with Variances Application No. 00065

That Council direct staff to work with the applicant to revise the proposal to comply with the OCP and reduce the magnitude of the parking variance and refer the application to the Advisory Design Panel, with a request that the Panel pay particular attention to:

1. The transition to the buildings along Princess Avenue.
2. Overall massing, architectural elements and finishes to ensure the integration with the local neighbourhood.
3. Type of glazing on the building.

On the main motion as amended:

CARRIED 18/COTW

For: Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, and Lucas

Opposed: Councillors Madoff and Young

Committee recessed at 11:18 a.m. and reconvened at 11:24 a.m.

6.2 Development Variance Permit No. 00186 for 1322 Rockland Avenue

Committee received a report dated January 12, 2018, from the Director of Sustainable Planning and Community Development regarding an application to subdivide the lot to create one vacant lot while retaining the heritage protected building on the other lot.

Committee discussed:

- The types of developments permitted on the site under the current zoning.

Motion: It was moved by Mayor Helps, seconded by Councillor Madoff, that Council decline Development Variance Permit Application No. 00186 for the property located at 1322 Rockland Avenue.

Committee discussed:

- Retaining the large character lots and concerns about subdividing the lot.
- Lack of a comprehensive site plan and need to ensure adherence to the Rockland guidelines.

CARRIED UNANIMOUSLY 18/COTW

7. STAFF REPORTS

7.1 Application for a Structural Change to increase the occupant load for a Liquor Primary License (300068), Upstairs Cabaret, 15 Bastion Square

Committee received a report dated December 22, 2017, from the Director of Sustainable Planning and Community Development regarding an application for a structural change to increase the occupant load from 300 to 500 persons.

Committee discussed:

- Washrooms capacity, security, and noise impacts associated with the increase.

Motion:

It was moved by Councillor Loveday, seconded by Mayor Helps, 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 Upstairs Cabaret, located at 15 Bastion Square for a structural change to increase the occupant load from 300 to 500 persons.

Providing the following comments on the prescribed considerations:

1. The impact of noise on the community in the vicinity of the establishment has been considered. The consideration of noise related to the Upstairs Cabaret recognized that noise is partly due to the sound system as a constant which is not substantially impacted by occupant load. The impacts of the increased occupant load were also considered and are consistent with uses contemplated for the area and therefore supportable.
2. If the application is approved, the net impact on the community is expected to be positive economically as the approval supports the request of the business and presumably their long term viability as a local entertainment destination and as a local employer.
3. The views of residents were solicited via a mail out to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. The City received 39 letters in support of the application and 5 letters opposed to the application. The letters of opposition describe issues resulting from patrons leaving the establishment which include, noise, loud use of profanities, vomiting and the overall impact this has on the occupants and business of the Victoria Regent Hotel.

Letters of support commonly noted the proposed capacity is needed to support local talent with adequately sized venues. Respondents also supported the application for the impact it would have on reducing queue times and improved atmosphere, both to the benefit of patrons.

4. Council recommends the issuance of the license.

Committee discussed:

- Lack of nearby residential neighbours mitigating any noise concerns and a lack of issues raised by the liquor board or police.

CARRIED UNANIMOUSLY 18/COTW

8. ADJOURNMENT

Motion: It was moved by Councillor Alto, seconded by Councillor Coleman, that the Committee of the Whole meeting of January 25, 2018, be adjourned at 11:57 p.m.

CARRIED UNANIMOUSLY 18/COTW

CERTIFIED CORRECT:

CITY CLERK

MAYOR