MINUTES – VICTORIA CITY COUNCIL

MEETING OF THURSDAY, NOVEMBER 23, 2017, AT 6:30 P.M.

PLACE OF MEETING: Council Chambers, City Hall

PRESENT: Mayor Helps in the Chair, Councillors Alto, Isitt, Loveday, Lucas, Madoff, Thornton-Joe, and Young.

ABSENT: Councillor Coleman

STAFF PRESENT: J. Jenkyns - Acting City Manager; C. Coates - City Clerk; C. Royle – Deputy Fire Chief; S. Thompson – Director of Finance; F. Work – Director of Engineering & Public Works; N. Sidhu – Assistant Director of Parks, Recreation, & Facilities; J. Tinney – Director of Sustainable Planning & Community Development; T. Zworski- City Solicitor; B. Eisenhauer - Head of Engagement; C. Havelka – Deputy City Clerk; C. Wain – Senior Planner; D. St. Jacques – Executive Coordinator; P. Martin - Council Secretary.

APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Motion:
It was moved by Councillor Isitt, seconded by Councillor Madoff, that the agenda be approved as amended.

Amendment:
It was moved by Councillor Isitt, seconded by Councillor Loveday, that Ray Zimmermann and Nathalie Vazan be added to the first Request to Address Council section of the agenda and that Doug Curran be added to the second Request to Address Council section of the agenda.

On the amendment:
Carried Unanimously

On the main motion as amended:
Carried Unanimously

READING OF MINUTES

Motion:
It was moved by Councillor Thornton-Joe, seconded by Councillor Loveday, that the following minutes be adopted:

1. Minutes from the daytime meeting held September 21, 2017
2. Minutes from the daytime meeting held October 26, 2017

Carried Unanimously

REQUESTS TO ADDRESS COUNCIL

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

Carried Unanimously

1. Jordan Reichert: Phasing Out the Horse-Drawn Carriages in Victoria
Outlined why Council should take action to phase out the horse carriage industry in Victoria.

2. Gillian Calder: 2017 ShoeBox Campaign
Outlined why Council should support the “I Love First People” 2017 ShoeBox Campaign.

3. Dave Davies: The Use of the Word Affordable
Outlined why Council should create a clear definition of the term “affordable” and what income is required to fit the term.

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Councillor Lucas advised that she no longer needs to recuse herself for the following item, due to the proximity of her work to the cannabis businesses located at 1402 Douglas Street and 1412 Douglas Street, as both businesses are no longer under consideration by Council.

4. Chris Zmuda: Cannabis
Outlined why Council should review permitting cannabis dispensaries in the City and how they are ruining small businesses.

5. Ray Zimmermann: Governance
Outlined why Council should consider the surrounding areas when making decisions about the Regional Growth Strategy.

6. Nathalie Vazan: Renters' Rights
Outlined why Council should create a new bylaw regarding property maintenance and cleanliness to assist renters' rights.

PROCLAMATIONS

Motion:
It was moved by Councillor Alto, seconded by Councillor Isitt, that the following proclamation be endorsed:

1. "National Homeless Persons' Day" – December 21, 2017

Carried Unanimously

PUBLIC AND STATUTORY HEARINGS

1. Development Permit with Variances Application No. 00021 for 515 Foul Bay Road

1. **Opportunity for Public Comment**
Development Permit with Variances No. 00021
The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 515 Foul Bay Road in Development Permit Area 15B: Intensive Residential – Panhandle Lot, in order to subdivide the existing lot into four lots and allow for the construction of three single-family dwellings.

The Development Permit will vary the following requirements of the *Zoning Regulation Bylaw:*

LOT A:
- increase the maximum height from 5.00m to 7.50m
- increase the maximum number of storeys from one to two
- reduce the front setback from 7.50m to 1.22m (west)
- reduce the side setback from 7.50m to 3.74m (south)

LOT B:
- increase the maximum height from 5.00m to 7.40m
- increase the maximum number of storeys from one to two
- reduce the front setback from 7.50m to 6.81m (south)
- reduce the side setback from 7.50m to 2.68 (west)

LOT C:
- increase the maximum height from 5.00m to 7.60m
- increase the maximum number of storeys from one to two
- reduce the front setback, from 7.50m to 0.69m (north)
- reduce the side setback from 7.50m to 1.85m (west)

Lot D (Existing House):
- reduce the front setback from 7.50m to 1.58 (west)
- reduce the rear setback from 7.50m to 1.99m (east)
- reduce the side setback from 7.50m to 0.00m (north).

Legal description of the land:
PID: 004-671-899, LOT A (DD C82174) SECTION 68 VICTORIA DISTRICT PLAN 12877

Charlotte Wain (Senior Planner): *Advised that the application is to subdivide the existing lot into four lots and allow for the construction of three single-family dwellings.*

Mayor Helps opened the public hearing at 7:08 p.m.

Carolynn Wilson (Architect): Provided information on the application, regarding how the three new single-family dwellings would be situated on the lot.

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Jeremy Gye (Arborist): Provided information regarding the application's tree removal and replanting.

Councillor Loveday withdrew from the meeting at 7:25 p.m. and returned at 7:26 p.m.

Council discussed the following:

- *What the applicant would be allowed to build without a request for variances.*
- *The size of the proposed replacement trees.*
- *Whether there is true affordability in the rental housing.*

Virginia Errick (Foul Bay Road): Expressed concerns relating to the application relating to the potential damage of neighbouring trees and the number of trees that would be removed.

Mike Fenger (Foul Bay Road): Expressed support for the application as they have worked together to create an access to their strata.

Gary Kirk (Linden Avenue): Expressed concerns relating to the application due to inconsistencies with the Official Community Plan.

Sean Cavanagh (Foul Bay Road): Expressed concerns relating to the application due to their loss of privacy and the loss of trees on the site.

Karen Ayers (Foul Bay Road): Expressed concerns relating to the application due to the loss of trees and potential damage of neighbouring trees, and the size of the proposed single-family dwellings.

Susan Rautio (Richmond Avenue): Expressed concerns relating to the application due to inconsistencies with the Official Community Plan and due to the loss of trees.

Mary Callahan (Richmond Avenue): Expressed concerns relating to the application and noted concerns of a neighbour who could not attend, due to inconsistencies with the Official Community Plan.

Janet Simpson (Richardson Street): Expressed concerns relating to the application due to overdevelopment of the site and loss of trees.

William Glassman (Foul Bay Road): Expressed concerns relating to the application due to overdevelopment of the site.

Natalie Suzuki (Foul Bay Road): Expressed concerns relating to the application due to the loss of trees and green space, loss of privacy, as well as the requested setback and height variances for site one.

Bob June (Manner Road / Rockland Neighbourhood Association): Expressed concerns relating to the application due to the loss of trees, and as a better rental requirement would be preferable.

Jean Hamilton (Foul Bay Road): Expressed concerns relating to the application, as noted by the neighbours.

Marlene Lavalee (Foul Bay Road): Expressed concerns relating to the application due to the requested setbacks.

Mary Doody Jones (Kipling Street): Expressed concerns relating to the application due to the loss of trees.

Dusty Delaine (Chapman Street): Expressed support for the application as it would be a positive development in the neighbourhood.

Council discussed the following:

- *Whether a neighbouring garden would be negatively impacted by the development.*
- *That the rental units would only be available at market rental rate.*
- *That the rock wall will be rebuilt in a similar manner.*

Mayor Helps closed the public hearing at 8:42 p.m.

2. **Development Permit with Variances Approval**

Motion:
It was moved by Councillor Isitt, that the application be referred back to staff and the applicant to work with neighbours to address concerns regarding the siting and density of the new buildings.

Defeated due to no seconder

Motion:
It was moved by Mayor Helps, seconded by Councillor Madoff, that the application be declined.

Council discussed the following:

- *The high volume of neighbourhood concerns that have been received.*
- *Whether the application is not consistent with the neighbourhood plan.*
- *The importance of future development and densification on this site that is sensitive to the neighbourhood.*
- *Concerns relating to the siting and setbacks of the proposed dwellings.*
- *The importance of preserving the Gary Oaks meadow to a greater extent.*

Carried Unanimously

Council recessed from 9:05 p.m. and returned at 9:12 p.m.

2. Development Permit with Variances Application No. 00034 for 515 & 533 Chatham Street

1. **Opportunity for Public Comment**
   Development Permit with Variances No. 00034
   The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 515 and 533 Chatham Street, in Development Permit Area 1 (HC) Core Historic, for purposes of approving the exterior design and finishes for the mixed use building as well as landscaping.

   The Development Permit will vary the following requirements of the *Zoning Regulation Bylaw:*

   - relaxation to allow residential use on the ground floor
   - increase the height from 15m to 19.52m
   - relaxation to allow more than one building on a lot.

   Legal description of the land:
   Lot 482, Victoria City
   Lot 483, Victoria City
   Lot 484, Victoria City
   Lot 485, Victoria City
   Lot 486, Victoria City

   Charlotte Wain (Senior Planner): *Advised that the application is to construct a mixed-use development ranging from three to five storeys with commercial and live/work at grade with residential units above.*

Mayor Helps opened the public hearing at 9:13 p.m.

Chris LeFevre (Applicant): Provided information regarding the application advising of how the development would fit in with the neighbourhood, and outlined the housing agreement and the expansion of the through-block walkway.

Christine Lintott (Architect): Provided information regarding the refinements that had been made to the application, noting the design.

Council discussed the following:

- *Considerations undertaken by the applicant when designing the massing and façade.*

Douglas Curran (Burdett Avenue): Expressed concerns relating to the application, as the pedestrian streetscape is not inviting but noted his support for densification and mixed-use building in the neighbourhood.

Ian Sutherland (Government Street): Expressed concerns relating to the application, as it is inconsistent with the Old Town Design Guidelines.

Michael Gannet (St. Patrick Street): Expressed support for the application as the design and building will be a good fit for the neighbourhood.

Colin Ewart (Herald Street): Expressed support for the application as it will be a benefit to neighbouring businesses.

Council discussed the following:

- *That the through-block walkway will be inviting to pedestrians.*
- *The amenities space that would be provided on the rooftop of the building for residents.*
- *That the frontage improvements are consistent with the new guidelines for the public realm.*

Mayor Helps closed the public hearing at 9:59 p.m.

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2. **Development Permit with Variances Approval**

Motion:
It was moved by Councillor Lucas, seconded by Councillor Alto, 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:
   a. Part 6.7.1 (e): relaxation to allow residential use on the ground floor
   b. Part 6.7.6 (1): increase the height from 15m to 19.52m
   c. 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. Registration of the following legal agreements on the property's title, to the satisfaction of City Staff:
   a. Housing Agreement to ensure that future strata bylaws cannot prohibit strata owners from renting residential strata units.
   b. Statutory Right-of-Way of a minimum of 1.5m along the eastern property line to allow for the expansion of the through-block walkway;
10. 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.

Council discussed the following:

- *That the building could be a benefit to neighbouring businesses and the area.*
- *Whether the façade and character of the building is supportable.*
- *The supportability of having buildings with amenities for residents in urban areas.*
- *Whether the application is consistent with City guidelines.*

Motion to refer:
It was moved by Councillor Madoff, seconded by Councillor Isitt, that the application be referred to staff to work with the applicant for consideration of design refinements, particularly on Chatham Street, that respond to the character of Old Town.

On the motion to refer
Carried

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

Council recessed from 10:33 p.m. and returned at 10:43 p.m.

3. Temporary Use Permit Application No. 00003 for 3020 Douglas Street

1. **Opportunity for Public Comment**
Temporary Use Permit No. 00003
The Council of the City of Victoria will consider issuing a Temporary use Permit for the land known as 3020 Douglas Street, in Development Permit Area 16: General Form and Character, for purposes of temporarily changing the use of the existing building from motel to transitional housing.

Legal description of the land:
Lot A, Section 4, Victoria District, Plan 14497

Charlotte Wain (Senior Planner): *Advised that the application is to temporarily change the use from a motel to 52 transitional housing units.*

Mayor Helps opened the opportunity for public comment at 10:44 p.m.

Kathy Stinson (Cool Aid): Provided information regarding the application, the organization, the staffing model, the consultation that has been undertaken, and how neighbourhood concerns will be addressed.

Motion to extend meeting:
It was moved by Councillor Isitt, seconded by Councillor Loveday, that the meeting be extended until 1:00 a.m.

On the motion to extend the meeting:
Carried Unanimously

Council discussed the following:

- *That the building will be managed similarly to other supportive housing managed by Cool Aid.*
- *Policies relating to the monitoring of guests in supportive housing.*

Beverley Bowes (Manchester Road): Expressed concerns relating to the application due to the high number of shelter beds and supportive housing sites within the neighbourhood.

Sherry Arlt (Manchester Road): Expressed concerns relating to the application due to the high number of shelter beds and supportive housing sites within the neighbourhood.

Diana Van Heerden (Manchester Road): Expressed concerns relating to the application due to the lack of communication of the future development of the site.

Janet Husec (Cook Street): Expressed support for the application due to the supportability of providing supportive housing.

Jan Sigurdsson (Cormorant Street): Expressed support for the application due to the supportability of providing the temporary supportive housing.

Paul Sorensen (Burnside Road East): Expressed safety concerns relating to the application due to the high number of shelter beds and supportive housing sites within the neighbourhood.

Marco Taccarelli (Manchester Road): Expressed safety concerns relating to the application due to the high number of shelter beds and supportive housing sites within the neighbourhood.

Josie Carter (Douglas Street): Expressed concerns relating to the application due to the human waste, litter, and graffiti that has been left near the building due to the high number of shelter beds and supportive housing sites within the neighbourhood.

Vicky Jackson (Gorge Road East): Expressed concerns relating to the application due to the high number of shelter beds and supportive housing sites within the neighbourhood.

Michelle Peterson (Arnold Street): Expressed concerns relating to the application due to the high number of shelter beds and supportive housing sites within the neighbourhood.

Avery Stetski (President of Burnside Gorge Community Association): Expressed concerns relating to the application due to the high number of shelter beds and supportive housing sites within the neighbourhood and the inconsistency with the Official Community Plan and neighbourhood plan.

Nigel Fletcher (Manchester Road): Expressed concerns relating to the application due to the high number of shelter beds and supportive housing sites within the neighbourhood.

Silvio Barbon (Burnside Road East): Expressed safety concerns relating to the application due to the high number of shelter beds and supportive housing sites within the neighbourhood.

Amhr Bhandar (Burnside Road East): Expressed safety concerns relating to the application due to the high number of shelter beds and supportive housing sites within the neighbourhood.

Bruce McDonnell (Burnside Road East): Expressed concerns relating to the application due to the high number of shelter beds and supportive housing sites within the neighbourhood.

Troy Latimer (Manchester Road): Expressed safety concerns relating to the application due to the high number of shelter beds and supportive housing sites within the neighbourhood.

Betty Young (Maddock Avenue East): Expressed concerns relating to the application due to the high number of shelter beds and supportive housing sites within the neighbourhood.

Aaron Arnstein (Dunedin Street): Expressed concerns relating to the application due to the high number of shelter beds and supportive housing sites within the neighbourhood.

Joanne Peake (Sumas Street): Expressed safety concerns relating to the application due to the high number of shelter beds and supportive housing sites within the neighbourhood.

Scott Daley (Sweet Avenue): Expressed support for the application due to the supportability of providing the temporary supportive housing.

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Michael Pinsky (Rock Bay Avenue): Expressed safety concerns relating to the application due to the high number of shelter beds and supportive housing sites within the neighbourhood and how it is affecting their business.

Ted Weatherly (Douglas Street): Expressed concerns relating to the application due to the high number of shelter beds and supportive housing sites within the neighbourhood and how it is affecting their business.

Paula Wareham (Washington Avenue): Expressed safety concerns relating to the application due to the high number of shelter beds and supportive housing sites within the neighbourhood.

Dean Strongitharm (Courtney Street): Expressed support for the application in relation to his work with the organization.

Jeff Nelson (Gorge Road East): Expressed concerns relating to the application due to the high number of shelter beds and supportive housing sites within the neighbourhood.

Adrian Shewchuk (Albany Street): Expressed concerns relating to the application due to the high number of shelter beds and supportive housing sites within the neighbourhood.

Tracey James (Dunedin Street): Expressed concerns relating to the application due to the high number of shelter beds and supportive housing sites within the neighbourhood.

Council discussed the following:

- *How the proposed neighbourhood plan envisions this area of the neighbourhood.*
- *Whether further conditions could be added to the permit approval.*
- *The difference between this proposed supportive housing model and the shelter bed models currently in the neighbourhood.*

Mayor Helps closed the public hearing at 12:31 a.m.

2. **Temporary Use Permit Approval**

Motion:
It was moved by Councillor Isitt, seconded by Mayor Helps, that Council authorize the issuance of Temporary Use Permit Application No. 00003 for 3020 Douglas Street and 540 Burnside Road East, in accordance with:

1. Plans date stamped August 24, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. Registration of a Section 219 Covenant on title to the satisfaction of staff to secure the following minimum criteria with respect to transitional housing on the subject property:
   - 24/7 staffing model and ancillary supports, including two trained resident support workers onsite at all times and one full-time supervisor during the week;
   - at least one staff member patrolling around the entire perimeter of the building to inspect the property daily and attend to the removal of any rubbish or debris or graffiti; and
   - residents provided with access to health care and counselling support services.
4. The applicant providing a landscape cost estimate for the entire cost of the onsite landscaping in accordance with the Landscape Plan prepared by LADR Landscape Architects dated August 17, 2017 and a landscape security deposit in the amount of 120% of the Landscape Cost Estimate is payable to the City prior to the issuance of any building permits.
5. The Temporary Use Permit lapsing three years from the date of this resolution.
6. That the applicant hold a Community Association Land Use Committee meeting before proceeding to Public Hearing.
7. Direct staff to work with the applicant to provide more appropriate bicycle parking for residents.
8. That staff will monitor all ingress and egress.
9. And will primarily house those already in supportive housing facilities, who have favourably responded to and are willing to accept the restrictions, policies, and procedures for the building.

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

10. Subject to the conditions outlined in the letter from the Burnside Gorge Community Association dated November 22, 2017:
   1. The TUP is limited to a maximum of three years without extension.
   2. The planning and design of the redevelopment is done in consultation with community and fully adheres to the new Burnside Gorge Local Area Plan zoning.
   3. Within six months of issuance of the TUP, Cool Aid will have a schedule of project redevelopment detailing how the rezoning will be successfully completed and project construction substantially started by the end of the TUP three-year time period. This will include Cool Aid's plans for relocation of the residents to the new facility without need for temporary facilities or a TUP extension.

4. **Within six months of issuance of the TUP, and with community consultation, Cool Aid will have a monitoring and management plan in place for mitigating impacts to the community.**
5. **The operating agreements for the facility must include contractual obligations that hold the service provider responsible for mitigation of community impacts.**

On the amendment:
Carried Unanimously

Council discussed the following:

- *The need for supportive housing in the City of Victoria.*
- *Consideration of other models run by Cool Aid Society.*

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

10. Subject to the conditions outlined in the letter from the Burnside Gorge Community Association dated November 22, 2017:
    1. The TUP is limited to a maximum of three years without extension.
    2. **Direct the applicant to undertake ~~The~~** planning and design of the redevelopment is done in consultation with community and fully adheres to the new Burnside Gorge Local Area Plan zoning.
    3. **Direct the applicant that** within six months of issuance of the TUP, Cool Aid will have a schedule of project redevelopment detailing how the rezoning will be successfully completed and project construction substantially started by the end of the TUP three-year time period. This will include Cool Aid's plans for relocation of the residents to the new facility without need for temporary facilities or a TUP extension.
    4. Within six months of issuance of the TUP, and with community consultation, Cool Aid will have a monitoring and management plan in place for mitigating impacts to the community.
    5. The operating agreements for the facility must include contractual obligations that hold the service provider responsible for mitigation of community impacts.

On the amendment:
Carried Unanimously

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

10. Subject to the conditions outlined in the letter from the Burnside Gorge Community Association dated November 22, 2017:
    1. **Direct staff to work with the applicant to secure as part of the Section 219 Covenant, a commitment not to apply for a renewal of a TUP ~~The TUP is limited to a maximum of three years without extension~~**.
    2. Direct the applicant to undertake planning and design of the redevelopment is done in consultation with community and fully adheres to the new Burnside Gorge Local Area Plan zoning.
    3. Direct the applicant that within six months of issuance of the TUP, Cool Aid will have a schedule of project redevelopment detailing how the rezoning will be successfully completed and project construction substantially started by the end of the TUP three-year time period. This will include Cool Aid's plans for relocation of the residents to the new facility without need for temporary facilities or a TUP extension.
    4. Within six months of issuance of the TUP, and with community consultation, Cool Aid will have a monitoring and management plan in place for mitigating impacts to the community.
    5. The operating agreements for the facility must include contractual obligations that hold the service provider responsible for mitigation of community impacts.

On the amendment:
Carried Unanimously

Council discussed the following:

- *Whether the provisions will make the transitional housing a better fit for the community.*

Motion to extend meeting:
It was moved by Councillor Thornton-Joe, seconded by Councillor Isitt, that the meeting be extended until 2:30 a.m.

On the motion to extend the meeting:
Carried Unanimously

Council discussed the following:

- *That transitional housing should be less impactful on the neighbourhood than a shelter.*

Main motion as amended:
That Council authorize the issuance of Temporary Use Permit Application No. 00003 for 3020 Douglas Street and 540 Burnside Road East, in accordance with:

1. Plans date stamped August 24, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. Registration of a Section 219 Covenant on title to the satisfaction of staff to secure the following minimum criteria with respect to transitional housing on the subject property:
    - 24/7 staffing model and ancillary supports, including two trained resident support workers onsite at all times and one full-time supervisor during the week;
    - at least one staff member patrolling around the entire perimeter of the building to inspect the property daily and attend to the removal of any rubbish or debris or graffiti; and
    - residents provided with access to health care and counselling support services.
4. The applicant providing a landscape cost estimate for the entire cost of the onsite landscaping in accordance with the Landscape Plan prepared by LADR Landscape Architects dated August 17, 2017 and a landscape security deposit in the amount of 120% of the Landscape Cost Estimate is payable to the City prior to the issuance of any building permits.
5. The Temporary Use Permit lapsing three years from the date of this resolution.
6. That the applicant hold a Community Association Land Use Committee meeting before proceeding to Public Hearing.
7. Direct staff to work with the applicant to provide more appropriate bicycle parking for residents.
8. That staff will monitor all ingress and egress.
9. And will primarily house those already in supportive housing facilities, who have favourably responded to and are willing to accept the restrictions, policies, and procedures for the building.
10. Subject to the conditions outlined in the letter from the Burnside Gorge Community Association dated November 22, 2017:
    1. Direct staff to work with the applicant to secure as part of the Section 219 Covenant, a commitment not to apply for a renewal of a TUP.
    2. Direct the applicant to undertake planning and design of the redevelopment is done in consultation with community and fully adheres to the new Burnside Gorge Local Area Plan zoning.
    3. Direct the applicant that within six months of issuance of the TUP, Cool Aid will have a schedule of project redevelopment detailing how the rezoning will be successfully completed and project construction substantially started by the end of the TUP three-year time period. This will include Cool Aid's plans for relocation of the residents to the new facility without need for temporary facilities or a TUP extension.
    4. Within six months of issuance of the TUP, and with community consultation, Cool Aid will have a monitoring and management plan in place for mitigating impacts to the community.
    5. The operating agreements for the facility must include contractual obligations that hold the service provider responsible for mitigation of community impacts.

On the main motion as amended:
Carried

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

Council recessed from 1:27 a.m. and returned at 1:31 a.m.

Councillor Loveday was not present when the meeting reconvened

4. Rezoning and Development Permit with Variances Application No. 00544 for 1539 Pearl Street

1. **Public Hearing**
   Rezoning Application No. 00544
   To rezone the land known as 1539 Pearl Street from the R1-B Zone, Single Family Dwelling District, to the R1-S28 Zone, Restricted Small Lot with Secondary Suite (Pearl Street) District, to permit two small-lot single family dwellings with secondary suites.

   New Zone:R1-S28 Zone, Restricted Small Lot with Secondary Suite (Pearl Street) District

   Legal description:Lot A (DD232381I), Section 29-30, Victoria District, Plan 1574

   Existing Zone: R1-B Zone, Single Family Dwelling District

2. **Development Permit Application**
   The Council of the City of Victoria will also consider issuing a development permit for the land known as 1539 Pearl Street, in Development Permit Area 15A: Intensive Residential Small Lot for the purpose of establishment of objectives for the form and character of intensive residential development. Variances on the new Zone, R1-S28 Zone, Restricted Small Lot with Secondary Suite (Pearl Street) are required as follows:

   - increase the maximum height on Lot A from 7.50m to 7.57m
   - increase the maximum height on Lot B from 7.50m to 7.58m
   - reduce the side yard setback on the east side of Lot A from 2.40m to 1.50m
   - reduce the side yard setback on the west side of Lot B from 2.40m to 1.50m.

Charlotte Wain (Senior Planner): *Advised that the application is to allow for two small lots with new single family dwellings with secondary suites.*

Mayor Helps opened the public hearing at 1:32 a.m.

Councillor Loveday joined the meeting at 1:33 a.m.

Andrew Law (Applicant): Provided information regarding the application.

There were no persons present to speak to the proposed bylaw.

Mayor Helps closed the public hearing at 1:34 a.m.

3. **Bylaw Approval**

Motion:
It was moved by Councillor Alto, seconded by Councillor Lucas, that the following bylaw **be given third reading:**
1.Zoning Regulation Bylaw, Amendment Bylaw (No. 1121) No. 17-106

Carried Unanimously

4. **Bylaw Approval**

Motion:
It was moved by Councillor Alto, seconded by Councillor Madoff, that the following bylaw **be adopted:**
1.Zoning Regulation Bylaw, Amendment Bylaw (No. 1121) No. 17-106

Carried Unanimously

5. **Development Permit with Variances Approval**

Motion:
It was moved by Councillor Alto, seconded by Councillor Loveday, that Council authorize the issuance of Development Permit Application No. 00544 for 1539 Pearl Street, in accordance with:

1. Plans date stamped July 21, 2017
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
   i. Part 1.23.4(a): increase the maximum height of Lot A from 7.50m to 7.57m;
   ii. Part 1.23.4(a): increase the maximum height of Lot A from 7.50m to 7.58m;
   iii. Part 1.23.8(c): reduce the side yard (east) setback of Lot A from 2.40m to 1.50m to allow for a habitable room with a window;
   iv. Part 1.23.8(c): reduce the side yard (west) setback of Lot B from 2.40m to 1.50m to allow for a habitable room with a window.
3. The Development Permit lapsing two years from the date of this resolution.

Carried Unanimously

UNFINISHED BUSINESS

1. Letter from the Minister of Transport
Council received a letter of response dated October 20, 2017 regarding regulations and standards pertaining to Victoria Harbour Water Airport.

Motion:
It was moved by Councillor Isitt, seconded by Councillor Loveday, that the correspondence dated October 20, 2017 from the Minister of Transport be referred to the December 7, 2017 Committee of the Whole meeting.

Carried Unanimously

2. Letter from the Prime Minister
Council received a letter of response dated June 14, 2017 regarding the refugee resettlement processing and settlement system across Canada, with a focus on private sponsorship.

Motion:
It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that the correspondence dated June 14, 2017 from the Prime Minister be received for information.

Carried Unanimously

DRAFT

3. Letter from the Minister of Citizens' Services

Council received a letter of response dated September 25, 2017 regarding the City's efforts to conceptualize a Community Benefit Hub.

Motion:

It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that the correspondence dated September 25, 2017 from the Minister of Citizens' Services be received for information.

Carried Unanimously

4. Letter from the Member of Parliament for Cowichan-Malahat-Langford

Council received a letter of response dated October 10, 2017 regarding the City's endorsement of the United Nations Treaty on the Prohibition of Nuclear Weapons.

Motion:

It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that the correspondence dated October 10, 2017 from the Member of Parliament for Cowichan-Malahat-Langford be received for information.

Carried Unanimously

5. Letter from the Minister of Jobs, Trade and Technology

Council received a letter of response dated October 23, 2017 from the Minister of Jobs, Trade and Technology regarding his recent appointment as Minister and the work their government has made to British Columbians.

Motion:

It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that the correspondence dated October 23, 2017 from the Minister of Jobs, Trade and Technology be received for information.

Carried Unanimously

6. Letter from Member of Parliament for Saanich-Gulf Islands

Council received a letter of response dated October 26, 2017 regarding the City's endorsement of the Treaty on the Prohibition of Nuclear Weapons.

Motion:

It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that the correspondence dated October 26, 2017 from Member of Parliament for Saanich-Gulf Islands be received for information.

Carried Unanimously

7. Letter from the Town of Sidney

Council received a letter of response dated November 8, 2017 regarding The Town of Sidney's approach in dealing with the reduction of single-use plastic bags.

Motion:

It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that the correspondence dated November 8, 2017 from the Town of Sidney be received for information.

Carried Unanimously

8. Letter from the Town of View Royal

Council received a letter of response dated November 9, 2017 advising that the Town has passed a resolution regarding single use plastic bags.

Motion:

It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that the correspondence dated November 9, 2017 from the Town of View Royal be received for information.

Carried Unanimously

9. Letter from the Minister of Finance

Council received a letter dated November 15, 2017 regarding the 2017 UBCM convention and that the Finance Ministry staff have been asked to consider the views expressed when they evaluate the current PST provisions.

Motion:

It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that the correspondence dated November 15, 2017 from the Minister of Finance be received for information.

Carried Unanimously

DRAFT

Councillor Thornton-Joe withdrew from the meeting at 1:36 a.m. due to a pecuniary conflict of interest with the following item, as her husband is employed with BC Transit.

10. Letter from the Town of View Royal

Council received a letter of response dated October 25, 2017 regarding improving inter-city bus service.

Motion:

It was moved by Councillor Alto, seconded by Councillor Madoff, that the correspondence dated October 25, 2017 from the Town of View Royal be received for information.

Carried Unanimously

11. Letter from the City of Colwood

Council received a letter of response dated October 26, 2017 regarding the request that BC Municipalities and Regional Districts give favourable consideration resolutions of support for maintaining and improving inter-city bus service.

Motion:

It was moved by Councillor Alto, seconded by Councillor Madoff, that the correspondence dated October 26, 2017 from the City of Colwood be received for information.

Carried Unanimously

Councillor Thornton-Joe returned to the meeting at 1:37 a.m.

12. Rise and Report from Closed Meeting for Information

There are no Rise & Reports for this meeting.

REPORTS OF COMMITTEES

1. Committee of the Whole – November 16, 2017

1. Indigenous Walk of Fame

Motion:

It was moved by Councillor Alto, seconded by Councillor Madoff, that Council approves in principle the establishment of an Indigenous Walk of Fame in the City of Victoria, subject to confirmation of support of the Songhees and Esquimalt Nations, and welcomes a formal proposal identifying the scope, content, sponsoring organizations, budget and maintenance plan for this initiative.

Carried Unanimously

2. Advocacy for Provincial Leadership for Housing Affordability

Motion:

It was moved by Councillor Alto, seconded by Councillor Madoff, that Council requests that the Mayor, on behalf of Council, write to the provincial Minister of Municipal Affairs and Housing and the provincial Minister of Finance, copying the Premier of British Columbia, Members of the Legislative Assembly representing constituencies in the Capital Region, and member local governments of the Union of British Columbia Municipalities, indicating that the City of Victoria is willing and ready to be an active partner for housing affordability and requesting Provincial government leadership in the following areas in partnership with the Federal government, First Nations governments, local governments and housing providers:

(1) Increase the supply of non-market housing.
(2) Create an inventory of public and private land suitable for development for affordable housing.
(3) Introduce effective fiscal and taxation tools to encourage the use of residential property to provide housing, and discourage speculation, “flipping,” commodity investment and other market distortions that contribute toward a sharp escalation in the price of housing, including adjustments to the Property Transfer Tax to encourage residential occupancy and discourage speculation.
(4) Guarantee a dedicated and fixed portion of revenues from Property Transfer and Land Value Capture taxes for local Affordable Housing and Transit infrastructure.
(5) Extend Vacancy Taxation Authority to local governments, providing communities with the discretion to decide whether to introduce an additional tax to discourage vacant and derelict buildings, and encourage the occupancy, maintenance, and improvement of buildings to address housing affordability and public safety.
(6) Restore the authority of local governments to introduce a Land Value Tax, to incentivize improvements to property for housing and other purposes, and create a disincentive to holding vacant property for speculative purposes.
(7) Consider granting local governments the authority to take title to vacant and derelict buildings, to encourage the occupancy, maintenance, and improvement of buildings to address housing affordability and public safety.

(8) Amend the Residential Tenancy Act and provide additional resources to the Residential Tenancy Branch to strengthen protections for renters facing rent increases and "renovictions" and "demovictions."

Carried Unanimously

3. Making British Columbia Barrier Free

Motion:
It was moved by Councillor Alto, seconded by Councillor Madoff, that Council requests the Mayor write the Province of British Columbia to request that BC's Legislative Assembly enact a strong and effective British Columbians with Disabilities Act.

Carried Unanimously

4. Development Variance Permit No. 00196 for 1126 Rockland Avenue

Motion:
It was moved by Councillor Alto, seconded by Councillor Madoff, 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 Variance Permit Application No. 00196 for 1126 Rockland Avenue, in accordance with:

1. Plans date stamped October 11, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
   i. reduce the vehicle parking requirement from 45 stalls to 30 stalls
   ii. reduce the minimum dwelling unit size from 33m2 to 29.3m2 (for Suite B and Suite B Modified)
   iii. reduce the minimum horizontal distance between surface parking and dwelling unit windows from 6.00m to 0.00m.
3. The Development Permit lapsing two years from the date of this resolution.

Carried Unanimously

5. Zoning Regulation Bylaw Amendment: Schedule D- Home Occupations

Motion:
It was moved by Councillor Alto, seconded by Councillor Madoff, that Council:

1. Direct staff to prepare amendments to the *Zoning Regulation Bylaw* to update *Schedule D - Home Occupations* to increase the number of home occupations from one to three, provided only one home occupation has customers that visit the dwelling, and prohibit cannabis-related businesses.
2. Direct staff to report back within two years on any challenges and successes associated with this change or proposed additional amendments.

Carried Unanimously

6. Emergency Program Bylaw

Motion:
It was moved by Councillor Alto, seconded by Councillor Madoff, that Council direct staff to bring forward the *Emergency Program Bylaw* to the November 23, 2017 Council meeting for first, second and third readings.

Carried Unanimously

7. Letter from the Minister of Energy, Mines and Petroleum Resources

Motion:
It was moved by Councillor Alto, seconded by Councillor Madoff, that the letter be referred to the December 14, 2017 Committee of the Whole Meeting.

Carried Unanimously

8. Optimizing Neighbourhood Benefit of Regional Waste-Water Conveyance Infrastructure

Motion:
It was moved by Councillor Alto, seconded by Councillor Madoff, that Council direct staff to include the following components in design work currently underway with the CRD Core Area Waste Water Project for the Residual Solids Conveyance Pipe, Dallas Road Forcemain and North East Trunk:

1. Review public input that has been received through City of Victoria-led local area planning processes for Victoria West, Fairfield and Gonzales; Community Association-led engagement processes; and CRD-led engagement processes, to identify neighbourhood traffic calming, active transportation and public realm priorities along the route of the CRD conveyance infrastructure, including:
   (a) Opportunities for traffic calming, active transportation and public realm improvements on Dominion Road, Hereward Road, Craigflower Road and Arm Street in Victoria West, with particular attention to the intersections of Dominion / Pine, Hereward / Wilson and Dominion / Craigflower;

(b) Opportunities for traffic calming, active transportation and public realm improvements along Dallas Road in James Bay, with particular attention to the intersections of Dallas / Niagara / St. Lawrence, Dallas / Oswego, Dallas / Menzies, Dallas / Government, and Dallas / Douglas.
(c) Opportunities for traffic calming, active transportation and public realm improvements along Dallas Road, Memorial Crescent and the North East Trunk alignment in Fairfield and Gonzales, with particular attention to the intersections of Dallas / Cook, Dallas / Moss and Dallas / Memorial Crescent.

2. Direct staff to report back on any opportunities to make neighbourhood mobility, placemaking, traffic calming, and transportation improvements in the Victoria West, and reach out to Victoria West Community Association for their input.
3. Continue to work with James Bay and Fairfield-Gonzales community associations on opportunities to advance these traffic calming, active transportation and public realm priorities in conjunction with the CRD construction project.
4. Report to Council on options for advancing traffic calming, active transportation and public realm priorities along the alignment of the Residual Solids Conveyance Pipe, Dallas Road Forcemain and North East Trunk, including possible capital allocations in the 2018 Financial Plan to achieve neighbourhood priorities in the near term and at a lower total cost to the city, by completing this work in conjunction with the CRD Project.

Carried Unanimously

9. Advocacy for Federal Leadership for Housing Affordability

Motion:
It was moved by Councillor Isitt, seconded by Councillor Alto, that Council requests that the Mayor, on behalf of Council, write to the Prime Minister of Canada, the federal Minister of Finance, and the federal Minister of Infrastructure and Communities, copying Members of Parliament from British Columbia and member local governments of the Federation of Canadian Municipalities, indicating that the City of Victoria is willing and ready to be an active partner for housing affordability and requesting Federal government leadership in the following areas in partnership with Provincial governments, First Nations governments, local governments and housing providers:

(1) Incorporate the right to housing into Canadian law, advancing legislation, programs and resources that guarantee the right to housing as recognized in the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights, international agreements to which Canada is a signatory.
(2) Restore stable, multi-year transfer payments to Provincial governments and First Nations governments to expand and refurbish the supply of non-market housing.
(3) Introduce effective fiscal and taxation tools to encourage the use of residential property to provide housing, and discourage speculation, “flipping,” commodity investment and other market distortions that contribute toward a sharp escalation in the price of housing, including the option of a phased-in Capital Gains Tax exemption for primary residences that increases over time to encourage residential occupancy.
(4) Restore taxation and construction incentives to encourage the development of new purpose-built market rental and purpose-built non-market rental housing.
(5) Restore the Residential Rehabilitation Assistance Program (RRAP) to support the refurbishment and retention of affordable rental housing.
(6) Restore the Co-operative Housing Program, to support the expansion of new cooperative housing supply and support the refurbishment of existing housing co-ops.
(7) Commit $30-million toward the Regional Housing First Strategy in British Columbia’s Capital Region, and fund similar partnerships in other regions to eliminate homelessness by providing housing with supports.

Carried Unanimously

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

That Council requests that the Mayor, on behalf of Council, write to the Prime Minister of Canada, **the Minister of Housing and Social Development,** the federal Minister of Finance, and the federal Minister of Infrastructure and Communities, copying Members of Parliament from British Columbia and member local governments of the Federation of Canadian Municipalities, indicating that the City of Victoria is willing and ready to be an active partner for housing affordability and requesting Federal government leadership in the following areas in partnership with Provincial governments, First Nations governments, local governments and housing providers:

On the amendment:
Carried Unanimously

Main motion as amended:
That Council requests that the Mayor, on behalf of Council, write to the Prime Minister of Canada, the Minister of Housing and Social Development, the federal Minister of Finance, and the federal Minister of Infrastructure and Communities, copying Members of Parliament from British Columbia and member local

governments of the Federation of Canadian Municipalities, indicating that the City of Victoria is willing and ready to be an active partner for housing affordability and requesting Federal government leadership in the following areas in partnership with Provincial governments, First Nations governments, local governments and housing providers:

(1) Incorporate the right to housing into Canadian law, advancing legislation, programs and resources that guarantee the right to housing as recognized in the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights, international agreements to which Canada is a signatory.
(2) Restore stable, multi-year transfer payments to Provincial governments and First Nations governments to expand and refurbish the supply of non-market housing.
(3) Introduce effective fiscal and taxation tools to encourage the use of residential property to provide housing, and discourage speculation, "flipping," commodity investment and other market distortions that contribute toward a sharp escalation in the price of housing, including the option of a phased-in Capital Gains Tax exemption for primary residences that increases over time to encourage residential occupancy.
(4) Restore taxation and construction incentives to encourage the development of new purpose-built market rental and purpose-built non-market rental housing.
(5) Restore the Residential Rehabilitation Assistance Program (RRAP) to support the refurbishment and retention of affordable rental housing.
(6) Restore the Co-operative Housing Program, to support the expansion of new cooperative housing supply and support the refurbishment of existing housing co-ops.
(7) Commit $30-million toward the Regional Housing First Strategy in British Columbia's Capital Region, and fund similar partnerships in other regions to eliminate homelessness by providing housing with supports.

On the main motion as amended:
Carried Unanimously

10. Victoria Housing Strategy 2016-2025 - Annual Review

Motion:
It was moved by Councillor Alto, seconded by Councillor Loveday, that Council:
1. Receive this Victoria Housing Strategy annual review for information;
2. Consider a supplementary budget request of $250,000 as part of the 2018 Financial Plan process to support City of Victoria housing initiatives; and direct staff to:
   a. Develop an Inclusionary Housing Policy that considers Council's objectives and utilizes Council's draft inclusionary housing policy as a foundational framework and advise why any of these provisions should not be included in the final policy.
   b. Engage with housing stakeholders, members of the Mayor's Task Force on Housing Affordability and the public on proposed new items to bring forward to include in the Victoria Housing Strategy going forward.

Carried

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

3. Committee of the Whole – November 23, 2017

1. Capital Regional District Art and Culture Support Services Establishment Bylaw

Motion:
It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that Council consent to the adoption of the CRD Bylaw No. 4127, "Arts and Culture Support Service Establishment Bylaw No. 1, 2001, Amendment Bylaw No. 4, 2017" as amended.

Carried Unanimously

2. Community Garden Licence of Occupation

Motion:
It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that Council authorize the Mayor and City Clerk to execute new Licences of Occupation for the following community gardens, subject to the publication of notices as required by the Community Charter:
1. Rockland Woodland Garden (1059 Craigdarroch Road)
2. Franklin Green (1045 Mason Street)

That Council authorize the Mayor and City Clerk to execute new Licences of Occupation for the following community gardens, subject to the publication of notices as required by the Community Charter:
1. Montreal Street Community Garden (155, 165, 175, 185 Montreal Street and 210 Dobinson Street)

Carried Unanimously

DRAFT

3. Heritage Alteration Permit Application No. 00224 for 700 Government Street (Downtown)

Motion:
It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that subject to staff exploring with the applicant the possibility of a letter of commitment stating that the temporary solution is not acceptable as a permanent fit and be limited to a finite timeline, and subject to a Memorandum of Understanding, that Council authorize the issuance of the Heritage Alteration Permit Application No. 00224 for 700 Government Street in accordance with:

1. Plans, date stamped November 7, 2017.
2. Development meeting all Zoning Regulation Bylaw requirements.
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director, Development Services Division, Sustainable Planning and Community Development.
4. Heritage Alteration Permit lapsing two years from the date of this resolution.

Carried Unanimously

4. Market Rental Revitalization Study Project Update: Tenant Projections

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

1. Receive this Market Rental Revitalization Study Project Update for information;
2. Direct staff to:
    a. prepare a new Standards of Maintenance Bylaw and Tenant Relocation Policy based on the recommendations contained in this report, including consideration of strengthening tenants' rights to first refusal to replacement units at comparable/reasonable rent levels;
    b. seek feedback on the above at the Market Rental Revitalization Study focus group sessions and return to Council with final drafts for approval by Q1 2018;
    c. Examine the City's authority to further improve tenant stability through other legislative mechanisms.
    d. Direct staff to explore options of compensation for moving expenses for tenants.
3. Review Council's new policy and bylaw once more information and/or legislation is available from the provincial and/or federal governments.

Carried Unanimously

5. Consideration of an alternate Council appointee as the City's mediator for the CRD Regional Growth Strategy Mediation

Motion:
It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that Council appoint Councillor Alto as an alternate representative of the City for the CRD Regional Growth Strategy Mediation.

Carried Unanimously

6. Resolution: Modernizing the BC Motor Vehicle Act

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

1. Endorse the Road Safety Law Reform Group of British Columbia's Position Paper on Modernizing the BC Motor Vehicle Act and the resolution "Modernizing the BC Motor Vehicle Act";
2. Request that the Mayor write to the BC Minister of Justice and Attorney General, copying the Premier, the Minister of Transportation, Members of the Legislative Assembly, and local governments in British Columbia, requesting favourably consideration; and
3. Direct staff to forward the resolution to the Association of Vancouver Island and Coastal Communities and Union of BC Municipalities for consideration at the 2018 annual meetings of those associations:

    Resolution: Modernizing the BC Motor Vehicle Act:

    WHEREAS The Road Safety Law Reform Group of British Columbia and organizations including the City of Vancouver, British Columbia Cycling Coalition and Trial Lawyers Association of British Columbia have called on the Government of British Columbia to review and modernize the BC Motor Vehicle Act;

    AND WHEREAS modernization of this legislation is necessary to achieve the Government of British Columbia's "Vision Zero" plan to make BC's roads the safest in North America and eliminate road-related injuries and deaths by 2020;

    AND WHEREAS the Road Safety Law Reform Group has provided evidence-based recommendations for increasing safety for vulnerable road users, including children, seniors, people with disabilities, pedestrians and cyclists;

THEREFORE BE IT RESOLVED THAT the Government of British Columbia review and modernize the BC Motor Vehicle Act, to increase safety for all road users and achieve the "Vision Zero" objective of making BC's roads the safest in North America and eliminating road-related injuries and deaths by 2020.

Carried Unanimously

Mayor Helps withdrew from the meeting at 1:41 a.m. due to a potential non-pecuniary conflict of interest with the following item, due to her relationship with a previous AirBnB operator.

Councillor Isitt assumed the Chair in her absence.

Councillor Lucas withdrew from the meeting at 1:40 a.m. due to a pecuniary conflict of interest with the following item, as she is the general manager of a hotel.

Councillor Madoff withdrew from the meeting at 1:40 a.m. due to a pecuniary conflict of interest with the following item, as she runs a Bed and Breakfast in her home.

7. Short Term Rental Business Regulations – Community Engagement Results Draft – Short Term Rental Business Regulation Bylaw

Motion:
It was moved by Councillor Thornton-Joe, seconded by Councillor Young, that Council:
1. Direct staff to report back to Council in Quarter 1 of 2018 with finalized short term rental business licence fees, in conjunction with the short term rental implementation plan; and
2. Direct staff to bring forward the short term rental regulation bylaw in Quarter 1 of 2018 for introductory readings.

Carried Unanimously

8. Zoning Regulation Bylaw Amendment: Schedule D – STR Home Occupations

Motion:
It was moved by Councillor Thornton-Joe, seconded by Councillor Young, that Council direct staff to prepare amendments to the Zoning Regulation Bylaw, Schedule D - Home Occupations, to allow short term rental in up to two bedrooms in an occupied dwelling unit of any type and in entire principal residences on occasion when the normal resident is not present.

Carried Unanimously

Mayor Helps returned to the meeting at 1:42 am. and assumed the Chair.

Councillor Lucas returned to the meeting at 1:42 a.m.

Councillor Madoff returned to the meeting at 1:42 a.m.

Councillor Young withdrew from the meeting at 1:42 a.m. due to a non-pecuniary conflict of interest with the following item, as family members own property within 200 meters of the subject property.

9. Development Permit Application No. 000510 for 530 Michigan Street (James Bay)

Motion:
It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that Council authorize the issuance of Development Permit Application No. 000510 for 530 Michigan Street, in accordance with:
1. Plans date stamped October 13, 2017;
2. Development meeting all Zoning Regulation Bylaw requirements
3. The Development Permit lapsing two years from the date of this resolution.

Carried Unanimously

Councillor Young returned to the meeting at 1:43 a.m.

BYLAWS

1. Bylaw for Heritage Designation Application No. 000166 for 614-614 ½ Fisgard Street

Motion:
It was moved by Councillor Thornton-Joe, seconded by Councillor Madoff, that the following bylaw **be given first and second reading:**
a. *Heritage Designation (614-614½ Fisgard Street) Bylaw No. 17-090*

Carried Unanimously

2. **Bylaw for Rezoning Application No. 00535 for 475 Gorge Road East**

Motion:
It was moved by Councillor Lucas, seconded by Councillor Alto, that the following bylaw **be given first and second reading:**
a. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1105) No. 17-068*

Carried

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

3. **Bylaw for Rezoning Application No. 00533 for 603 Gorge Road East**

Motion:
It was moved by Councillor Alto, seconded by Councillor Isitt, that the following bylaw **be given first and second reading:**
a. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1104) No. 17-053*

Carried

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

4. **Bylaw for Land Use Contract Discharge for 875 & 877 North Park Street**

Motion:
It was moved by Councillor Alto, seconded by Councillor Isitt, that the following bylaw **be given first, second, and third reading:**
a. *Land Use Contract Discharge (875 & 877 North Park Street) Bylaw No. 17-132*

Carried Unanimously

Councillor Young withdrew from the meeting at 1:45 a.m. due to a pecuniary conflict of interest with the following item, as he resides within 198 meters of the subject property.

5. **Bylaw for Rezoning Application No. 00538 for 335 Moss Street**

Motion:
It was moved by Councillor Lucas, seconded by Councillor Madoff, that the following bylaw **be given first and second reading:**
a. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1124) No. 17-111*

Carried Unanimously

Motion:
It was moved by Councillor Lucas, seconded by Councillor Isitt:

Development Permit
"That Council authorize the issuance of a Development Permit for the subdivided portion of 335 Moss Street, in accordance with:
1. Plans date stamped September 25, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. The Development Permit lapsing two years from the date of this resolution."

Development Variance Permit
"That Council authorize the issuance of a Development Variance Permit for the existing house at 335 Moss Street, in accordance with:
1. Plans date stamped September 25, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
   a. reduce the minimum required side yard setback from 3.00m to 1.30m
   b. reduce the minimum required combined side yard setback from 4.5 m to 3.1m.
3. That prior to the issuance of the Development Variance Permit, the City receive confirmation that a car share agreement between the applicant and MODO has been established for three memberships, to the satisfaction of the Director of Sustainable Planning and Community Development.
4. The Development Variance Permit lapsing two years from the date of this resolution."

Carried Unanimously

Councillor Young returned to the meeting at 1:46 a.m.

DRAFT

6. Zoning Bylaw 2017

Motion:
It was moved by Mayor Helps, seconded by Councillor Lucas, that the following bylaw **be given first and second reading:**
a. *Zoning Bylaw 2017 No. 17-116*

Carried

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

7. Bylaw for Administrative Amendment to Zoning Regulation

Motion:
It was moved by Councillor Lucas, seconded by Councillor Young, that the following bylaw **be given first and second reading:**
a. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1132) No. 17-134*

Motion to refer:
It was moved by Councillor Madoff, seconded by Councillor Young, that the bylaw be referred to the December 7, 2017 Committee of the Whole meeting.

Mayor Helps withdrew from the meeting at 1:48 a.m.

On the motion to refer:
Defeated

For: **Councillors Isitt, Madoff, and Thornton-Joe**
Opposed: **Councillors Alto, Loveday, Lucas, and Young**

On the motion:
Carried

For: **Councillors Alto, Loveday, Lucas, and Young**
Opposed: **Councillors Isitt, Madoff, and Thornton-Joe**

8. Bylaw for Emergency Program

Motion:
It was moved by Councillor Alto, seconded by Councillor Isitt, that the following bylaw **be given first, second, and third reading:**
a. *Emergency Program Bylaw (2017) No. 17-135*

Carried Unanimously

9. Bylaw for Rezoning Application No. 00571 for 2639-2641 Quadra Street
Following the registration of the executed Statutory Right-of-Way of 3.2m on Quadra Streets, Bylaw No. 17-079 can now be adopted.

Motion:
It was moved by Councillor Isitt, seconded by Councillor Loveday, that the following bylaw **be adopted:**
a. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1109) No. 17-079*

Carried

For: **Councillors Alto, Isitt, Loveday, Lucas, Madoff, and Thornton-Joe**
Opposed: **Councillor Young**

10. Bylaws for 2018 Utilities

Motion:
It was moved by Councillor Loveday, seconded by Councillor Madoff, that the following bylaw **be adopted:**
a. *Solid Waste Bylaw, Amendment Bylaw (No. 6) No. 17-119*

Carried Unanimously

Motion:
It was moved by Councillor Young, seconded by Councillor Isitt, that the following bylaw **be adopted:**
b. *Waterworks Bylaw, Amendment Bylaw (No. 12) No. 17-120*

Carried Unanimously

DRAFT

Motion:
It was moved by Councillor Young, seconded by Councillor Loveday, that Council **rescind third reading** of the following bylaw:
c. *Sanitary Sewer and Storm Drain Utilities Bylaw, Amendment Bylaw (No. 5) No. 17-121*

Carried Unanimously

Motion:
It was moved by Councillor Loveday, seconded by Councillor Lucas, that Council amend the following bylaw and give it **third reading as amended:**
d. *Sanitary Sewer and Storm Drain Utilities Bylaw, Amendment Bylaw (No. 5) No. 17-121*

Carried Unanimously

QUESTION PERIOD

A question period was held.

ADJOURNMENT

Motion:
It was moved by Councillor Alto, seconded by Councillor Loveday, that the Council meeting adjourn.
Time: 2:11 a.m.

Carried Unanimously

CERTIFIED CORRECT:

_____ _____
CITY CLERK MAYOR

DRAFT