

**COMMITTEE OF THE WHOLE MOTIONS**  
**FROM THE MEETING HELD FEBRUARY 22, 2018**

For the Council Meeting of February 22, 2018, the Committee recommends the following:

1. **Advocacy and Local Action for Treatment and Recovery for People with Addiction**  
That Council request that the Mayor write to the Minister of Mental Health and Addictions requesting that the Province open publicly funded and financially accessible treatment and recovery rooms and facilities on lower Vancouver Island. And That Council direct staff to report back with options for allowing sober housing for people in recovery within residential zones.
2. **Attendance at Association of Vancouver Island and Coastal Communities (AVICC) Conference**  
That Council authorize the attendance and associated costs for Councillor Isitt to the AVICC conference to be held in Victoria, April 13 to 15, 2018.

The approximate cost for attending is:

Registration	\$320.25
Incidentals	\$50.00
<b>Approximate Cost</b>	<b>\$370.25</b>

3. **Follow-up on Council Motion re: Human Rights and Non-discrimination**  
That Council adopt the policy position, actions and materials laid out in the Appendices to this report.
  4. **Commentary on the CRD Proposed Transportation Service Bylaw**  
That Council receive this report for information and consider the risks and uncertainties associated with the bylaw's lack of clarity, roles and responsibilities as well as the important absence of BC Transit and Provincial transportation membership, which impair the CRD's ability to influence some of the most important regional transportation challenges.
  5. **Council Member Report: Proposed Animal Control Bylaw Amendments**
    1. Change the name of our bylaw from Animal Control Bylaw to Victoria Animal Responsibility Bylaw.
    2. Under Section 12 of the City of Victoria Animal Control Bylaw Page 7 under Tying Animals, change our wording from:
      - 12 (1) A person must not hitch, tie or fasten an animal to a fixed object by a rope, chain or cord that is directly tied around the animal's neck or to a choke collar.
      - 12(2) A person must not hitch, tie or fasten an animal to a fixed object as the primary means of confinement for an extended period of time.
44. No Owner shall cause, permit, or allow a Dog:
- (a) to be hitched, tied, or fastened to a fixed object in such a way that the Dog is able to leave the boundaries of the Owners property;
  - (b) to be hitched, tied, or fastened to a fixed object where a Choke Collar forms part of the securing apparatus, or where a rope or cord is tied directly around the Dog's neck;

or be tethered other than with a collar that is properly fitted to that Dog and attached in a manner that will not injure the Dog or enable the Dog to injure itself by pulling on the tether;  
(c) to be hitched, tied, or fastened to a fixed object except with a tether of sufficient length to enable the full and unrestricted movement of the Dog;  
(d) to be hitched, tied, or fastened to a fixed object unattended at any time; or  
(e) to be hitched, tied, or fastened to a fixed object for longer than four (4) hours within a 24 hour period.

3. Add a section called: Limit on Pets.

1. No person shall keep or allow to be kept on any real property more than a total of six (6) cats and dogs over the age of twelve (12) weeks, and a reasonable number of small and aquatic animals, unless they are a licensee, community cat caregiver, veterinary clinic or animal shelter.
2. If a person is providing temporary care for more than a total of six (6) cats and dogs over the age of twelve (12) weeks, they shall notify the animal bylaw officer with the number and species of animals, reason and estimated length of time they will be providing care.
3. No person shall keep, or allow to be kept on a Lot:
  - a. More than four (4) rabbits older than 12 weeks
  - b. More than four (4) guinea pigs older than 12 weeks
  - c. Any ungulate
  - d. Mink or chinchilla.
  - e. More than twelve (12) hens
  - f. Any roosters
4. Add in our bylaw the definition for an aggressive dog, a dangerous dog and a vicious dog.

“Aggressive Dog” means a Dog that:

  - a. Has without justifiable provocation displayed Aggressive Behavior towards a person or animal; or
  - b. Has without justifiable provocation caused a minor injury to a person or animal.

“Dangerous Dog” means a Dog that:

  - a. Has killed or seriously injured a person;
  - b. Has killed or seriously injured an animal, while in a public place or while on private property, other than property owned or occupied by the person responsible for the dog;
  - c. Has previously been deemed a vicious dog and has since attacked or caused injury to a person or animal after being deemed a vicious dog; or
  - d. As defined in the Community Charter S.B.C. 2003c.26, as amended.

“Vicious Dog” means a dog that:

  - a. Has without justifiable provocation caused a serious injury to a person or animal; or
  - b. Has a known propensity, tendency or disposition to attack without justifiable provocation; or
  - c. Has on more than one occasion caused a minor injury to a person or animal; or
  - d. Has while running at large, aggressively pursued or harassed a person without justifiable provocation or has demonstrated a propensity, tendency or disposition to do so as deemed by and Animal Control Officer or Animal Shelter Manager.

And add in our Animal Control Bylaw in Section 5 on Dangerous Dogs (Page 12),

5. In our Animal Control Bylaw under Part 3-Animal Welfare add a section titled Animal Cruelty:
  48. Notwithstanding any other provision of this bylaw, no person shall:
    - a. abandon any animal
    - b. tease, torment, or provoke an animal;
    - c. cause, permit or allow an animal to suffer, or
    - d. train or allow any animal to fight.
6. And lastly, under our Outdoor Shelter Requirements in section 10 to:
  1. A person responsible for an animal shall ensure that the animal has protection from all the elements;
  1. No person responsible for an animal shall permit the animal to suffer from hyperthermia, hypothermia, dehydration, discomfort, or exertion causing unnecessary pain, suffering or injury.

Keeping of Urban Hens:

4.1 Be a resident of the property where the hens are kept.

Refer the BCSPCA animal responsibility bylaw sections on urban hens and urban bees to the urban food table and to the Capital City Beekeeping, indicating that council has taken no position on these provisions at this time and add as an appendix, the bylaws from the City of Surrey and Duncan

That the remainder of this item be referred to the March 1 COTW

**6. Tax Incentive Application No. 00029 for 816 Government Street and 811-813 Wharf Street**

That Council instruct the City Solicitor to prepare a Tax Exemption Bylaw for 816 Government Street / 811-813 Wharf Street for 51.59% of assessed value for 10 years, pursuant to Section 392 of the Local Government Act with the following conditions:

1. That a covenant identifying the tax exemption be registered on the title to the property and any possible future strata titles.
2. That the final costs of seismic upgrading be verified by the Victoria Civic Heritage Trust.

**7. Development Permit with Variances Application No. 00069 for 1928 Oak Bay Avenue**

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

“That Council authorize the issuance of Development Permit with Variances Application No. 00069 for 1928 Oak Bay Avenue, in accordance with:

1. Plans date stamped February 7, 2018.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. reduce the interior (east) setback from 2.40m to 0.00m;
  - ii. reduce the flanking street (west) setback from 2.40m to 0.87m;
  - iii. reduce the required number of parking stalls from 14 to 10.
3. The Development Permit lapsing two years from the date of this resolution.”

**8. Development Permit with Variances Application No. 00045 for 777 Herald Street**

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 00045 for 777 Herald Street, in accordance with:

1. Plans date stamped January 24, 2018
2. Ensuring the ongoing provision and maintenance of the sky garden
3. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. increase the height from 72 metres to 75 metres
  - ii. reduce the massing step back from 13.2m to 2.1m, measured at the upper most storey of the building
  - iii. reduce the minimum site area from 4480m<sup>2</sup> to 2100m<sup>2</sup>
4. The Development Permit lapsing two years from the date of this resolution.

**9. Short Term Rentals Business Regulations**

That Council:

1. Approve of the proposed short term rental annual business licence fee of \$150 for principal residence and \$1,500 for all other short-term rentals;
2. Direct staff to bring forward the Short Term Rental Regulation Bylaw at the February 22, 2018 Council meeting for introductory readings;
3. Approve holding an opportunity for receiving public comments on the proposed Bylaw in conjunction with the Public Hearing for Zoning Amendment Bylaw (Short Term Rental Home Occupations) Bylaw No. 18-035; and,
4. Direct staff to report back to Council in Quarter 4 of 2018 with an update on the short term rental program, including budget implications.

**10. Sheltering Prohibition in Reeson Park and Quadra Park**

That subject to the Province agreeing to keep:

- The Out of the Rain (St Andrew's Presbyterian - 680 Courtney) 30 Mats youth 15-25 only, slated to close April 15th
- And the Cool Aid Seasonal Shelter - 755 Pandora – Mats, Co-Ed, slated to close March 31st – open beyond a seasonal basis

or the equivalent number of spaces at other locations, Council direct staff to amend the Parks Regulation Bylaw to prohibit overnight sheltering (camping) in Reeson Park and Quadra Park.

And that the Mayor be requested to write to the Minister Responsible for Housing, with a copy to the Premier and MLAs from the Capital Region, requesting a commitment from the Provincial Government to ensure an adequate supply of housing with supports to meet the needs in the community for the unhoused population throughout the region.