



MINUTES – VICTORIA CITY COUNCIL

MEETING OF THURSDAY, JANUARY 25, 2018, AT 6:30 P.M.

<u>PLACE OF MEETING:</u>	Council Chambers, City Hall
<u>PRESENT:</u>	Mayor Helps in the Chair, Councillors Alto, Coleman, Loveday, Lucas, Madoff, and Young.
<u>ABSENT:</u>	Councillors Isitt and Thornton-Joe.
<u>STAFF PRESENT:</u>	J. Jenkyns - Acting City Manager; C. Coates - City Clerk; P. Bruce – Fire Chief; S. Thompson – Director of Finance; F. Work – Director of Engineering & Public Works; T. Soulliere – 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; A. Meyer – Assistant Director of Development Services; C. Mycroft – Manager of Executive Operations; P. Martin - Council Secretary.

APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Motion:

It was moved by Councillor Alto, seconded by Councillor Coleman, that the agenda be approved as amended.

Carried Unanimously

Yvonne Blomer, Poet Laureate, read a poem titled "P.S.". Ms. Blomer then introduced the City's new Youth Poet Laureate, Agartu Ali, who read a poem titled "I remember crying in the car one night".

READING OF MINUTES

Motion:

It was moved by Councillor Alto, seconded by Councillor Lucas, that the following minutes be adopted:

1. Minutes from the daytime meeting held November 16, 2017

Carried Unanimously

REQUESTS TO ADDRESS COUNCIL

Motion:

It was moved by Councillor Loveday, seconded by Councillor Alto, that Kelly Carson from the second section be moved to number six.

Carried Unanimously

Motion:

It was moved by Councillor Coleman, seconded by Councillor Loveday, that the following speakers be permitted to address Council.

Carried Unanimously

1. **Dave Davies: Addressing Perceived Bias**
Outlined why Council should set guidelines that govern specific scenarios for when Council must recuse themselves from the meeting.
2. **Mary Davies: Gonzales and Fairfield Neighbourhood Plans**
Outlined why Council should hold off on approval of the Gonzales Neighbourhood Plan, until the survey has been reopened, and that the plan be joined with the Fairfield Neighbourhood Plan.
3. **Chris Zmuda: City Bylaw Neglect**
Outlined why Council should review the allowance of cannabis dispensaries in the City.
4. **Douglas Curran: Tree Canopy on Linden Avenue**
Outlined concerns relating to an application's Public Hearing date.
5. **Jordan Reichert: On the Objectionable Practice of Horse Drawn Carriages**
Outlined why Council should ban the operation of horse-drawn carriages in the City.
6. **Kelly Carson: Horse Carriages**
Outlined why Council should ban the operation of horse-drawn carriages in the City.

PROCLAMATIONS

Motion:

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

1. "Eating Disorder Awareness Week" – February 1 to 7, 2018

Carried Unanimously

PUBLIC AND STATUTORY HEARINGS

1. **Development Permit with Variances Application No. 00057 for 1105 Caledonia Avenue**

1. **Opportunity for Public Comment**
Development Permit with Variances No. 00057

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 1105 Caledonia Avenue, in Development Permit Area 16, for purposes of reducing the number and location of off-street parking stalls required for a 40 seat coffee shop (restaurant).

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

1. Reduction of the setback area (landscape strip) along the north side of the building from 2.40m to 0.55m (CR-4 Zone).
2. Reduction of the number of vehicle parking stalls from 11 stalls to 3 (Schedule C).
3. Allow the location of one off-street parking stall in the side yard (CR-4 Zone).

Legal description of the land:

Lot 17, Suburban Lot 17, Victoria City, Plan 153

Alison Meyer (Assistant Director of Development Services): Advised that the application is to make exterior changes to the landscaping and the building, in addition to a parking variance.

Mayor Helps opened the public hearing at 7:11 p.m.

Ben Cram (Applicant): Provided information regarding the application, including neighbourhood consultation, parking arrangements, and landscaping intentions.

Councillor Lucas withdrew from the meeting at 7:13 p.m. and returned at 7:14 p.m.

Marianne Ketchen (Caledonia Avenue): Expressed support for the application as it will be a positive addition to the neighbourhood.

Douglas Curran (Burdett Avenue): Expressed support for the application as local business should be encouraged and will be a positive addition to the neighbourhood.

Trish Richards (Caledonia Avenue): Expressed support for the application it is important to keep local businesses in this neighbourhood.

Mayor Helps closed the public hearing at 7:21 p.m.

2. Development Permit with Variances Approval

Motion:

It was moved by Councillor Loveday, seconded by Councillor Alto, that Council authorize the issuance of Development Permit Application No. 00057 for 1105 Caledonia Avenue, in accordance with:

1. Plans date stamped November 16, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the number of vehicle parking stalls from eleven stalls to three stalls as required by Schedule C
 - ii. allow one off-street parking stall to be located in the side yard (CR-4 Zone)
 - iii. reduce the width of the landscape strip and setback required for a parking stall along the north side of the building from 2.4m to 0.55m (CR-4 Zone).
3. A minimum of eight Class 1, and sixteen Class 2 bicycle stalls be maintained on the site and the installation be secured by way of a landscape security deposit.
4. The Development Permit lapsing two years from the date of this resolution.

Carried Unanimously

2. Development Variance Permit Application No. 00196 for 1126 Rockland Avenue

1. Opportunity for Public Comment **Development Variance Permit No. 00196**

The City of Victoria will be considering the issuance of a Development Variance Permit for the land known as 1126 Rockland Avenue for the purpose of varying certain requirements of the *Zoning Regulation Bylaw* namely: off-street parking, proximity of surface parking stalls to dwelling unit windows, and minimum dwelling unit size for the construction of six self-contained rental dwelling units in an existing multi-unit residential building utilizing existing ground floor area.

Legal description of the land:

Lot 1 of Lots 1577, 1578, 1589 And 1590, Victoria City, Plan 16069

Alison Meyer (Assistant Director of Development Services): Advised that the application is to convert the existing main floor area to six additional units.

Mayor Helps opened the public hearing at 7:28 p.m.

Tony James (Applicant): Provided information regarding the application which will create six additional rental units within the building, in addition to building bike racks, and the requested parking variance.

Angela Oakley (Applicant): Provided information regarding the use of the current parking stalls.

Jamie McAllen (Rockland Avenue): Expressed support for the application as it will create new rental housing, and spoke in support of the applicants as landlords.

Douglas Curran (Burdett Avenue): Expressed concerns relating to the application due to the increased density and the need for Community Amenity Contributions.

Natalie Kun (Rockland Avenue): Expressed concerns relating to the application due to the size of the proposed units and the lack of guest parking.

Council discussed the following:

- That a proper bicycle room will be created in advance of the construction.

Mayor Helps closed the public hearing at 7:48 p.m.

2. **Development Permit with Variances Approval**

Motion:

It was moved by Councillor Lucas, seconded by Councillor Loveday, 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.

Council discussed the following:

- That the creation of new rental housing is supportable.

Carried Unanimously

Councillor Lucas withdrew from the meeting at 7:56 p.m. due to a pecuniary conflict of interest with the following item, as she is the general manager of a hotel that is located in close proximity.

3. **Temporary Use Permit Application No. 00004 for 1601 Douglas Street**

1. **Public Hearing**

Temporary Use Permit Application No. 00004

The Council of the City of Victoria will consider issuing a Temporary Use Permit for the land known as 1601 Douglas Street, for the purpose of allowing a storefront cannabis retailer.

Legal description of the land:
The South 90 Feet of Lots 672 and 673, Victoria City

Alison Meyer (Assistant Director of Development Services): Advised that the application is to allow for the retail sale of cannabis for a temporary period of two years.

Mayor Helps opened the public hearing at 7:57 p.m.

Kirk Tousaw (Lawyer for Applicant): Provided information regarding the application, including its compliance with bylaw services and the Victoria Police Department.

Council discussed the following:

- *The distance between this storefront and neighbouring cannabis storefront locations.*

Resident (Cormorant Street): Expressed support for the application as it is a community benefit.

Adam Cooper (Quadra Street): Expressed support for the application as it is a community benefit.

John O'Connor (James Bay resident): Expressed support for the application as it is in a commercial area.

Paul O'Hare (Resident): Expressed support for the application as it is a community benefit.

Amanda Noel (Government Street): Expressed support for the application as it is a welcoming store.

Lana (Employee) (Cedar Hill Road): Expressed support for the application in relation to her employment there.

Kalum McNeil (Cedar Hill Road): Expressed support for the application in relation to his employment there.

Shane Escher (Owner): Expressed support for the application in relation to his ownership of the storefront.

Jamie McAllen (Rockland Avenue): Expressed concerns relating to the application due to parking concerns in this area.

Jennifer (Johnson Street): Expressed support for the application as it is a welcoming store and a benefit to the community.

Susan Davis (Johnson Street): Expressed support for the application in relation to her employment there.

Cameron Cloud (Government Street): Expressed support for the application as it is a benefit to the community.

Holly Chapman (Esquimalt Road): Expressed support for the application as it is a benefit to the community.

Council discussed the following:

- *That the temporary use permit runs with the land and cannot be tied to the business operator.*

Mayor Helps closed the public hearing at 8:41 p.m.

2. **Temporary Use Permit Approval**

Motion:

It was moved by Councillor Loveday, seconded by Councillor Coleman, that Council authorize the issuance of a Temporary Use Permit Application for 1601 Douglas Street in accordance with:

1. Plans date stamped January 17, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. The Temporary Use Permit lapsing two years from the date of this resolution.

Amendment:

It was moved by Mayor Helps, seconded by Councillor Alto, that the motion be amended, by adding a point four, as follows:

That Council authorize the issuance of a Temporary Use Permit Application for 1601 Douglas Street in accordance with:

1. Plans date stamped January 17, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. The Temporary Use Permit lapsing two years from the date of this resolution.
4. **That the Temporary Use Permit be conditional upon the applicant agreeing to post some form of signage on the property to indicate to customers and the public the temporary use permit expiration date.**

Amendment to the amendment:

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

That Council authorize the issuance of a Temporary Use Permit Application for 1601 Douglas Street in accordance with:

1. Plans date stamped January 17, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. The Temporary Use Permit lapsing two years from the date of this resolution.
4. **That the Temporary Use Permit be conditional upon the applicant agreeing to post some form of signage on the property to indicate to customers and the public the temporary use permit expiration date, subject to the approval of the Director of Planning.**

On the amendment to the amendment:

Carried

For: Mayor Helps, Councillors Alto, Coleman, Loveday, and Madoff
Opposed: Councillor Young

Amendment to the amendment:

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

That Council authorize the issuance of a Temporary Use Permit Application for 1601 Douglas Street in accordance with:

1. Plans date stamped January 17, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. The Temporary Use Permit lapsing two years from the date of this resolution.

4. That the Temporary Use Permit be conditional upon the applicant agreeing to post some form of signage on the property to indicate to customers and the public the temporary use permit expiration date, subject to the approval of the Director of Planning. Notice being displayed indicating that the property is subject to a Temporary Use Permit expiring on January 25, 2020, to the satisfaction of the director of planning.

On the amendment to the amendment:
Carried

For: Mayor Helps, Councillors Alto, Coleman, Loveday, and Madoff
Opposed: Councillor Young

Amendment to the amendment:

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

That Council authorize the issuance of a Temporary Use Permit Application for 1601 Douglas Street in accordance with:

1. Plans date stamped January 17, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. The Temporary Use Permit lapsing two years from the date of this resolution.
4. ~~That the Temporary Use Permit be conditional upon the applicant agreeing to post some form of signage on the property to indicate to customers and the public the temporary use permit expiration date, subject to the approval of the Director of Planning. Notice~~ notice being displayed, indicating that the property is subject to a Temporary Use Permit expiring on January 25, 2020, to the satisfaction of the Director of Planning.

On the amendment to the amendment:
Carried

For: Mayor Helps, Councillors Alto, Coleman, Loveday, and Madoff
Opposed: Councillor Young

On the amendment:
Carried

For: Mayor Helps, Councillors Alto, Coleman, Loveday, and Madoff
Opposed: Councillor Young

Main motion as amended:

That Council authorize the issuance of a Temporary Use Permit Application for 1601 Douglas Street in accordance with:

1. Plans date stamped January 17, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. The Temporary Use Permit lapsing two years from the date of this resolution.
4. That the Temporary Use Permit be conditional upon notice being displayed, indicating that the property is subject to a Temporary Use Permit expiring on January 25, 2020, to the satisfaction of the Director of Planning.

On the main motion as amended:
Carried

For: Mayor Helps, Councillors Alto, Coleman, Loveday, Madoff
Opposed: Councillor Young

Councillor Lucas returned to the meeting at 8:55 p.m.

Council recessed from 8:55 p.m. and returned at 9:03 p.m.

REQUESTS TO ADDRESS COUNCIL

Motion:

It was moved by Councillor Coleman, seconded by Councillor Madoff, that the following speakers be permitted to address Council.

Carried Unanimously

1. **Kari Sloane: Horse-Drawn Carriages**

Outlined why Council ban the operation of horse-drawn carriages in the City.

2. **Alan Andrew: Accessory Building Application Coinciding with Proposed Zoning Changes**

Outlined why Council should consider allowing their building permit application for an accessory building and pool to be judged according to the current zoning regulations.

3. **Roy Fletcher: Sewage Line Through Moist Deciduous Groves South of Dallas**

Outlined why Council should move the location of the sewage and cycle paths to the established Dallas Road location.

UNFINISHED BUSINESS

1. **Update Report for Development Permit with Variance Application No. 00064 for 785 Caledonia Avenue**

Council received a report providing an updated recommendation for Council's consideration.

Motion:

It was moved by Councillor Alto, seconded by Councillor Coleman, 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. 00064 for 785 Caledonia Avenue in accordance with:

1. Plans date stamped November 23, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except reducing the sideyard setback from 4.5 metres to 0.
3. Registration of the lot line adjustment at the Land Title and Survey Authority Office to the satisfaction of staff.
4. The Development Permit with Variance lapsing two years from the date of this resolution."

Carried Unanimously

2. **Letter from the Minister of Transportation and Infrastructure**

Council received a letter dated December 14, 2017, regarding the City of Victoria's resolutions with respect to inter-city bus services in the province.

Motion:

It was moved by Councillor Alto, seconded by Councillor Lucas, that the correspondence dated December 14, 2017 from the Minister of Transportation and Infrastructure be received for information.

Carried Unanimously

3. **Rise and Report from Closed Meeting for Information**

From the Closed Council Meeting of December 7, 2017

That Council authorize the Mayor and City Clerk to execute a lease amending agreement with Agropur Cooperative (Extra Provincial Cooperative No. XCP0001882) for bare land 2300 Dowler Place, in a form satisfactory to the City Clerk, for a period of five (5) years commencing January 01, 2018 which terms will reflect a base rent of \$51,023.00 per annum for the first two (2) years rising to \$53,064 for the remaining three (3) years, with an option to renew for an additional five (5) years, subject to the publication of the statutory notices required by the Community Charter.

REPORTS OF COMMITTEES

1. **Committee of the Whole – January 18, 2018**

1. **Development Variance Permit Application No. 00199 for 1750 Haultain Street (North Jubilee)**

Motion:

It was moved by Councillor Alto, seconded by Councillor Coleman, 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 No. 00199 for 1750 Haultain Street, in accordance with:

1. Plans date stamped November 15, 2017
2. Development meeting all Zoning Regulation Bylaw requirements, except for:
 - i. reduce the required vehicle parking from five stalls to one stall for a kindergarten use
 - ii. increase the required bicycle parking spaces from zero to three Class 1 (weather-protected) and five Class 2 (short-term visitor) spaces
 - iii. reduce the minimum lot width for a house conversion to a kindergarten from 18m to 15m.
3. Final issuance of the Development Variance Permit subject to receipt of registered Statutory Right-of-Way (SRW) of 1.40m on Haultain Street to the satisfaction of the Director of Engineering and Public Works.
4. The Development Variance Permit lapsing two years from the date of this resolution.”

Carried Unanimously

2. **Council Member Motion: Working Together to Make Victoria Accessible for All**

Motion:

It was moved by Councillor Loveday, seconded by Councillor Alto, that the City of Victoria endorse the following statement of commitment adopted by the Victoria Accessibility Working Group on March 6, 2017:

The City of Victoria values the contributions made by all its citizens and believes that diversity strengthens the community.

The City of Victoria recognizes the wealth of knowledge and lived experience of people with disabilities and their essential role in creating a barrier-free Victoria and thus, will include the viewpoint and needs of persons with disabilities in its decisions.

The City of Victoria is committed to building an inclusive society and providing an accessible environment in which all individuals have access to the City’s services and programs in a way that respects the dignity and independence of people with disabilities.

The City of Victoria’s policies, practices and procedures will ensure barrier free access for persons with disabilities to City facilities and participation in programs and processes including accessible customer service, information and communication, employment, the built environment and transportation.

The City of Victoria will ensure that all city employees are aware of their role in facilitating accessibility for persons with disabilities.

The City of Victoria will continue to prevent barriers by supporting positive attitudes that address "ableism" - attitudes which devalue and limit the potential of persons with disabilities.

In working towards its goals under this Statement, the City of Victoria is committed to creating a barrier-free city by meeting the requirements of existing and future legislation and by its own policies and goals related to the identification, removal and prevention of barriers to people with disabilities. To this end, all elected City officials and City employees have a role to play in meeting these goals.

Carried Unanimously

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

Motion:

It was moved by Councillor Lucas, seconded by Councillor Alto, that Council receive the letter from the Minister of Environment and Climate Change Strategy dated October 4, 2017 for information.

Carried Unanimously

4. Direction to Consult with industry on Proposed Approach to BC Energy Step Code

Motion:

It was moved by Councillor Alto, seconded by Councillor Lucas, that Council direct staff to engage with development industry representatives and invite comment from the public on the following proposed approach to the BC Energy Step Code:

1. For new Part 9 buildings:
 - a. Step 1 building bylaw requirement starting in November 2018 for all new Part 9 buildings
 - b. Step 3 building bylaw requirement starting in January 2020 for all new Part 9 buildings with the exception of garden suites
 - c. Step 2 building bylaw requirement starting in January 2020 for all new garden suites
 - d. The exploration of a rebate or tiered fee structure program to support Part 9 builders to use an energy advisor, conduct a mid-construction blower-door test, and conduct a post-construction verification blower-door test.
2. For new Part 3 buildings:
 - a. Step 1 building bylaw requirement starting in November 2018
 - b. Step 3 building bylaw requirement starting in January 2020.

And when reporting back to Council provide options for expediting this timeline.

Carried Unanimously

5. Strategic Plan Amendments

Motion:

It was moved by Councillor Alto, seconded by Councillor Lucas, that Council accept the proposed changes to the 2015-2018 Strategic Plan as outlined in the attachment to the report dated January 15, 2018, to bring it into alignment with the 2018 budget, except for:

1. Objective 4: Build the Financial Capacity of the Organization – the Apex site
2. Objective 6: Make Victoria More Affordable - community amenity contribution
3. Objective 12: Take Climate Action and Plan for Emergencies – Sea level rise
4. Objective 7: Facilitate Social Inclusion and Community Wellness - 2050 presence of first nations

5. Objective 3: Strive for Excellence in Planning and Land Use
6. Objective 5: Create Prosperity Through Economic Development
7. Objective 11: Steward Water System and Waste Streams Responsibly

That Council accept the following changes to the 2015-2018 Strategic Plan as outlined in the attachment to the report dated January 15, 2018, to bring it into alignment with the 2018 budget:

1. **Objective 4: Build the Financial Capacity of the Organization**

Apex Site

2018 OUTCOMES:

A decision has been made in regards to the Apex site

2. **Objective 6: Make Victoria More Affordable**

Community Amenity Contribution

2018 ACTIONS

Review Community Amenity Contribution Policy and *adopt* an Inclusionary Housing Policy.

3. **Objective 12: Take Climate Action And Plan for Emergencies**

Ocean Level Rise

2017 ACTIONS:

That for the 2017 ACTION remove 'strikeout' and move to 2018 ACTIONS:

Review drainage in low-lying areas of City in light of ocean rise. Adjust base elevations as necessary.

4. **Objective 7: Facilitate Social Inclusion and Community Wellness**

Presence of First Nations

2050 OUTCOME

That the OUTCOME 2050 date be changed to OUTCOME 2025.

5. **Objective 3: Strive for Excellence in Planning and Land Use**

Heritage

2018 OUTCOMES

Citizens are aware of opportunities for heritage registration and for the development of citizen-led Heritage Conservation Areas, *and are supported and guided by city staff*

6. **Objective 5: Create Prosperity Through Economic Development**

Community Benefit Hub and Procurement

2018 ACTIONS

Separated in consideration of the vote

7. **Objective 11: Steward Water Systems and Waste Streams Responsibly**

Check-Out Bag and Sustainable Waste Management Strategy

2018 ACTIONS

Separated in consideration of the vote

Carried

For: Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, and Madoff
Opposed: Councillor Young

2. **Committee of the Whole – January 25, 2018**

1. **Rezoning Application No. 00608 and Development Permit Application No. 000523 for 323 Skinner Street**

Motion:

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

Rezoning Application No. 00608

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.

Development Permit Application No. 000523

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

2. 816 Government Street (Customs House) - Road Dedication

Motion:

It was moved by Councillor Alto, seconded by Councillor Lucas, 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

3. Council Resolution for Emergency Operations Centre Exercise Grant Application

Motion:

It was moved by Councillor Coleman, 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

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

Motion:

It was moved by Councillor Coleman, seconded by Councillor Loveday, 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

5. Attendance at the Federation of Canadian Municipalities Sustainable Communities Conference, February 6 to 8, 2018

Motion:

It was moved by Councillor Coleman, 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 to 8, 2018.

Carried Unanimously

6. Contribution Toward Meeting Costs for Victoria Community Association Network

Motion:

It was moved by Councillor Alto, seconded by Councillor Loveday, 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

7. Local Government Leadership Academy Attendance Request

Motion:

It was moved by Councillor Coleman, 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 January 31 to February 2, 2018.

Carried Unanimously

8. Johnson Street Bridge Quarterly Update Report

Motion:

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

Carried Unanimously

Motion to recall:

It was moved by Mayor Helps, seconded by Councillor Alto, that the vote on #8 "Johnson Street Bridge Quarterly Update Report" be recalled.

Carried Unanimously

8. Johnson Street Bridge Quarterly Update Report

Motion:

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

Council discussed the following:

- *A correction to Jonathan Huggett's statement during the January 25, 2018 Committee of the Whole meeting, about handing over the project to the City. ~~as he will be handing over a high quality bridge to the City, not a problem to the Director of Engineering.~~*

Carried Unanimously

9. Letter form the District of West Kelowna

Motion:

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

Carried Unanimously

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

Motion:

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

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.

Carried

For: Mayor Helps, Councillors Alto, Coleman, Loveday, and Lucas
Opposed: Councillor Madoff and Young

11. Development Variance Permit Application No. 00186 for 1322 Rockland Avenue

Motion:

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

Carried Unanimously

12. Application for a Structural Change to Increase the Occupant Load for a Liquor Primary License (300068), Upstairs Cabaret, 15 Bastion Square

Motion:

It was moved by Councillor Loveday, seconded by Councillor Coleman, 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.

Carried Unanimously

BYLAWS

1. Bylaw for Rezoning Application No. 00569 for 540 Discovery Street and 2000 & 2010 Government Street

Motion:

It was moved by Councillor Alto, seconded by Councillor Lucas, that the following bylaw **be given first and second reading:**

- a. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1134) No. 18-016*

Carried Unanimously

2. Bylaw for Rezoning Application No. 00538 for 1410 Myrtle Street

Motion:

It was moved by Councillor Alto, seconded by Councillor Coleman, that the following bylaw **be given first and second reading:**

- a. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1137) No. 18-011*

Carried Unanimously

3. Bylaw for Proposed Minor Amendment to the R1-G Zone, Gonzales Single Family Dwelling District

Motion:

It was moved by Councillor Coleman, seconded by Councillor Loveday, that the following bylaw **be given first and second reading:**

- a. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1142) No. 18-026*

Carried Unanimously

Council considered the following motion:

Staff Recommendation:

That Council direct staff to withhold Building Permit No. 054389, pending consideration of proposed amendments to the R1-G Zone, Gonzales Single Family Dwelling District, as the Building Permit application proposes buildings and outdoor features on a waterfront lot that would be located beyond 36.5 metres from the front lot line.

No action was taken

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

The Statutory Right-of-Way of 4.91m on Gorge Road East has now been registered at the Land Titles Survey Authority, as such, the bylaw and Development Variance Permit can now be adopted.

Motion:

It was moved by Councillor Alto, seconded by Councillor Coleman, that the following bylaw **be adopted:**

- a. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1104) No. 17-053*

Carried

For: Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, and Madoff
Opposed: Councillor Young

Motion:

It was moved by Councillor Alto, seconded by Councillor Coleman, that Council authorize the issuance of a Development Variance Permit for 603 Gorge Road East, in accordance with:

- a. Plans date stamped March 31, 2017;
b. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
i. Reduce the parking requirements to 1 parking stall per 57.9m² for commercial uses;
c. The Development Variance Permit lapsing two years from the date of this resolution.

Carried

For: Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, and Madoff
Opposed: Councillor Young

5. **Bylaw for Temporary Borrowing 2018**

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, that the following bylaw **be adopted:**

- a. *Temporary Borrowing Bylaw, 2018 No. 18-010*

Carried Unanimously

QUESTION PERIOD

A question period was held.

ADJOURNMENT

Motion:

It was moved by Councillor Alto, seconded by Councillor Coleman, that the Council meeting adjourn.

Time: 9:41 p.m.

Carried Unanimously

CERTIFIED CORRECT:

CITY CLERK

MAYOR