

**MINUTES OF THE  
COMMITTEE OF THE WHOLE MEETING  
HELD THURSDAY, JULY 13, 2017, 9:00 A.M.**

**1. THE CHAIR CALLED THE MEETING TO ORDER AT 9:00 A.M.**

**Committee Members Present:** Mayor Helps (Chair), Councillors Coleman, Isitt, Loveday, Lucas, Madoff, Thornton-Joe, and Young

**Absent for a portion of the meeting:** Councillor Alto

**Staff Present:** J. Johnson – City Manager; J. Jenkyns – Deputy City Manager; C. Havelka – Deputy City Clerk; P. Bruce – Fire Chief; S. Thompson – Director of Finance; J. Tinney – Director of Sustainable Planning & Community Development; T. Soulliere – Director of Parks, Recreation, & Facilities; F. Work – Director of Engineering & Public Works; J. Jensen – Head of Human Resources; J. Potter – Manager, Engagement; A. Hudson – Assistant Director, Community Planning; K. Bouris – Senior Planner, Community Planning; L. Westinghouse – Manager, Accounting; C. Mycroft – Manager, Executive Operations; A. K. Ferguson – Recording Secretary

**Guest:** D. Lee, Principal, PWL Partnership Landscape Architects

**2. APPROVAL OF AGENDA**

**Motion:** It was moved by Councillor Coleman, seconded by Councillor Loveday, that the Agenda of the July 13, 2017, Committee of the Whole meeting be approved.

**Amendment:** It was moved by Councillor Thornton-Joe, seconded by Councillor Isitt, that the Agenda of the July 13, 2017, Committee of the Whole meeting be amended as follows:

**Consent Agenda:**

**Item No. 1 – Minutes from the Meeting held June 8, 2017**

**Item No. 2 – Minutes from the Meeting held June 22, 2017**

**Item No. 7 – Regulation of Victoria Harbour Water Airport**

**On the amendment:  
CARRIED UNANIMOUSLY 17/COTW**

**Main motion as amended:**

That the amended Agenda of the July 13, 2017 Committee of the Whole Meeting be approved with the following amendments:

**Consent Agenda:**

Item No. 1 – Minutes from the Meeting held June 8, 2017

Item No. 2 – Minutes from the Meeting held June 22, 2017

Item No. 7 – Regulation of Victoria Harbour Water Airport

**On the main motion as amended:**  
**CARRIED UNANIMOUSLY 17/COTW**

**3. CONSENT AGENDA**

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

**3.1 Minutes from the meeting held June 8, 2017**

**Motion:** It was moved by Councillor Isitt, seconded by Councillor Coleman, that the Minutes of the meeting held June 8, 2017 be adopted.

**CARRIED UNANIMOUSLY 17/COTW**

**3.2 Minutes from the meeting held June 22, 2017**

**Motion:** It was moved by Councillor Isitt, seconded by Councillor Coleman, that the Minutes of the meeting held June 22, 2017 be adopted.

**CARRIED UNANIMOUSLY 17/COTW**

**3.3 Regulation of Victoria Harbour Water Airport**

Committee received a Council Member Motion dated June 12, 2017 from Councillors Loveday, Isitt, and Madoff requesting support for regulation of the Victoria Harbour Water Airport.

**Motion:** It was moved by Councillor Isitt, seconded by Councillor Coleman, that Council endorse the following resolution and request that the Mayor, on behalf of Council, write to the federal Minister of Transport, copying the Prime Minister, the Vancouver office of Transport Canada - Civil Aviation Division, and the Victoria Harbour Master, requesting favourable consideration:

**Resolution: Regulation of Victoria Harbour Water Airport**

WHEREAS Residents living in proximity to Victoria Harbour have expressed concern over the current ad-hoc regulation of the Victoria Harbour Water

Airport, specifically the operation of the airport by the Government of Canada under interim regulations;

AND WHEREAS The Government of Canada through the Minister of Transport has provided assurances to the City of Victoria and local residents that Canadian Aviation Regulations and Standards will be published in the Canada Gazette, providing an opportunity for public comment prior to adoption of permanent regulations for the Victoria Harbour Water Airport;

AND WHEREAS Transitioning the Victoria Harbour Water Airport from an interim to a permanent regulatory framework is in the best interests of the community, to provide certainty for people residing in proximity to the harbour, as well as passengers, employees and businesses involved in Victoria Harbour Water Airport operations;

THEREFORE BE IT RESOLVED THAT The City of Victoria requests that the Government of Canada move forward with publication of Canadian Aviation Regulations and Standards for the Victoria Harbour Water Airport, to allow for public comment prior to adoption of a permanent regulatory framework for the Victoria Harbour Water Airport, and provide certainty for residents, operators and passengers.

CARRIED UNANIMOUSLY 17/COTW

#### **4. UNFINISHED BUSINESS**

##### **4.1 Postponed Motion from March 2, 2017 regarding the Composition of the Regional Water Supply Commission**

Committee reconsidered the postponed Motion from March 2, 2017 regarding the Composition of the Regional Water Supply Commission.

**Motion:** It was moved by Councillor Isitt, seconded by Councillor Loveday, that the Motion from March 2, 2017 be lifted from the table.

CARRIED UNANIMOUSLY 17/COTW

Committee discussed:

- Legislation being clear around requiring a weighted vote and no further action at the Capital Regional District Water Supply Commission will be taken.

**Motion:** It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council postpone the following motion indefinitely:

That Council adopt the policy that representation by population be retained at the Capital Regional District Water Supply Commission.

CARRIED UNANIMOUSLY 17/COTW

*Committee decided that it will discuss the Downtown Public Realm Plan Adoption before the Royal and McPherson Theatre Society/City of Victoria Partners Project Phase Two as Councillor Alto has yet to arrive to the meeting and is a presenter for that item.*

## 5. LAND USE MATTERS

### 5.1 Downtown Public Realm Plan Adoption

Committee received a report dated June 28, 2017 from the Director of Sustainable Planning and Community Development requesting approval of the Downtown Public Realm Plan and Implementation Framework. The Assistant Director of Community Planning and Mr. Lee, principle for PWL Partnership Landscape Architects, presented the Plan to Committee and advised that it is a key action in the Downtown Core Area Plan and also part of the Visual Victoria Process.

*Councillor Alto joined the meeting at 9:09 a.m.*

*Committee agreed to consider this item in the form of a workshop, following Mr. Lee's presentation.*

Committee discussed:

- Concerns with the removal of Cluster Lamps on various streets throughout the City.
- Concerns with the removal of Hornbeam trees along Government to Wharf.

*Councillor Young withdrew from the meeting at 9:39 a.m. and returned at 9:39 a.m.*

Committee discussed:

- Ways Douglas Street would become more transit oriented.

*Councillor Loveday withdrew from the meeting at 9:45 a.m. and returned at 9:45 a.m.*

Committee discussed:

- Possibility of private businesses' partnering with the City to implement elements of the Plan.
- Ensuring that there is enough space on the sidewalks for people with ambulatory issues to pass others.

*Councillor Coleman withdrew from the meeting at 9:52 a.m.*

Committee discussed:

- Whether or not the feedback from of the Accessibility Working Group was including in the Plan.

*Councillor Coleman returned to the meeting at 9:54 a.m.*

Committee discussed:

- Whether or not the city has a policy for pilot projects.
- Integrating the City's alleyways into the Plan.

*Councillor Lucas withdrew from the meeting at 10:00 a.m.*

Committee discussed:

- The possibility of including the three streams of waste management in the receptacle design.

*Councillor Lucas returned to the meeting at 10:03 a.m.*

Committee discussed:

- Ensuring the word 'celebrate' is included in the Plan.
- Incorporating smart lights as well as more durable spheres for the cluster lights.
- Ensuring the Downtown Residents Association is included in the discussions around the plan.
- Timeline for installation of the play structure and other play equipment in Centennial Square.
- Timeline for the Government Street Mall to be upgraded and extended.
- Concerns with the transition between the upper terrace and lower terrace in Centennial Square.
- Possibility of including building frontage upgrades in the Plan.
- Concerns with the abandonment of light blue in the colour palate of the Plan.
- Possibility of fabricating the products within the City's operations.

*Councillor Isitt withdrew from the meeting at 10:50 a.m. and returned at 10:50 a.m.*

Committee discussed:

- Incorporating the word 'Play' back into page 19 of the Plan.

*Committee agreed to consider a revised plan from staff that includes the comments made today before adoption of the Downtown Public Realm Plan.*

*Committee recessed at 10:59 a.m. and reconvened at 11:05 a.m.*

## **6. UNFINISHED BUSINESS CONT'D**

### **6.1 Royal and McPherson Theatre Society/City of Victoria Partners Project Phase Two**

Committee received a Council Member Motion dated July 13, 2017 from Councillors Alto and Madoff providing an update on the progress to date with respect to the Royal and McPherson Theatre Society (RMTS)/City of Victoria Partners Project working group's workplan and request to endorse the second phase of the project.

**Motion:** It was moved by Councillor Alto, seconded by Councillor Madoff, that Council endorse the RMTS/City of Victoria Partners Project Phase Two as outlined in the report of July 13, 2017, and direct Councillors Alto and Madoff to continue facilitating the Project.

Committee discussed:

- The timelines for the project.
- Ensuring that the timelines are adhered to ensure budget recommendations can be made.
- Ensuring that Governance of the theatres can be addressed.

**Amendment:** It was moved by Councillor Isitt, seconded by Councillor Young, that Council endorse the RMTS/City of Victoria Partners Project Phase Two as outlined

in the report of July 13, 2017, and ~~direct~~ **delegate** Councillors Alto and Madoff to continue facilitating the Project.

On the amendment:  
CARRIED UNANIMOUSLY 17/COTW

**Main motion as amended:**

That Council endorse the RMTS/City of Victoria Partners Project Phase Two as outlined in the report of July 13, 2017, and delegate Councillors Alto and Madoff to continue facilitating the Project.

On the main motion as amended:  
CARRIED UNANIMOUSLY 17/COTW

## **7. STAFF REPORTS**

### **7.1 BCLC Casino Victoria**

Committee received a report dated July 4, 2017 from the Director of Sustainable Planning and Community Development requesting Council's direction on how to proceed with the City's public engagement responsibilities under the Gaming Control Act for the proposed BCLC Casino in Victoria.

Committee discussed:

- The reasoning for the Gaming Act Public Hearing not being addressed earlier in the process.
- Ensuring that BCLC is also engaging the neighbourhood associations for their views.

**Motion:** It was moved by Councillor Young, seconded by Councillor Coleman, that Council direct staff to undertake the public engagement required under the Gaming Control Act in the form of a public hearing, to be held at the same time as the public hearing required for a rezoning application under the Local Government Act and Casino Rezoning Guidelines for the proposed gaming facility in Victoria.

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

That Council direct staff to undertake the public engagement required under the Gaming Control Act in the form of a public hearing, to be held at the same time as the public hearing required for a rezoning application under the Local Government Act and Casino Rezoning Guidelines for the proposed gaming facility in Victoria.

**That staff inform BCLC that any rezoning would need to include a Community Benefits Agreement including but not limited to provisions for at least 10% of the labour force employed to build the casino and 10% of those hired to operate it come from economically marginalized and/or underemployed groups.**

Committee discussed:

- The harm the casino will have on marginalized people and people with addictions.

On the amendment:  
CARRIED 17/COTW

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

Against: Councillor Isitt

Committee discussed:

- Ensuring that the First Nations are consulted.

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

That Council direct staff to undertake the public engagement required under the Gaming Control Act in the form of a public hearing, to be held at the same time as the public hearing required for a rezoning application under the Local Government Act and Casino Rezoning Guidelines for the proposed gaming facility in Victoria, **including specific outreach to both Esquimalt and Songhees First Nations.**

That staff inform BCLC that any rezoning would need to include a Community Benefits Agreement including but not limited to provisions for at least 10% of the labour force employed to build the casino and 10% of those hired to operate it come from economically marginalized and/or underemployed groups.

On the amendment:  
CARRIED UNANIMOUSLY 17/COTW

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

That Council direct staff to undertake the public engagement required under the *Gaming Control Act* in the form of a public hearing, to be held at the same time as the public hearing required for a rezoning application under the *Local Government Act* and Casino Rezoning Guidelines for the proposed gaming facility in Victoria, including specific outreach to both Esquimalt and Songhees First Nations.

That staff inform BCLC that any rezoning would need to include a Community Benefits Agreement including but not limited to provisions for at least 10% of the labour force employed to build the casino and 10% of those hired to operate it come from economically marginalized and/or underemployed groups.

**That any neighbourhood association that may be the host of any applications be added to the engagement of local stakeholders.**

On the amendment:  
CARRIED UNANIMOUSLY 17/COTW

Committee discussed:

- Concerns about the impact of the Casino on the surrounding economy and local residents.

**Main motion as amended:**

That Council direct staff to undertake the public engagement required under the *Gaming Control Act* in the form of a public hearing, to be held at the same time as the public hearing required for a rezoning application under the *Local Government Act* and Casino Rezoning Guidelines for the proposed gaming facility in Victoria, including specific outreach to both Esquimalt and Songhees First Nations.

That staff inform BCLC that any rezoning would need to include a Community Benefits Agreement including by no limited to provisions for at least 10% of the labour force employed to build the casino and 10% of those hired to operate it come from economically marginalized and/or underemployed groups.

That any neighbourhood association that may be the host of any applications be added to the engagement of local stakeholders.

On the main motion as amended:  
CARRIED 17/COTW

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

## **8. NEW BUSINESS**

### **8.1 Options for Rental Housing In Strata Property**

Committee received a Council Member Motion dated July 4, 2017, from Councillor Isitt requesting support for a resolution regarding Options for Rental Housing in Strata Property.

**Motion:** It was moved by Councillor Isitt, seconded by Councillor Madoff, that Council endorse the following resolution and request that the Mayor, on behalf of Council, write to the provincial Minister Responsible for Housing and Members of the Legislative Assembly representing constituencies in the Capital Region, forwarding a copy of the resolution and requesting favourable consideration:

#### Resolution: Options for Rental Housing in Strata Property

WHEREAS Many communities in British Columbia face acute housing affordability and housing availability challenges, with low vacancy rates and escalating housing prices contributing to economic insecurity for seniors, youth and people with low to moderate incomes who cannot afford safe, stable rental housing;

AND WHEREAS Provisions in the Strata Property Act have enabled strata councils to introduce bylaws that restrict rental housing as a permitted use, resulting in many dwelling units remaining vacant or underutilized rather than contributing toward the supply of rental housing in local communities;

AND WHEREAS more than 20 percent of property owners who responded to a recent City of Vancouver survey cited rental restrictions in strata bylaws as the reason why these units were unoccupied;

THEREFORE BE IT RESOLVED THAT the Province of British Columbia amend the Strata Property Act to prohibit bylaws restricting rental housing in strata-titled residential property, while retaining the authority of strata councils to introduce bylaws to restrict short-term vacation rentals.

Committee discussed:

- Whether or not this has been done in any other municipalities.
- Concerns with the possibility of removing authority from strata councils.
- Possibility of postponing to include more information on the issue.
- When housing agreements were introduced in the City of Victoria.

**Motion to refer:**

It was moved by Mayor Helps, seconded by councillor Loveday, that Council refer the motion back to Councillor Isitt for further work.

CARRIED UNANIMOUSLY 17/COTW

*Mayor Helps withdrew from the meeting at 12:01 p.m. due to a potential non-pecuniary conflict of interest with the following item, due to her relationship with an AirBnB operator.*

*Councillor Thornton-Joe assumed the Chair in her absence.*

*Councillor Lucas withdrew from the meeting at 12:01 p.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 12:01 p.m. due to a pecuniary conflict of interest with the following item, as she runs a Bed and Breakfast in her home.*

## **8.2 Supplementary Material on Short-Term Rental Regulatory Framework**

Committee received a Council Member Motion dated July 7, 2017, from Councillor Isitt recommending that Council refer new information to staff regarding regulatory framework with respect to Short-Term Rentals.

**Motion:**

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council refer this report and the attachments to staff, and request that the following provisions be incorporated into the City of Victoria's regulatory and business licensing framework for Short-Term Rentals:

- One host=One listing;
- Proof of the host's identity and municipal address;
- Proof of a current police background check;
- Proof that the property is the host's principal/primary residence;
- Proof that the listed space is in a habitable room in the principal/primary residence;
- Proof that the host has sufficient insurance coverage;

- Proof that the mortgage terms are not violated, if an owner;
- Proof that short-term rentals are permitted in the host's condominium declaration, if a condominium resident;
- Proof that the host's strata council rules permit short-term rentals, if a condominium resident;
- Proof that the listing does not violate existing zoning by-laws, building codes, fire codes and health and safety standards;
- Submission of site and floor plans accurately depicting the size and location of the existing dwelling;
- Submission of the number and location of the designated off and on-street parking spaces and the number of vehicles allowed for overnight guests, if applicable;
- Submission of a list of responsible contact persons;
- Submission of a list of all online platforms used to advertise the listing.

Committee discussed:

- Concerns with the legality of the proposed provisions of the motion.

**Amendment:** It was moved by Councillor Alto, seconded by Councillor Isitt, that Council refer this report and the attachments to staff, and request that the following provisions be ~~incorporated into~~ **considered for inclusion in** the City of Victoria's regulatory and business licensing framework for Short-Term Rentals:

- One host=One listing;
- Proof of the host's identity and municipal address;
- Proof of a current police background check;
- Proof that the property is the host's principal/primary residence;
- Proof that the listed space is in a habitable room in the principal/primary residence;
- Proof that the host has sufficient insurance coverage;
- Proof that the mortgage terms are not violated, if an owner;
- Proof that short-term rentals are permitted in the host's condominium declaration, if a condominium resident;
- Proof that the host's strata council rules permit short-term rentals, if a condominium resident;
- Proof that the listing does not violate existing zoning by-laws, building codes, fire codes and health and safety standards;
- Submission of site and floor plans accurately depicting the size and location of the existing dwelling;
- Submission of the number and location of the designated off and on-street parking spaces and the number of vehicles allowed for overnight guests, if applicable;
- Submission of a list of responsible contact persons;
- Submission of a list of all online platforms used to advertise the listing.

On the amendment:  
CARRIED UNANIMOUSLY 17/COTW

Committee discussed:

- More investigation being needed as to what taxes are being paid by owners.

**Main motion as amended:**

That Council refer this report and the attachments to staff, and request that the following provisions be considered for inclusion in the City of Victoria's regulatory and business licensing framework for Short-Term Rentals:

- One host=One listing;
- Proof of the host's identity and municipal address;
- Proof of a current police background check;
- Proof that the property is the host's principal/primary residence;
- Proof that the listed space is in a habitable room in the principal/primary residence;
- Proof that the host has sufficient insurance coverage;
- Proof that the mortgage terms are not violated, if an owner;
- Proof that short-term rentals are permitted in the host's condominium declaration, if a condominium resident;
- Proof that the host's strata council rules permit short-term rentals, if a condominium resident;
- Proof that the listing does not violate existing zoning by-laws, building codes, fire codes and health and safety standards;
- Submission of site and floor plans accurately depicting the size and location of the existing dwelling;
- Submission of the number and location of the designated off and on-street parking spaces and the number of vehicles allowed for overnight guests, if applicable;
- Submission of a list of responsible contact persons;
- Submission of a list of all online platforms used to advertise the listing.

On the main motion as amended:  
CARRIED UNANIMOUSLY 17/COTW

*Committee recessed at 12:19 p.m. and reconvened at 12:52 p.m.*

*Mayor Helps reassumed the Chair.*

*Councillors Lucas and Madoff were present at the commencement of the meeting.*

*Councillor Isitt was not present at the commencement of the meeting.*

## **9. Workshop**

### **9.1 Council Workshop – Draft Gonzales Neighbourhood Plan**

Committee received a report dated June 23, 2017, from the Director of Sustainable Planning and Community Development requesting Council approval of the Draft Gonzales Neighbourhood Plan.

*Councillor Isitt returned to the meeting at 12:54 p.m.*

Committee discussed:

- How the City will be dealing with the possibility of First Nations remains being found should the ground be disturbed during construction.

*Councillor Loveday withdrew from the meeting at 1:17 p.m.*

Committee discussed:

- The number of garden suites that may be allowed in the Gonzales area.

*Councillor Loveday returned to the meeting at 1:24 p.m.*

Committee discussed:

- Concerns around zoning of Gonzales and the possibility of large townhome developments in the area.
- The possibility of the creating a greenspace at the end of Ross Street.

*Councillor Thornton-Joe withdrew from the meeting at 1:30 p.m. and returned at 1:34 p.m.*

Committee discussed:

- Allowing more opportunity for public comment and next steps for engagement on the Plan.
- The number of current Heritage Designated or Heritage Registered properties in the proposed designation areas.
- Other areas in the City where Heritage Conservation areas are located.
- Possibility of having a workshop on Heritage Designated versus Heritage Registered.
- Ensuring the character of the neighbourhood is being enhanced.

**Motion:**

It was moved by Councillor Coleman, seconded by Mayor Helps, that Council:

1. Refer the draft Gonzales Neighbourhood Plan and draft Design Guidelines for Intensive Residential Development - Townhouse and Rowhouse to the Advisory Design Panel for comment.
2. Refer the draft Gonzales Neighbourhood Plan to the Heritage Advisory Panel for comment.
3. Direct staff to create Gonzales-specific guidelines or exemptions for the proposed Heritage Conservation Areas that address feedback from homeowners, community and Heritage Advisory Panel.

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

That Council:

1. Refer the draft Gonzales Neighbourhood Plan and draft Design Guidelines for Intensive Residential Development - Townhouse and Rowhouse to the Advisory Design Panel for comment.
2. Refer the draft Gonzales Neighbourhood Plan to the Heritage Advisory Panel for comment.
3. Direct staff to create Gonzales-specific guidelines or exemptions for the proposed Heritage Conservation Areas that address feedback from homeowners, community and Heritage Advisory Panel.

**4. Invite further public comment to inform Council's consideration of the next iteration of the plan.**

On the amendment:  
CARRIED UNANIMOUSLY 17/COTW

**Main motion as amended:**

That Council:

1. Refer the draft Gonzales Neighbourhood Plan and draft Design Guidelines for Intensive Residential Development - Townhouse and Rowhouse to the Advisory Design Panel for comment.
2. Refer the draft Gonzales Neighbourhood Plan to the Heritage Advisory Panel for comment.
3. Direct staff to create Gonzales-specific guidelines or exemptions for the proposed Heritage Conservation Areas that address feedback from homeowners, community and Heritage Advisory Panel.
4. Invite further public comment to inform Council's consideration of the next iteration of the plan.

CARRIED 17/COTW

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

**10. ADJOURNMENT**

**Motion:** It was moved by Councillor Alto, seconded by Councillor Coleman, that the Committee of the Whole meeting of July 13, 2017, be adjourned at 2:23 p.m.

CARRIED UNANIMOUSLY 17/COTW

CERTIFIED CORRECT:

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CITY CLERK

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MAYOR