

**COMMITTEE OF THE WHOLE MOTIONS**  
**FROM THE MEETING HELD DECEMBER 7, 2017**

For the Council Meeting of December 14, 2017, the Committee recommends the following:

**1. Letter from the Minister of Transport**

That Council receive the correspondence dated October 20, 2017 from the Minister of Transport for information.

**2. Rezoning Applicant No. 00583 for 3110 Doncaster Drive (Oaklands)**

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00583 for 3110 Doncaster Drive, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

**3. Development Permit with Variances Application and Development Variance Permit for 3110 Doncaster Drive (Oaklands)**

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00583, if it is approved, consider the following motions:

1. "That Council authorize the issuance of a Development Permit with Variances Application for the west portion of 3110 Doncaster Drive, in accordance with:
  - a. Plans date stamped October 5, 2017.
  - b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
    - i. reduce the front setback from 6.00m to 5.11m
    - ii. reduce the rear setback from 6.00m to 3.94m.
  - c. The Development Permit lapsing two years from the date of this resolution."
2. "That Council authorize the issuance of a Development Variance Permit Application for the east portion of 3110 Doncaster Drive, in accordance with:
  - a. Plans date stamped October 5, 2017.
  - b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
    - i. reduce the rear setback from 6.00m to 5.70m.
  - c. The Development Permit lapsing two years from the date of this resolution."

**4. Rezoning Application No. 00573 for 2816 Shelbourne Street (Oaklands)**

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00573 for 2816 Shelbourne Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once:

1. Staff are provided with a legal agreement securing the provision of one electric vehicle charging station per unit and one electric-assisted bicycle per initial purchaser for each of the five units as offered by the applicant to the satisfaction of the City Solicitor.
2. Staff receive proof of registration at the Land Title Survey Authority of an executed Statutory Right-of-Way (SRW) of 7.0m on Shelbourne Street.

3. The applicant works with Staff to mitigate the impact of the requested variance for the rear (west) setback.

**5. Development Permit with Variances Application No. 000504 for 2816 Shelbourne Street (Oaklands)**

That Council after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00573, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 000504 for 2816 Shelbourne Street in accordance with:

1. Plans date stamped August 22, 2017.
2. Development meeting all Zoning Regulation Bylaw requirements except for the following variances:
  - i. Reduce the front setback from 10.7m to 8.38m;
  - ii. Reduce the rear setback from 4.0m to 2.25m;
  - iii. Reduce the north side yard setback from 4.0m to 3.77m;
  - iv. Reduce the south side yard setback from 4.0m to 3.35m;
  - v. Reduce the parking from 8 stalls with one visitor stall to 5 stalls with no visitor stalls.
3. The Development Permit lapsing two years from the date of this resolution."

**6. Application for a New Liquor Primary Licence for Atomic Soap Lounge, 530 Pandora Avenue**

That Council direct staff to provide the following response to the Liquor Control and Licensing Branch:

1. Council, after conducting a review with respect to the location of the establishment, the person capacity and hours of liquor service, supports the application of Atomic Soap Lounge, located at 530 Pandora Avenue to obtain a new Liquor Primary License permitting service from 10:00 am until 10:00 pm daily with an interior occupant load of 59 persons (no outdoor service area is included in the application).

Providing the following comments on the prescribed considerations:

- a. The impact of noise on the community in the vicinity of the establishment has been considered and is not expected to be appreciatively different than similar approvable establishments not subject to municipal review for liquor licencing. It is understood that the total licensed capacity is to be 59 persons and that approval of the Liquor Primary Licence is dependent on existence of the core soap making business.
- b. If the application is approved, the impact on the community is expected to be negligible given the size, hours, and primary focus of the business.
- c. The views of residents were solicited via a mail out to neighbouring property owners and occupiers within 50 metres of the licensed location and a notice posted at the property. The City received ten letters in total including nine letters expressing concern or opposition to the application and one expressing support for the application for a liquor licence.
- d. Council recommends the issuance of the license as it is expected to support the economic viability of the business through support of its business plan to serve liquor complementary to the primary focus which is an instructor-led soap crafting experience.

**7. Advocacy to Shift Investment to Low-Emissions Transportation**

That Council requests the Mayor write, on behalf of Council, to the Prime Minister of Canada and Premier of British Columbia, copying the federal and provincial ministers responsible for climate action, infrastructure and transportation, requesting that they fully implement their commitment in the Pan-Canadian Framework on Clean Growth and Climate Change in transportation sector, to shift investments “from higher to lower-emitting types of transportation” within the Capital Regional District.

**8. Animal Responsibility Bylaws**

That Council direct staff to report back at the next quarterly update with the resource implications of a plan to update the current Animal Control Bylaw and Vehicle for Hire Bylaws by:

1. Changing the name of the bylaw to the Victoria Animal Responsibility Bylaw.
2. Incorporate wording and sections of the BC SPCA Model Animal Responsibility Bylaws (2017), the Surrey Animal Responsibility Bylaw(2017) and the City of Duncan Animal Regulation and Impounding Bylaw (Amendments 2017) in the following areas and including any other areas that staff recommend adding based upon experiences with the bylaw:
  - a. Standards of Care: See appendix for Surrey bylaw Section 44.
  - b. Hoarding and Animal Limits: See appendix for Duncan bylaw 3 and 4 and BC SPCA Model Animal Responsibility Bylaw Pages 9 and 10.
  - c. Aggressive Dogs: See Surrey bylaw Sections 18-21 and add in glossary the definition of Aggressive Dogs.
  - d. Animal Cruelty: See Duncan bylaw 15 and Surrey bylaw 48.
  - e. Urban Chicken and Urban Bees: See BC SPCA Model Animal Responsibility Bylaw Pages 25-28.
  - f. And to add to our Outdoor Shelter Requirements that:
    - i. A person responsible for an animal shall ensure the Animal has protection from all the elements.
    - ii. 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.

In addition: In regards to our vehicle for hire bylaws in relation to horse drawn vehicles the below should be added.

**Identification of horses and horse drawn vehicles**

Every horse while transporting passengers must display an identification number which is visible and legible. This identification number must correspond with the name, description and health record of the horse and is to be provided to the licensing officer and SPCA at the beginning of the season.

**9. Transit Futures Plan**

That the Mayor, on behalf of Council, send the letter attached to the report to BC Transit.

**10. Third Quarter Operational Plan Report**

That Council receive the report from the Victoria Police Department for information.

That Council refer the matter of allocating up to \$60,000 from surplus for the transgender inclusion policy to the January 4, 2018 Committee of the Whole meeting

That Council receive the report from the Acting City Manager for information.

**11. Project Update: Crystal Pool and Wellness Centre Replacement Project**

That Council direct staff to meet with the Art in Public Places Committee.

That Council receive the progress report update on the Crystal Pool and Wellness Centre Replacement Project.

That Council direct staff to work with the Project Manager to develop a procurement plan that takes into consideration the Federal Government's Community Employment Benefits Reporting Framework; and

Further direct staff to provide input into this Framework as it is being developed.

**12. Rezoning Application No. 00606 for 350 Sylvia Street (James Bay)**

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00606 for 350 Sylvia Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

**13. Direction to Consult on OCP Amendment Needed to Align with Proposed Victoria West Neighbourhood Plan**

That Council:

1. Consider consultation under Section 475(1) and 475(2) of the Local Government Act and direct staff to undertake consultation with those affected by the proposed amendments to the Official Community Plan through online consultation and a public open house concurrent with public review of the proposed Victoria West Neighbourhood Plan.
2. Consider consultation under Section 475(2)(b) of the Local Government Act and direct staff:
  - a. To refer the proposed Official Community Plan amendments to the Songhees Nation, the Esquimalt Nation, the Township of Esquimalt and School District 61;
  - b. That no referrals are necessary to the Capital Regional District Board, Island Health or the provincial or federal governments.

3. Direct staff to prepare Official Community Plan amendment bylaws following consultation to adjust urban place designations, adjust development permit area boundaries and guidelines in accordance with feedback received on the proposed Official Community Plan amendments.
4. Refer the proposed Victoria West Neighbourhood Plan to the meeting of Council at which the above Official Community Plan amendments Public Hearing is held, for consideration of final approval.
5. Following approval of the proposed Victoria West Neighbourhood Plan, rescind the Victoria West Neighbourhood Community Plan (2002).

**14. Zoning Bylaw 2017 – Request for Clarification**

That Council:

1. Receive this report for information
2. Direct staff to report back to Council in early 2018 with strengthened policy and design guidelines for Old Town and Chinatown, to provide additional guidance for new developments to respond to the characteristics and special features of the areas.

That Council direct staff to refer applications for Old Town, specifically in Development Permit Areas 1 and 9, to the Heritage Advisory Panel for comment.

**15. 2017 My Great Neighbourhood Grants – Fall Intake**

That Council:

1. Approve 17 applications received for the fall intake of the 2017 My Great Neighbourhood Grant program as outlined in Tables 1 and 2.
2. Approve the remaining funds of \$3,851 for the My Great Neighbourhood Show and Tell launch event for the 2018 spring intake.

**16. Bicycle Master Plan Implementation – Phase 1 AAA Network Update**

That Council direct staff to:

1. Amend the draft 2018 financial plan to increase the budget for the Wharf, Humboldt, and Cook Street Phase 1 corridors by \$3.0 million with funding from:
  - i. The Gas Tax Reserve, \$2.3 million remaining in 2018 and \$625,000 from 2019 allocation;
  - ii. \$75,000 from the 2017 Engineering and Public Works budget remaining due to vacancies.
2. Implement Phase 1 AAA corridors with the required internal and external resources to support program requirements for one year, to include the following:
  - a. Cycle Network Engagement Support;
  - b. Transportation Design Support;
  - c. Construction Ambassador Support;
  - d. Road User Education and Safety Programs funds; and
  - e. Performance Monitoring and Data Collection equipment.
3. Report back to Council in Q2 2018 with a proposed funding strategy for the remainder of Phase 2-4 Bike Master Plan implementation of the priority AAA network, to be completed by 2022.
4. Report back to Council at the 60% design phase for all remaining Phase 1 corridors, with updated financial estimates, engagement summaries and design responses.

5. Direct staff as part of the 60% design phase to take into consideration accessibility challenges including when people are parking adjacent to a bike lane how they get to the curb and people crossing from bus stops through bike lanes.

**17. Protecting Local Waterways and Wild Fish Species**

THAT Council endorse the following resolution for consideration at the 2018 annual meeting of the Association of Vancouver Island and Coastal Communities, and directs staff to forward this resolution to First Nations governments on Vancouver Island and local governments belonging to AVICC requesting favourable consideration:

**Resolution: Protecting Local Waterways and Wild Fish Species**

WHEREAS British Columbia's coastal communities rely on healthy waterways and healthy marine ecosystems including fisheries for economic, social and ecological wellbeing;

AND WHEREAS the proliferation of open-net fish farms with non-native fish species threatens local waterways and wild fish species, undermining the economic, social and ecological wellbeing of local communities;

AND WHEREAS many open-net fish farms have been established in indigenous territories in the absence of adequate consultation with indigenous governments, undermining the shared objective of reconciliation and respectful relations between indigenous and non-indigenous governments;

THEREFORE BE IT RESOLVED THAT the Province of British Columbia consult First Nations governments, local governments, conservation organizations and industry on a transition plan to closed-containment aquaculture, including a just transition for affected workers.

**18. Endorsing the *Communities on the Move* Declaration**

That Council endorse the Communities on the Move Declaration with the proviso that Council has some reservations about setting an annual amount and request that the Mayor write, on behalf of Council, to the BC Healthy Living Alliance communicating this endorsement.