

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD SEPTEMBER 21, 2017

For the Council Meeting of September 21, 2017, the Committee recommends the following:

1. Development Permit with Variance Application No. 00046, No. 00047 and No. 00048 for 1032, 1038, and 1044 Harling Lane (Fairfield)

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

1032 Harling Lane

"That Council authorize the issuance of Development Permit with Variances Application No. 00046 for 1032 Harling Lane in accordance with:

1. Plans date stamped July 21, 2017
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the front yard setback from 18m to 17.30m for an outdoor feature (arbour)
 - ii. reduce the separation distance from 2.4m to 1.58m for the arbour from the dwelling.
3. The Development Permit lapsing two years from the date of this resolution."

1038 Harling Lane

"That Council authorize the issuance of Development Permit Application with Variances No. 00047 for 1038 Harling Lane in accordance with:

1. Plans date stamped July 21, 2017
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the front yard setback from 18m to 17.20m for an outdoor feature
 - ii. reduce the separation distance from 2.4m to 1.72m for the arbour from the dwelling.
3. The Development Permit lapsing two years from the date of this resolution."

1044 Harling Lane

"That Council authorize the issuance of Development Permit Application with Variances No. 00048 for 1044 Harling Lane in accordance with:

1. Plans date stamped July 21, 2017.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the front yard setback from 18m to 17.27m
 - ii. reduce the separation distance from 2.4m to 1.68m for the arbour from the dwelling.
3. The Development Permit lapsing two years from the date of this resolution.

2. UBCM Attendance Requests

That Council approve costs for accommodation, transportation, and incidentals for **Mayor Helps** to attend the Union of BC Municipalities Conference 2017 in Vancouver.

That Council approve costs for accommodation, transportation, and incidentals for **Councillor Marianne Alto** to attend the Union of BC Municipalities Conference 2017 in Vancouver.

That Council approve costs for accommodation, transportation, and incidentals for **Councillor Chris Coleman** to attend the Union of BC Municipalities Conference 2017 in Vancouver.

That Council approve costs for accommodation, transportation, and incidentals for **Councillor Ben Isitt** to attend the Union of BC Municipalities Conference 2017 in Vancouver.

That Council approve costs for accommodation, transportation, and incidentals for **Councillor Geoff Young** to attend the Union of BC Municipalities Conference 2017 in Vancouver.

3. Rezoning Application No. 00589 for 229 Government Street (James Bay)

That Council refer Application No. 00589 for the property located at 229 Government Street back to staff to work with the applicant to achieve, at a minimum, the following principles:

- ensure the height is no more than 1.5 storeys
- reorient the front door to the front of the property
- attention to the overall height and overlook
- remove the deck entrance
- re-site the building slightly.

4. Development Permit with Variance Application No. 00006 for 584 John Street (Burnside-Gorge)

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 Application No. 00006. for 584 John Street, in accordance with:

1. Plans date stamped September 16, 2016.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce parking requirement from one stall per 93m² of warehouse/wholesale use to one stall per 190.m²; and
 - ii. reduce loading space requirement from one space to nil.
3. Provision of a legal agreement securing the provision of bus passes, bicycle parking and other Transportation Demand Management measures as offered by the applicant to the satisfaction of the City Solicitor.
4. The Development Permit lapsing two years from the date of this resolution."

5. Fairfield Neighbourhood Plan - Emerging Directions

1. That Council:

1. Approve, in-principle, the emerging directions as a basis for preparing the draft Fairfield Neighbourhood Plan, which directs:
 - a. some growth in and around Cook Street Village (buildings up to four storeys in height) and some growth directed to the northwest part of Fairfield (buildings from six to 10 storeys in height)

- b. for staff to clarify which areas west of Cook Street are appropriate for apartments up to 4 storeys and which stock is appropriate for housing diversity.
- c. Examine opportunities for pre-zoning and/or differential density entitlements for different housing types (strata ownership, purpose built market rental, purpose built market rental with non-market units, entire non-market building) in the northwest corner

2. Heritage Conservation Areas:

That Council direct staff to identify all four areas for future consideration.

6. Development Variance Permit Application No. 00184 for 1265 Vista Heights (Hillside-Quadra)

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. 00184 for 1265 Vista Heights, in accordance with:

1. Plans date stamped August 23, 2017.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. relaxation to permit a roof deck
 - ii. reduce the front yard setback from 7.50m to 5.00m
 - iii. increase the maximum parking stall area grade from 8% to 10.50%.
3. Registration of a Section 219 Covenant on title to ensure the roof deck is used solely for the purposes pertaining to sustainable environmental initiatives, including but not limited to, solar panels and green roofs.
4. The Development Permit lapsing two years from the date of this resolution."

7. Site Options for the Lebanese Emigrant Statue

That Council:

1. Approve Centennial Park for installation of the Lebanese Emigrant statue, a gift from the World Lebanese Cultural Union.
2. Direct staff to create a Service Agreement with the WLCU-BC to ensure all funding associated with installation, as well as a donation of 10% of the assessed value of the statue for the ongoing maintenance will be provided by the WLCU-BC.

8. Official Community Plan Amendments to Align with Gonzales 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, a public open house, and a meeting with owners of property within proposed heritage conservation areas, concurrent with public review of the proposed Gonzales 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 School District Board, the Council of Oak Bay, Island Health Board of Directors; and
 - b. that no referrals are necessary to the Capital Regional District Board, 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, and create a new heritage conservation area in

accordance with feedback received on the proposed Official Community Plan amendments.

4. *Direct staff to create Development Permit Area Guidelines for the Small Urban Villages at Fairfield Road, Wildwood Avenue and Lilian Street.*
5. *Direct staff to develop appropriate tools to make secondary suites permissible in the neighbourhood.*
6. Refer the proposed Gonzales Neighbourhood Plan to the meeting of Council at which the above Official Community Plan amendments Public Hearing is held, for consideration of final approval.
7. Following approval of the proposed Gonzales Neighbourhood Plan, rescind the Gonzales Neighbourhood Community Plan (2002).

9. 2018 - 2019 Permissive Property Tax Exemptions

1. That Council:

1. Approve applications for permissive property tax exemption detailed in Table 2 for the 2018 - 2019 tax years, from the following applicants:
 - Victoria Social Innovation Centre
 - Victoria Truth Centre
 - Winners Chapel International
2. Direct staff to prepare a 2018 - 2019 permissive property tax exemption bylaw for Council's consideration.

2. That Council:

1. Approve applications for permissive property tax exemption detailed in Table 2 for the 2018 - 2019 tax years, from the following applicants:
 - Victoria Cool Aid Society, Application 1
 - Victoria Cool Aid Society, Application 2

10. Climate Change Leadership Plan Update

That Council accept this Climate Action Program Update report for information.

11. Short Term Rental Business Regulations and Enforcement Strategy

That Council:

1. Approve the proposed short term rental regulatory framework, as described in this report, which allows short-term rentals in principal residences, subject to a business licence and compliance with operating requirements;
2. Direct staff to engage stakeholders on the proposed business regulations, and report back to Council in Q 4 of 2017 with the bylaws required to enact these regulations; and,
3. Direct staff to report back to Council in Q 1 of 2018 with an implementation plan, including schedule, resourcing proposal, and impacts to the financial plan.

12. Short Term Vacation Rentals

That Victoria Council request the Provincial government to make changes to legislation and regulations to ensure that:

1. property used substantially for short term vacation rental (stvr) purposes is classified as commercial property for purposes of municipal property taxes; and that
2. the right to legal non-conforming use of residentially zoned units in a strata building is determined on the basis of use of those individual strata lots, not (as at present) on the basis of existing use in other parts of the building .

13. Proposed Amendments to the Parks Regulation Bylaw

That Council direct staff to bring forward to the September 21 Council meeting amendments to the Parks Regulation Bylaw including the following new provisions:

1. Ability to temporarily close a park or part of a park;
2. Prohibition on interference with City workers engaged in clean-up, maintenance or other work in a park;
3. Authority to impound property unlawfully left in a park and waive the fee to return impounded property;
4. Ability to apply for permits to carry out protests and other expressive activities in a park;
5. Consequential and housekeeping amendments;
6. To develop an effective lobbying approach to the province on the issue of tenting in parks and housing and homelessness;
7. Thank TAPS for their letter and ask them, in their experience to offer some solutions on the issues that the park bylaw amendments attempt to address prolonged use and occupation in the absence of sufficient housing;
8. Direct staff to report back in a year to see if other amendments need to be considered; and
9. Direct police and bylaw to report publicly at the next quarterly update on the implementation of the new direction.

14. Request for Staff Report on Transit as Part of Sustainable Mobility Strategy

1. That Council direct staff to work with BC Transit staff and to report back on Transit best practices and what is needed from the City's perspective to implement the Transit Futures Plan and drive transformational change in the region with regard to public transit.

15. UBCM Emergency Resolution: Protecting Local Waterways and Wild Fish Species

THAT Council endorse the following resolution for consideration as an emergency resolution at the 2017 annual convention of the Union of BC Municipalities, and directs staff to forward this resolution to member local governments and to the UBCM 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 decline any further permits for open-net aquaculture and phase out existing open-net operations, transitioning the industry to closed-containment aquaculture with a just transition for affected workers and adequate consultation with indigenous governments..

16. Endorsing the Treaty on the Prohibition of Nuclear Weapons

THAT Council endorse the following resolution and directs staff to forward this resolution to the Government of Canada, Members of Parliament representing electoral areas on Vancouver Island, and local governments in British Columbia, requesting favourable consideration and resolutions of support:

Resolution: Endorsing the Treaty on the Prohibition of Nuclear Weapons

WHEREAS the City of Victoria is a signatory to the Mayors For Peace initiative and the Earth Charter;

AND WHEREAS the City of Victoria has consistently supported citizens' initiatives for a more peaceful world grounded in the principles of non-violence and the peaceful resolution of conflict within communities and internationally;

AND WHEREAS the United Nations General Assembly has adopted the Treaty on the Prohibition of Nuclear Weapons and encouraged member nations to sign;

AND WHEREAS the Government of Canada is not yet a signatory to the Treaty on the Prohibition of Nuclear Weapons;

THEREFORE BE IT RESOLVED THAT the City of Victoria places itself on record as endorsing the Treaty on the Prohibition of Nuclear Weapons and calls on the Government of Canada to sign and ratify the treaty.