



MINUTES – VICTORIA CITY COUNCIL

MEETING OF THURSDAY, JUNE 22, 2017, AT 6:30 P.M.

PLACE OF MEETING: Council Chambers, City Hall

PRESENT: Mayor Helps in the Chair, Councillors Alto, Coleman, Loveday, Lucas, Madoff, Thornton-Joe, and Young.

ABSENT FOR A PORTION OF THE MEETING: Councillor Isitt

STAFF PRESENT: J. Johnson – City Manager; J. Jenkyns - Deputy City Manager; C. Coates - City Clerk; P. Bruce – Fire Chief; S. Thompson – Director of Finance; J. Tinney – Director of Sustainable Planning & Community Development; F. Work – Director of Engineering & Public Works; T. Soulliere – Director of Parks, Recreation, & Facilities; C. Havelka – Deputy City Clerk; C. Mycroft – Manager of Executive Operations; C. Wain – Senior Planner; M. Angrove – Planner; H. Follis – Customer Service Advisor; and P. Martin - Council Secretary.

APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Motion:

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

Amendment:

It was moved by Councillor Loveday, seconded by Councillor Alto, that Kate Henley be added to the Request to Address Council section of the meeting.

On the amendment:
Carried Unanimously

Councillor Isitt joined the meeting at 6:33 p.m.

Amendment:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Robert Bradbury be added to the Request to Address Council section of the meeting.

On the amendment:
Carried Unanimously

Amendment:

It was moved by Councillor Loveday, seconded by Councillor Alto, that a late motion be added under New Business regarding a UBCM Motion on Provincial Share of Infrastructure Funding.

On the amendment:
Carried Unanimously

On the main motion as amended:
Carried Unanimously

Poetry Reading by Poet Laureate, Yvonne Blomber titled "The Blue Bridge Blues".

READING OF MINUTES

Motion:

It was moved by Councillor Alto, seconded by Councillor Loveday, that the minutes from the evening meeting held June 8, 2017 be adopted:

Carried Unanimously

Mayor Helps withdrew from the meeting at 6:40 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 6:40 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 6:40 p.m. due to a pecuniary conflict of interest with the following item, as she runs a Bed and Breakfast in her home.

REQUESTS TO ADDRESS COUNCIL

Motion:

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

Carried Unanimously

1. **Kimberley Hughes: Short-Term Rental**
Outlined why Council should restrict short-term rentals.
2. **Eric Ney: Remove Transient Accommodation as a Permitted Use**
Outlined why Council should remove transient accommodation as a permitted use for residential properties that are not primary residences.
3. **Paul Nursey: Impacts of Short-Term Vacation Rentals**
Outlined why Council should remove transient accommodation as a permitted use for residential properties that are not primary residences.
4. **Daryl West: Short Term Vacation Rentals**
Outlined why Council should remove transient accommodation as a permitted use for residential properties that are not primary residences.
5. **Chris Watson: Short Term Vacation Rentals**
Outlined why Council should remove transient accommodation as a permitted use for condominiums.
6. **Stewart Ballantyne: Short Term Vacation Rentals**
Outlined why Council should remove transient accommodation as a permitted use in downtown Victoria.

Mayor Helps returned to the meeting at 7:09 p.m. and assumed the Chair.

Councillor Lucas returned to the meeting at 7:09 p.m.

Councillor Madoff returned to the meeting at 7:09 p.m.

PROCLAMATIONS

Motion:

It was moved by Councillor Alto, seconded by Councillor Loveday, that the following Proclamation be endorsed:

1. "Pride Week" – July 1 to July 9, 2017

Carried Unanimously

PUBLIC AND STATUTORY HEARINGS

1. **Rezoning Application No. 00531 and Development Permit with Variances Application No. 000484 for 986, 988, and 990 Heywood Avenue and Associated Official Community Plan Amendment**

The Public Hearing for 986, 988, and 990 Heywood Avenue is a continuation of the Public Hearing from June 8, 2017.

1. **Public Hearing**
Official Community Plan
To include the rear portion of 986 Heywood Avenue in the Urban Residential Urban Place Designation.
2. **Rezoning Application No. 00531**
To rezone the land known as 986, 988 and 990 Heywood Avenue from the R3-AM-2 Mid-Rise Multiple Dwelling District Zone, to the R3-AM-3 Zone, Mid-Rise Multiple Dwelling Heywood District to permit a four-storey residential building.

New Zone: R3-AM-3, Mid-Rise Multiple Dwelling Heywood District

Legal description: Parcel A (DD 142967I) of Lots 22, 23, 48, and 49 of Lot 1694, Victoria City, Plan 24;
The southerly 24 feet of Lot 49 of Lot 1694, Victoria City, Plan 24; and
The northerly 26 feet of Lot 50, of Lot 1694, Victoria City, Plan 24.

Existing Zone: R3-AM-2 Zone, Mid-Rise Multiple Dwelling District

3. **Development Permit Application No. 000484**

The Council of the City of Victoria will also consider issuing a development permit for the land known as 986, 988 and 990 Heywood Avenue, in Development Permit Area 16, General Form and Character, for the purposes of approving the general character of the multi-family residential development.

The Development Permit will vary the following requirements of the Zoning Regulation Bylaw, R3-AM-3 Zone, Mid-Rise Multiple Dwelling Heywood District:

- Increase the height from 12m to 14.28m;
- Increase the site coverage from 40% to 76%;
- Reduce the open site space from 50% to 17%;
- Reduce the minimum required front yard setback from 10.5m to 4.26m for the building and nil for the parkade;
- Reduce the minimum required rear yard setback from 7.14m to 7.0m for the building and 0.72 for the parkade;
- Reduce the north side yard setback from 7.14m to 5.46m for the building and 0.9 for the parkade;
- Reduce the south side yard setback from 7.14m to 2.46m for the building face and 0.57m for the parkade;
- Reduce the requirement for open site space adjacent to the street from 7.14m to 4.26m.

Mayor Helps opened the public hearing at 7:10 p.m.

Katherine Popham (Park Boulevard): Expressed concerns relating to the application due to the height and size of the proposed building.

Bart Reed (Cook Street): Expressed support for the application as it will be a positive addition to the Cook Street Village.

Ingrid Jarisz (Victoria Resident): Expressed support for the application due to the quality of proposed building.

Karen Rothe (Park Boulevard): Expressed concerns relating to the application due to the massing of the proposed building and the limited vegetative buffer between neighbouring buildings.

Reed Turner (Vancouver Street): Expressed support for the application as it will be a positive addition to the neighbourhood.

Grainier Litwin (Deerwood Court): Expressed support for the application as it will be a positive addition to the neighbourhood.

Laurie Roberts (Park Boulevard): Expressed concerns relating to the application due to the number of variances requested.

Anne McMillon (Oliphant Avenue): Expressed support for the application due to the positive neighbourhood consultation and consideration that has occurred.

Robin Applewhaite (Oliphant Avenue): Expressed concerns relating to the application due to the affect the sun shadow will have on their unit, but noted the positive consultation and consideration that has occurred by the developer.

Ian McMillon (Oliphant Avenue): Expressed support for the application due to the positive neighbourhood consultation that has been undertaken and the inclusion of sufficient parking for the proposed building.

Council discussed the following:

- *The consultation and amendments that were undertaken by the developer to be considerate to each neighbouring building.*
- *The vegetation buffer that would put implemented between the buildings.*

Mayor Helps closed the public hearing at 7:49 p.m.

4. **Bylaw Approval**

Motion:

It was moved by Councillor Coleman, seconded by Councillor Lucas, that the following bylaw **be given third reading:**

1. *Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 18) No. 17-043*
2. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1096) No. 17-04*

Council discussed the following:

- The concerns expressed by the neighbouring building to the south.
- Densification on the edge of a traditional neighbourhood.
- That the built form of the application has been improved through the consultation of neighbours.

Carried Unanimously

5. **Bylaw Approval**

Motion:

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

1. *Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 18) No. 17-043*
2. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1096) No. 17-041*
3. *Housing Agreement (986, 988, and 990 Heywood Avenue) Bylaw (2017) No. 17-042*

Carried Unanimously

6. **Development Permit with Variances Approval**

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that Council authorize the issuance of a Development Permit for Application No. 000531 for 986, 988 and 990 Heywood Avenue, in accordance with:

1. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - a. Increase the height from 12m to 14.28m;
 - b. Increase the site coverage from 40% to 76%;
 - c. Reduce the open site space from 50% to 17%;
 - d. Reduce the minimum required front yard setback from 10.5m to 4.26m for the building and nil for the parkade;
 - e. Reduce the minimum required rear yard setback from 7.14m to 7.0m for the building and 0.72 for the parkade;
 - f. Reduce the north side yard setback from 7.14m to 5.46m for the building and 0.9 for the parkade;
 - g. Reduce the south side yard setback from 7.14m to 2.46m for the building face and 0.57m for the parkade;
 - h. Reduce the requirement for open site space adjacent to the street from 7.14m to 4.26m.
2. Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff.
3. That Council authorize the City Solicitor to execute an Encroachment Agreement for a fee of \$750, plus \$25 per m² of exposed shored face during construction in a form satisfactory to staff. This is to accommodate shoring for construction of the underground parking structure if the method of construction involves anchor pinning into the public Right-of-Way.
4. The Development Permit lapsing two years from the date of this resolution.

Carried Unanimously

Council recessed from 8:15 p.m. and reconvened at 8:22 p.m.

2. **Development Permit with Variances Application No. 000386 for 353 Tyee Road**

1. **Hearing**

Development Permit with Variances Application No. 000386

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 353 Tyee Road, in Development Permit Area 13: Core Songhees, for the purposes of permitting an existing office trailer.

The Development Permit will vary the following requirements of the *Zoning Regulation Bylaw* CD-9 Zone, Dockside District:

- reduce the setback from Tyee Road from 3m to 0.50m
- increase the allowable building frontage for office use facing Tyee Road from 50% to 100%.

Legal description of the lands:

Lot 8, District Lot 119, Esquimalt District, Plan VIP53097 Except Part in Plan VIP84612

Lot G, District Lot 119, Esquimalt District, Plan VIP67690

Michael Angrove (Planner): *Advised that the application is to permit an existing on-site office trailer.*

Mayor Helps opened the public hearing at 8:23 p.m.

Ally Dewji (Dockside Green Development): *Provided information regarding the application which would allow the on-site trailer to assist with the future development at Dockside Green.*

Mayor Helps closed the public hearing at 8:26 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 with Variances Application No. 000386 for 353 Tyee Road, in accordance with:

1. Plans date stamped September 16, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Part 12.9(6)(a): reduce the setback from Tyee Road from 3m to 0.50m;
 - b. Part 12.9, 10.4(d): increase the allowable building frontage for office use facing Tyee Road from 50% to 100%.
3. Register a legal agreement on title to limit the commercial use of the buildings and guarantee the future removal of the trailers within five years to the satisfaction of staff.
4. The Development Permit lapsing two years from the date of this resolution.

Carried Unanimously

3. **Heritage Alteration Permit with Variance Application No. 00003 for 623 Avalon Road**

1. **Hearing**

Heritage Alteration Permit with Variances Application No. 00003

The City of Victoria will be considering the issuance of a Heritage Alteration Permit with a Variance for the land known as 623 Avalon Road and varying the *Zoning Regulation Bylaw* namely:

- To reduce the front yard setback from 7.50m to 4.35m

Legal description of the land: Lot 5, Beckley Farm, Victoria City, Plan 185

Michael Angrove (Planner): *Advised that the application is to allow a front yard relaxation for the previously approved application to rebuild the foundation, construct a rear addition, and add a second storey.*

Mayor Helps opened the public hearing at 8:27 p.m.

John Keay (Architect): Provided information regarding the need for the amendment to the previous application.

Mayor Helps closed the public hearing at 8:28 p.m.

2. **Heritage Alteration Permit with Variance Approval**

Motion:

It was moved by Councillor Madoff, seconded by Councillor Alto, that Council authorize the issuance of Heritage Alteration Permit with Variance Application No. 00003 for 623 Avalon Road, in accordance with:

1. Plans, date stamped March 20, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - Part 2.1.5 (a) -Reduction of the minimum required front yard setback from 7.50m to 4.35m.
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Director, Sustainable Planning and Community Development.
4. Heritage Alteration Permit lapsing two years from the date of this resolution.

Carried Unanimously

4. **2016 Annual Report**

1. **Opportunity For Public Comment**
2016 Annual Report

The purpose of the report is to present the 2016 Annual Report.

Mayor Helps asked if anyone would like to ask questions or comment on the 2016 Annual Report.

No members of the public spoke at this time.

2. **2016 Annual Report Approval**

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, that Council receive this report for information.

Carried Unanimously

REQUESTS TO ADDRESS COUNCIL

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, that the agenda be amended by allowing Mary Doody Jones to speak prior to the Short Term Rental topic.

Carried Unanimously

Motion:

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

Carried Unanimously

1. **Bryce Reynolds: Support for City of Victoria Grant**
Outlined why Council should support the local program called Soap for Hope that collects hygiene products from hotels and donates them to shelters in Victoria with a City of Victoria grant.
2. **Lise Anthony: Petition Submitted Requesting for Barnard Park Off-Leash Status**
Outlined why Council should consider designating Barnard Park as an off-leash dog park.
3. **Emily Rogers: Housing Crisis**
Outlined why Council should place a temporary moratorium on the demolition of rental buildings.
4. **Robert W. E. Laurie: 510-512 Yates Street Rezoning**
Outlined why Council should reconsider the Rezoning Application No. 00456 for 510-512 Yates Street.
5. **Megan Billings: Housing Crisis**
Outlined why Council should approve the moratorium on demolitions of buildings with more than four rental units.
6. **Gloria Back: Rezoning Application at 750 Pemberton Road**
Outlined for Council concerns relating to the Rezoning Application for 750 Pemberton Road.
7. **Peter Kerr: Moratorium on Demolition of Rental Housing**
Outlined why Council should deny the motion to place a moratorium on the demolition of rental units as it would stifle the creation of new purpose-built rental housing.
8. **Mary Doody Jones: Heritage Generally on Financial Aspects: Tourism and Jobs, Role of Grants, Climate Change Provisions**
Outlined for Council the financial advantages of heritage buildings.

Mayor Helps withdrew from the meeting at 9:09 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 9:09 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 9:09 p.m. due to a pecuniary conflict of interest with the following item, as she runs a Bed and Breakfast in her home.

9. **Blake MacKenzie: Short Term Rentals**
Outlined why Council should not ban Short Term Rentals in Victoria but create a licensing framework similar to Seattle.
10. **Nancy Paine: Short Term Rental Regulation**
Outlined why Council should not ban Short Term Vacation Rentals, and outlined their positive impacts.
11. **Liza Rogers: Short Term Rentals - AirBnB**
Outlined why Council should reconsider the amendments relating to Short Term Rentals in order to have a full understanding of the impact changing the rules, zoning, and taxation may have on Short Term Rentals.
12. **Octavian Cadabeschi: Short Term Vacation Rentals**
Outlined why Council should remove whole-unit Short Term Rentals as a permitted use.

13. **David Langlois: Short Term Vacation Rentals**
Outlined why Council should not ban Short Term Vacation rentals as they provide an economic value within the accommodation sector.
14. **Kyle Kerr: Short Term Vacation Rentals**
Outlined why Council should not ban Short Term Vacation Rentals for those properties that are currently properly zoned for that use.
15. **Rebecca Julseth: AirBnB & Rental Income Tax**
Outlined why Council should not ban Short Term Vacation Rentals as it relieves the financial burden of home ownership but apply a business tax.

Councillor Loveday withdrew from the meeting at 9:43 p.m.

Mayor Helps returned to the meeting at 9:43 p.m. and assumed the Chair.

Councillor Lucas returned to the meeting at 9:43 p.m.

Councillor Madoff returned to the meeting at 9:43 p.m.

16. **Robert Bradbury: Rezoning Application for 541 Herald Street**
Outlined why Council should reconsider their Rezoning Application for 541 Herald Street.

Councillor Loveday returned to the meeting at 9:45 p.m.

UNFINISHED BUSINESS

Motion:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that the agenda be amended moving item #14 in the June 22, 2017 Committee of the Whole report to item #3 under Unfinished Business.

Carried Unanimously

Councillor Thornton-Joe withdrew from the meeting at 9:48 p.m. due to a non-pecuniary conflict of interest with the following item, as her cousin is the president of the Asian Real Estate Board.

1. **Letter from the Capital Regional District**
Council received a letter dated April 24, 2017 seeking input on a motion regarding the Foreign Purchaser Property Transfer Tax, brought forward as per the Council Member Motion from May 11, 2017.

Motion:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that the City of Victoria place itself on record as endorsing the motion from the Capital Regional District.

Mayor Helps ruled the motion out of order, as Council was not given notice of motion.

Motion:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that item #1, Letter from the Capital Regional District and item #2, Letter from Generation Squeeze, under Unfinished Business be forwarded to the July 6, 2017 Committee of the Whole meeting.

Carried Unanimously

2. **Letter from Generation Squeeze**
Council received a letter dated April 20, 2017 expressing the organization's support for asking the province to apply the Foreign Buyers' Tax to Victoria and the Capital Regional District, brought forward as per the Council Member Motion from May 11, 2017.

Letter has been forwarded to the July 6, 2017 Committee of the Whole meeting.

3. **UBCM Resolution: Encouraging the Use Value of Residential Property**

Motion:

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

That Council endorse the following resolution for consideration at the 2017 UBCM convention and directs staff to forward copies to UBCM member local governments, as well as the Provincial and Federal ministers responsible for Finance and Housing, requesting favourable consideration:

Resolution: Encouraging the Use of Residential Property for Housing

WHEREAS residents and communities across British Columbia face acute housing affordability and housing availability challenges, threatening the economic security of individuals as well as the productivity and viability of local economies, as youth, seniors, people with disabilities and working people lack access to affordable housing options;

AND WHEREAS effective fiscal and taxation tools have been identified to address these challenges by encouraging the use of residential property to provide housing, and discouraging speculation, “flipping,” commodity investment and other market distortions aimed at maximizing the exchange-value of residential property for the owner, while contributing toward a sharp escalation in the price of housing;

THEREFORE BE IT RESOLVED THAT the Province of British Columbia and Government of Canada take action to introduce effective fiscal and taxation tools to encourage the use of residential property to provide housing, and discourage speculation, “flipping,” commodity investment and other market distortions that contribute toward a sharp escalation in the price of housing;

AND BE IT FURTHER RESOLVED THAT the Province of British Columbia consider adjusting the (1) Property Transfer Tax and (2) Capital Gains Tax Exemption for primary residences, to encourage residential occupancy and discourage speculation, including the option of a phased-in Capital Gains Tax exemption for primary residences that increases over time to encourage residential occupancy and discourage speculation;

AND BE IT FURTHER RESOLVED THAT the Province of British Columbia guarantee a dedicated and fixed portion of revenues from Capital Gains, Property Transfer and Land Value Capture taxes for municipal Affordable Housing and Transit infrastructure.

Councillor Thornton-Joe returned to the meeting at 9:56 p.m.

Amendment:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that paragraph five of the motion be amended as follows:

AND BE IT FURTHER RESOLVED THAT the Province of British Columbia ~~consider~~ adjusting the (1) Property Transfer Tax and (2) Capital Gains Tax Exemption for primary residences, to encourage residential occupancy and discourage speculation, including the option of a phased-in Capital Gains Tax exemption for primary residences that increases over time to encourage residential occupancy and discourage speculation;

On the amendment:
Carried Unanimously

Main motion as amended:

That Council endorse the following resolution for consideration at the 2017 UBCM convention and directs staff to forward copies to UBCM member local governments, as well as the Provincial and Federal ministers responsible for Finance and Housing, requesting favourable consideration:

Resolution: Encouraging the Use of Residential Property for Housing

WHEREAS residents and communities across British Columbia face acute housing affordability and housing availability challenges, threatening the economic security of individuals as well as the productivity and viability of local economies, as youth, seniors, people with disabilities and working people lack access to affordable housing options;

AND WHEREAS effective fiscal and taxation tools have been identified to address these challenges by encouraging the use of residential property to provide housing, and discouraging speculation, “flipping,” commodity investment and other market distortions aimed at maximizing the exchange-value of residential property for the owner, while contributing toward a sharp escalation in the price of housing;

THEREFORE BE IT RESOLVED THAT the Province of British Columbia and Government of Canada take action to introduce effective fiscal and taxation tools to encourage the use of residential property to provide housing, and discourage speculation, “flipping,” commodity investment and other market distortions that contribute toward a sharp escalation in the price of housing;

AND BE IT FURTHER RESOLVED THAT the Province of British Columbia adjust the (1) Property Transfer Tax and (2) Capital Gains Tax Exemption for primary residences, to encourage residential occupancy and discourage speculation, including the option of a phased-in Capital Gains Tax exemption for primary residences that increases over time to encourage residential occupancy and discourage speculation;

AND BE IT FURTHER RESOLVED THAT the Province of British Columbia guarantee a dedicated and fixed portion of revenues from Capital Gains, Property Transfer and Land Value Capture taxes for municipal Affordable Housing and Transit infrastructure.

On the main motion as amended:
Carried Unanimously

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

a. **From the June 15, 2017 Closed Council Meeting**

That Council:

1. Re-appoint Rus Collins for a three-year term to the Board of Variance, from July 1, 2017 to June 30, 2020.
2. Direct staff to rise and report on this appointment at the June 22, 2017 Council Meeting.

Carried Unanimously

b. **From the June 15, 2017 Closed Council Meeting**

1. That the City Task Force formerly called the Truth and Reconciliation Commission's (TRC's) Calls to Action Task Force be now called the Witness Reconciliation Program.
2. That the draft Terms of Reference previously associated with the former Truth and Reconciliation Commission's (TRC's) Calls to Action Task Force be replaced with the concepts outlined in this Report as the Witness Reconciliation Program.
3. That Council approves the concepts expressed herein as the Witness Reconciliation Program, and directs the Mayor in collaboration with the City Family and Witnesses, and such others as may be needed throughout the Program, to carry out the Program.
4. That updates on the progress of the Witness Reconciliation Program be presented to Council as part of the City's quarterly report.
5. That Council appoint the following individuals to the City Family at this time:
 - Mayor Lisa Helps
 - Councillor Marianne Alto
 - Councillor Charlayne Thornton-Joe
 - Brianna Dick (Songhees Nation)
 - Katie Hooper (Esquimalt Nation)
 - Carey Newman (Community)
 - Janice Simcoe (Community/Academic)
6. That Council rise and report on this Reconciliation Witness Program at the discretion of the Mayor.

Carried Unanimously

5. **Letter from the Ministry of Immigration, Refugees and Citizenship**

Council received a letter dated May 30, 2017 responding to a letter the City send to the Prime Minister of Canada requesting that the federal government work with settlement agencies and refugee settlement partners to improve the overall refugee processing and settlement system.

Motion:

It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that the correspondence dated May 30, 2017, from the Ministry of Immigration, Refugees and Citizenship be received for information.

Carried Unanimously

REPORTS OF COMMITTEES

1. **Committee of the Whole – January 12, 2017**

1. **Committee of the Whole Motion Correction from the January 12, 2017 Meeting**

Motion:

It was moved by Councillor Madoff, seconded by Councillor Alto, that Council approve the grant request as corrected:

- a. \$5,125 Victoria Civic Heritage Foundation
- b. \$2,153 Victoria Civic Heritage Trust

Amendment:

It was moved by Councillor Madoff, seconded by Councillor Alto, that the name of the foundation be corrected as follows:

- a. \$5,125 Victoria ~~Civic~~ Heritage Foundation

On the amendment:
Carried Unanimously

Main motion as amended:

That Council approve the grant request as corrected:

- c. \$5,125 Victoria Heritage Foundation
- d. \$2,153 Victoria Civic Heritage Trust

On the main motion as amended:
Carried Unanimously

2. **Committee of the Whole – June 15, 2017**

1. **City of Victoria Youth Council**

Motion:

It was moved by Councillor Alto, seconded by Councillor Coleman, that Council receive the presentation for information.

Carried Unanimously

2. **South Island Prosperity Project**

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Coleman, that receive the presentation for information.

Carried Unanimously

3. **Johnson Street Bridge Project Update**

Motion:

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

Carried Unanimously

4. **Crystal Pool Upgrade - Lessons Learned from Johnson Street Bridge**

Motion:

It was moved by Councillor Loveday, seconded by Councillor Thornton-Joe, that Council receive this report for information, and;

1. Direct staff - in addition to the Project Management Framework - to use this lessons learned report and future lessons learned reports to guide all future capital projects, and;
2. That training in regards to risk profile and lessons learned for major capital projects be provided to Council members, and;
3. Staff be directed to report to Council on the advisability of establishing a risk management function for capital projects.

Carried Unanimously

Mayor Helps withdrew from the meeting at 10:04 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 10:04 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 10:04 p.m. due to a pecuniary conflict of interest with the following item, as she runs a Bed and Breakfast in her home.

5. **Short Term Vacation Rentals – Regulatory Options**

Motion:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council direct staff to:

1. Limit short term rentals in Victoria to the greatest extent possible through appropriate language in the *Zoning Regulation Bylaw*, housing agreements, or other available tools to ensure that all new residential zoned units are used for the primary purpose of housing, rather than as short-term rentals (STR).
2. Bring forward a comprehensive scheme of business regulations for existing and future short term rentals. Such regulations may include:
 - a. requirements for a business licence for all short-term rentals
 - b. business licence fees
 - c. requirement that business activity comply with applicable strata rules
 - d. establishing appropriate rules for operation of short-term rentals.
3. Work with the BC Assessment Authority to ensure that properties used for short-term rental are properly assessed as Class 6- business and other and request the province to revise the regulations to facilitate appropriate assessment of properties used for transient accommodation.
4. Report back with a short-term rental enforcement strategy that will detail considerations for proactive enforcement of City-wide short-term rental including:
 - a. benefits and challenges of manual (staff led) enforcement vs. enlisting third party STR management assistance;
 - b. fines and escalatory action for non-compliance;
 - c. audit options to monitor adherence to rules and regulations;
 - d. engaging STR host platforms for regulatory cooperation;
 - e. additional policies, regulations, and programs to ensure compliance with regulations;

- f. expediting the time frame for rolling out enforcement;
- g. creating a dedicated short-term rental webpage for clarity and transparency regarding new regulations that outlines the City's progress on reducing short-term rental impact on long-term rental housing availability; and
- h. establishing a monitoring system to evaluate success of short-term rental regulations and the Short-Term Rental Enforcement Strategy.

Carried Unanimously

6. Correcting the Zoning of Residential Strata Buildings in Downtown Victoria

Motion:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council direct staff to:

1. Prepare bylaw amendments for first reading to correct the zoning of residential strata property in Downtown Victoria, removing transient accommodation as a permitted use;
2. Provide the following information to Council when the bylaw amendments are considered for first reading: (a) the number of buildings and units to which this change would apply; and (b) the resource requirements of initiating this change to the Zoning Regulation Bylaw; (c) legal non-conforming status;
3. Convene a public hearing as part of the rezoning process to provide members of the public, including owners of residential strata property in Downtown Victoria, with the opportunity to provide input to Council prior to final consideration of the bylaw amendments;
4. Invite residential strata councils to indicate to the City whether they consent by mutual agreement to amending Housing Agreements registered on title, to clarify that provisions barring strata councils from introducing bylaws restricting rentals shall apply only to rentals under the Residential Tenancy Act, and that strata councils shall have the authority to introduce bylaws restricting transient accommodation and short-term rentals.
5. Prepare these bylaw amendments for Council's consideration on a priority basis, reflecting the severity of the housing affordability and housing availability crisis in Victoria.

Carried

For: Councillors Alto, Coleman, Isitt, Loveday, and Thornton-Joe
Opposed: Councillor Young

Mayor Helps returned to the meeting at 10:23 p.m. and assumed the Chair.

Councillor Lucas returned to the meeting at 10:23 p.m.

Councillor Madoff returned to the meeting at 10:23 p.m.

7. Heritage Designation Application No. 000164 for 1402-1406 Douglas Street

Motion:

It was moved by Councillor Madoff, seconded by Councillor Thornton-Joe, that Council consider the following motion:

"That Council approve the designation of the property located at 1402-1406 Douglas Street, pursuant to Section 611 of the *Local Government Act*, as a Municipal Heritage Site and that first and second reading of the Heritage Designation Bylaw be considered by Council and a Public Hearing date be set."

Carried Unanimously

8. Application for a change to a Food-Primary License to add an Entertainment Endorsement to Liquor License (003279), Argyle Attic, 850 Blanshard Street

Motion:

It was moved by Councillor Isitt, seconded by Councillor Alto, that Council direct staff to provide the following response to the Liquor Licensing Agency:

1. Council, after conducting a review with respect to the location of the establishment, the occupant capacity and the hours of liquor service, supports the application of Argyle Attic, located at 850 Blanshard Street, to add an Entertainment Endorsement to their Food-Primary Liquor License. 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 that generated by the existing operations. It is understood that there is no change to the existing approved occupant load or hours of operation.
 - b. If the application is approved the impact on the community is expected to be positive, as the approval supports the long term viability of the business in the community. Approval is not expected to be disruptive to the community.
 - c. The views of residents were solicited via a mail-out to neighbouring property owners and occupiers within 50 metres of the licensed location, as well as a notice posted at the property. The City received one letter in support of the application.
 - d. Council recommends the issuance of the license as the requested change benefits the business and is compatible with the neighbourhood.

Carried Unanimously

9. Council Member Motion: Urban Development Institute Tour of Austin, Texas

Motion:

It was moved by Councillor Isitt, seconded by Councillor Coleman, that Council approve the attendance of Councillor Margaret Lucas at the UDI Tour of Austin, Texas.

Carried Unanimously

10. Update and Consolidation of Building and Electrical Bylaws

Motion:

It was moved by Councillor Madoff, seconded by Councillor Alto, that Council advance the proposed Building and Plumbing Bylaw to first, second, and third readings and that Council direct staff to:

1. Present the proposed Building and Plumbing Bylaw for information to the Urban Development Institute and the Victoria Residential Homebuilders Association as well as to the public at an in-house information session prior to adoption.
2. Revise applicable engineering bylaws and/or standards to address technical requirements related to infrastructure, site drainage and enforcement where they are more appropriately addressed.

Amendment:

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

1. Present the proposed Building and Plumbing Bylaw for information to the Urban Development Institute, **and** the Victoria Residential Homebuilders Association **and the BC Sustainable Energy Association**, as well as to the public at an in-house information session prior to adoption.

On the amendment:
Carried Unanimously

Main motion as amended:

That Council advance the proposed Building and Plumbing Bylaw to first, second, and third readings and that Council direct staff to:

1. Present the proposed Building and Plumbing Bylaw for information to the Urban Development Institute, the Victoria Residential Homebuilders Association, and the BC Sustainable Energy Association, as well as to the public at an in-house information session prior to adoption.
2. Revise applicable engineering bylaws and/or standards to address technical requirements related to infrastructure, site drainage and enforcement where they are more appropriately addressed.

On the main motion as amended:
Carried Unanimously

11. Rezoning Application No. 00571 for 2639-2641 Quadra Street

Motion:

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

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00571 for 2639-2641 Quadra Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set, with final approval only considered upon proof of registration of an executed Statutory Right-of-Way (SRW) of 3.2m on Quadra Street at the Land Titles Survey Authority.
2. 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. 00571, if it is approved, consider the following motion:
"That Council authorize the issuance of a Development Variance Permit for 639-2641 Quadra Street, in accordance with:
 - a. plans date stamped May 15, 2017
 - b. development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the parking requirements to one parking stall per 132m² for commercial uses.
 - c. the Development Variance Permit lapsing two years from the date of this resolution."

Carried Unanimously

12. Rezoning Application No. 00546 for 510-512 Yates Street

Motion:

It was moved by Councillor Alto, seconded by Councillor Madoff, that Council decline Rezoning Application No. 00546 for the property located at 510-512 Yates Street.

Carried Unanimously

13. Development Permit with Variances Application No. 00021 for 515 Foul Bay Road

Motion:

It was moved by Councillor Lucas, seconded by Councillor Alto, 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. 00021 for 515 Foul Bay Road for the subdivision of the panhandle lot and subsequent construction of three single-family dwellings, subject to the Heritage Designation of the existing house and registration of a Section 219 Covenant for tree protection, and a grant of an easement in common with the registered owner of 511 Foul Bay Road (the "Property") strictly for the purposes of allowing the registered owner of the Property access to and from the existing garage on the Property and Foul Bay Road, in accordance with:

1. Plans date stamped March 10, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Lot A: increase the maximum height from 5.00m to 7.80m
 - b. increase the maximum number of storeys from one to two
 - c. reduce the front setback from 7.50m to 1.22m (west)
 - d. reduce the side setbacks from 7.50m to 4.00m (north) and 3.74m (south)
- i. Lot B:
 - a. increase the maximum height from 5.00m to 7.70m
 - b. increase the maximum number of storeys from one to two
 - c. reduce the front setback from 7.50m to 6.81m (south)
 - d. reduce the side setbacks from 7.50m to 3.00m (east) and 2.68 (west)
- ii. Lot C:
 - a. increase the maximum height from 5.00m to 7.90m
 - b. increase the maximum number of storeys from one to two
 - c. reduce the front setback, from 7.50m to 0.69m (north)
 - d. reduce the side setbacks from 7.50m to 4.00m (east) and 1.85m (west)
- iii. Lot D (Existing House):
 - a. reduce the front setback from 7.50m to 1.58 (west)
 - b. reduce the rear setback from 7.50m to 2.00m (east)
 - c. reduce the side setback from 7.50m to 0.00m (north).
3. Retention of an International Society of Arboriculture certified arborist during construction to ensure the tree protection plan and protection of environmentally sensitive areas is followed.
4. Registration of a Housing Agreement to secure rental of the five unit house conversion for a ten year period.
5. The Development Permit lapsing two years from the date of this resolution.
6. Consideration of protection of the vegetation management areas and the natural topography to the west of Building D and south of Building C.
7. That a CALUC meeting be held and the meeting minutes be provided at the hearing.

Carried

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

14. Heritage Designation Application No. 000163 for 515 Foul Bay Road

Motion:

It was moved by Councillor Madoff, seconded by Councillor Thornton-Joe, that Council consider the following motion:

"That Council approve the designation of the property located at 515 Foul Bay Road, pursuant to Section 611 of the *Local Government Act*, as a Municipal Heritage Site and that first and second reading of the Heritage Designation Bylaw be considered by Council and a Public Hearing date be set."

Carried Unanimously

15. Victoria Housing Reserve Fund Program Update

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that Council direct staff to:

1. Implement all changes to the Victoria Housing Reserve fund approved at the November 24, 2016 Committee of the Whole Meeting; and
2. Further update the Fund Guidelines to incorporate the following changes developed during the consultation period:
 - a. add women and children;
 - b. increase income limits for affordable home ownership projects;
 - c. ensure financial health of project proponents;
 - d. cap the funding window to two years;
 - e. improve flexibility for how the fund maybe used;
 - f. require affordable home ownership projects to demonstrate how they are affordable and how they will remain so over the long term;

- g. expand funding eligibility criteria to include for-profit entities provided they enter into a partnering agreement;
- h. culturally appropriate First Nations housing to the priority target group.

Carried

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

16. Sidewalk Café Bylaw Update-Noise, Parklet Trial Installation and Fees for Use of Parking Stalls

Motion:

It was moved by Councillor Loveday, seconded by Councillor Thornton-Joe, that Council direct staff to:

1. Monitor potential noise issues related to sidewalk cafes under the existing Noise Bylaw and Nuisance (Business Regulation) Bylaw and report back to Council in two years with analysis and recommendations.
2. Bring forward amendments to the Sidewalk Cafe Bylaw to update the fees for sidewalk cafes using the adjacent parking stall so that it is double the amount currently charged for sidewalk cafes occupying a sidewalk.
3. Conclude the Parklet Trial Installation (700 block Fort Street) and bring back to Council proposed bylaw regulations for parklets including a 2 for 1 parking spot deal for groups of businesses and residents that come together to develop a parklet.

Carried Unanimously

17. Capital Regional District Arts and Culture Support Service Establishment Amendment Bylaw

Motion:

It was moved by Councillor Madoff, seconded by Councillor Alto, that Council postpone consideration of this matter until staff get more information from the CRD Arts Commission:

That Council advise the Capital Regional District that the City requests the Bylaw be amended to reduce the maximum Group 1 Participant contribution by the amount of the contributions of the Group 2 Participants.

Carried Unanimously

18. Municipal Finance Authority Socially Responsible Investments Survey

Motion:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council:

1. Direct staff to respond to the Municipal Finance Authority Socially Responsible Investment Fund survey question 3. "What is the dollar amount your organization would be willing to invest in an SRI fund?" noting the City would be willing to invest up to \$15 million in an SRI fund, to represent a maximum of 10% of the City's investment portfolio balance, consistent with the current Investment Policy.
2. Direct staff to report back on any financial impacts if the new fund is created by the Municipal Finance Authority.

Carried

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

3. Committee of the Whole – June 22, 2017

1. Development Permit with Variances Application No. 00037 for 1025, 1029, 1035, and 1075 Tolmie Avenue (Hillside/Quadra)

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, 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. 00037 for 1025, 1029, 1035 and 1075 Tolmie Avenue, in accordance with:

1. Plans date stamped April 7, 2017.
2. Development meeting all Zoning Regulations Bylaw requirement, except for the following variances:
 - i. Lot 2
 - a. reduce the front setback from 6.00m to 5.40m;
 - ii. Lot 3
 - a. reduce the front setback from 6.00m to 5.54m;
 - iii. Lot 5
 - a. permit required 7.0m drive aisle to project onto adjacent property (Lot 6);
 - iv. Lot 6
 - a. permit required 7.0m drive aisle to project onto adjacent property (Lot 5);

- v. Lot 7
 - a. permit required 7.0m drive aisle to project onto adjacent property (Lot 8);
- vi. Lot 8
 - a. reduce the side setback (south) from 7.50m to 5.31m;
 - b. reduce the side setback (north) from 4.00m to 2.75m.
- 3. The Development Permit lapsing two years from the date of this resolution.
- 4. Prior to the issuance of a building permit the appropriate encroachment agreement be executed to the satisfaction of the Director of Sustainable Planning and Community Development."

Carried Unanimously

2. UBCM Resolution: Local Partnerships for Energy Efficiency Retrofits

Motion:

It was moved by Councillor Coleman, seconded by Councillor Isitt, that Council endorse the following resolution and directs staff to forward copies to UBCM member local governments, as well as the Provincial ministers responsible for Climate Action, Finance and Housing, requesting favourable consideration:

Resolution: Local Partnerships for Energy Efficiency Retrofits

WHEREAS local governments across North America are partnering with other levels of government to provide incentive programs to property owners to save money and reduce the environmental impact of buildings, including incentive programs funded through local service charges to support the installation of solar energy technology options for solar photovoltaic, solar hot air and solar hot water;

AND WHEREAS municipal local improvement charges in British Columbia cannot currently include the provision of cost recovery for municipal services on private property;

THEREFORE BE IT RESOLVED THAT the Province of British Columbia work with local governments, First Nations governments and the federal government to introduce robust incentive programs to support residents, property owners and property managers in improving energy efficiency of buildings to address climate action and housing affordability objectives;

AND BE IT FURTHER RESOLVED THAT the Province of British Columbia enact legislation to allow the cost recovery of municipally-financed green energy technologies on private properties through municipal local improvement charges.

Carried Unanimously

3. Neighbourhood Association Engagement in Pre-Budget Process

Motion:

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

- 1. That Council direct the Neighbourhoods Team to canvas their respective Neighbourhood Associations each summer to gather input from the neighbourhoods to help shape the budget for the following year.
- 2. That Council direct staff to add this input gathering with Neighbourhood Associations to the Public Engagement Road Map for 2017 and 2018.

Carried Unanimously

4. UBCM Resolution: Optimizing Community Benefits of Forest Resources

Motion:

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

THAT Council endorse the following resolution for consideration at the 2017 annual convention of the Union of BC Municipalities, and directs staff to forward this resolution to member local governments requesting favourable consideration and resolutions of support:

Resolution: Optimizing Community Benefits of Forest Resources

WHEREAS British Columbia's regions are rich in forest resources, a renewable source of employment, revenues and materials that provide vital habitat for biological diversity, water quality, outdoor recreation and economic development;

AND WHEREAS employment and public revenues from British Columbia's forests have declined substantially in recent decades, at the same time that watersheds and ecosystems have experienced negative impacts due to existing forestry practices;

AND WHEREAS British Columbia's diverse communities can realize substantially improved outcomes from forest resources by adopting best practices in forest stewardship and forest management from Scandinavia and other jurisdictions;

THEREFORE BE IT RESOLVED THAT the Province of British Columbia work with First Nations, regional districts and municipalities to substantially improve community benefits of forest resources, including: expansion of community tenures, introduction of regional log markets, incentives for value-added production, and strengthened standards of forest stewardship to increase legislated protection of drinking watersheds and biological diversity.

Amendment:

It was moved by Councillor Coleman, seconded by Councillor Loveday, that the first paragraph of the motion be amended as follows:

THAT Council endorse the following resolution for consideration 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 Provincial Minister of Forests** requesting favourable consideration and resolutions of support:

On the amendment:
Carried Unanimously

Main motion as amended:

THAT Council endorse the following resolution for consideration 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 Provincial Minister of Forests requesting favourable consideration and resolutions of support:

Resolution: Optimizing Community Benefits of Forest Resources

WHEREAS British Columbia's regions are rich in forest resources, a renewable source of employment, revenues and materials that provide vital habitat for biological diversity, water quality, outdoor recreation and economic development;

AND WHEREAS employment and public revenues from British Columbia's forests have declined substantially in recent decades, at the same time that watersheds and ecosystems have experienced negative impacts due to existing forestry practices;

AND WHEREAS British Columbia's diverse communities can realize substantially improved outcomes from forest resources by adopting best practices in forest stewardship and forest management from Scandinavia and other jurisdictions;

THEREFORE BE IT RESOLVED THAT the Province of British Columbia work with First Nations, regional districts and municipalities to substantially improve community benefits of forest resources, including: expansion of community tenures, introduction of regional log markets, incentives for value-added production, and strengthened standards of forest stewardship to increase legislated protection of drinking watersheds and biological diversity.

On the main motion as amended:
Carried Unanimously

5. 2017 Micro Grant Applications

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, that Council approve the eligible Micro Grant applications outlined in Appendix A of the report dated June 14, 2017.

Carried Unanimously

6. Strategic Plan Grant Review Committee Report

Motion:

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council:

1. Approve the Grants and amounts proposed in the attached table of the report dated June 22, 2017.
2. Direct key staff to meet with Committee members to review questions and suggestions with respect to both policy and process as part of Council's evaluation of the pilot project after the 2017 Strategic Plan Grants have been awarded and prior to the intake of grants in 2018.

Carried Unanimously

7. Crystal Pool and Wellness Centre Renewal Project Update

Motion:

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

1. Receive this report for information.
2. Direct staff to work with the North Park Neighbourhood Association to develop a Memorandum of Understanding for the North Park use of the facility.
3. That 'Wellness' replace 'Fitness' in the project name.

Carried Unanimously

8. **Rezoning Application No. 00554 and Development Permit Application No. 00491 for 345 Quebec Street (James Bay)**

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto:

Rezoning Application No. 00554

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00554 for 345 Quebec Street; that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council; and a Public Hearing date be set after the execution of a Housing Agreement, to the satisfaction of City staff, to secure 219 residential rental units for a minimum of 20 years and to ensure that future strata bylaws cannot prohibit strata owners from renting residential strata units, *and that the transient use be removed from the zone.*

Development Permit Application No. 00491

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. 00554, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000491 for 345 Quebec Street, subject to the applicant revising the ground floor units to address privacy and street relationship issues to the satisfaction of the Director of Sustainable Planning and Community Development and in accordance with:

1. Plans dated June 5, 2017 (as amended to address privacy and street relationship issues)
2. Development meeting all Zoning Regulation Bylaw requirements;
3. The Development Permit lapsing two years from the date of this resolution."

Carried Unanimously

9. **Rezoning Application No. 00577 for 541 Herald Street (Downtown)**

Motion:

It was moved by Councillor Lucas, seconded by Councillor Madoff, that Council decline the application.

That Council refer the issue of defining 'schools' in the *Storefront Cannabis Retailer Rezoning Policy* to staff.

Motion to postpone:

It was moved by Councillor Loveday, that Council postpone consideration of the motion until after receiving a report back on defining schools.

Defeated due to no seconder

Council agreed to separate the motion as follows:

Motion:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council decline the application.

Carried Unanimously

Motion:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council refer the issue of defining 'schools' in the *Storefront Cannabis Retailer Rezoning Policy* to staff.

Carried Unanimously

Mayor Helps recalled the motion to refer the issue of defining 'schools' in the Storefront Cannabis Retailer Rezoning Policy to staff.

Amendment:

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

That Council refer the issue of defining 'schools' in the *Storefront Cannabis Retailer Rezoning Policy* to staff, **including consideration of hours of operation.**

Council discussed the following:

- *Whether hours of operation should be considered when taking into account the definition of a school.*

On the amendment:
Defeated Unanimously

On the main motion:
Defeated Unanimously

10. Rezoning Application No. 00545 for 750 Pemberton Avenue (Rockland)

Motion:

It was moved by Councillor Alto, seconded by Councillor Lucas, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00545 for 750 Pemberton Road, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation of the following document, executed by the applicant to the satisfaction of City Staff:
 - i. Housing Agreement to ensure the rental of the eight units in the existing heritage-designated house conversion, and two units in the existing coach house, would remain rental suites in perpetuity.
 - ii. Section 219 Covenant to secure the community garden on lot 2 and design of the three proposed single-family dwelling units by ensuring the dwelling units are constructed in accordance with the plans approved by Council.
 - iii. A no-build/non-disturbance and tree protection covenant to ensure there are no buildings or structures constructed in the proposed greenspace and the protection of the existing trees onsite.
 - iv. The applicant complete exploratory digging around the Black Pine and Elm trees to determine the location of the roots and potential impacts the construction of the proposed single family dwelling on lot 1 would have on the trees.

Amendment:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that the motion be amended to add a new condition as follows:

- v. **Enhanced screening for noise and privacy on the north side at the top stairwell landing of the coach house.**

On the amendment:
Carried Unanimously

Main motion as amended:

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00545 for 750 Pemberton Road, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation of the following document, executed by the applicant to the satisfaction of City Staff:
 - i. Housing Agreement to ensure the rental of the eight units in the existing heritage-designated house conversion, and two units in the existing coach house, would remain rental suites in perpetuity.
 - ii. Section 219 Covenant to secure the community garden on lot 2 and design of the three proposed single-family dwelling units by ensuring the dwelling units are constructed in accordance with the plans approved by Council.
 - iii. A no-build/non-disturbance and tree protection covenant to ensure there are no buildings or structures constructed in the proposed greenspace and the protection of the existing trees onsite.
 - iv. The applicant complete exploratory digging around the Black Pine and Elm trees to determine the location of the roots and potential impacts the construction of the proposed single family dwelling on lot 1 would have on the trees.
 - v. Enhanced screening for noise and privacy on the north side at the top stairwell landing of the coach house.

On the main motion as amended:
Carried Unanimously

Motion to extend meeting:

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that the meeting be extended until 11:30 p.m.

Carried Unanimously

11. Affordable Housing and Retention Policy

Motion:

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

When the rental apartment vacancy rate as provided by Canada Mortgage and Housing Corporation falls below 4% for Metro Victoria, no applications to demolish existing residential rental buildings containing more than four rental dwelling units shall be accepted, *to the greatest extent possible within the City's legal authority, for six months, while the following policy work is being completed and is received by Council:*

1. Completion of the Rental Housing Retention Review;
2. Adoption of a Standards of Rental Housing Maintenance Bylaw;

3. Adoption of a policy to ensure no net loss of affordable units with at least an equivalent number of units at the same rental price in new developments;
4. Progress toward development of a Rental Housing Incentive Program;
5. Investigation of increased municipal protections for tenants facing displacement due to renovations/demolitions, including priority for housing at comparable rents in refurbished/new units and increased compensation from landlords for displacement. The rental apartment vacancy rate shall be calculated in accordance with the provisions of the Residential Strata Titling Policy.

The rental apartment vacancy rate shall be calculated in accordance with the provisions of the Residential Strata Titling Policy.

That Council direct staff to bring forward a budget amendment drawing on the 2017 contingency to fund this work in an expedited manner, including the possibility of hiring a second housing planner on a contract basis.

That Council direct staff to provide further legal advice on this matter.

Amendment:

It was moved by Mayor Helps, seconded by Councillor Loveday, that the motion be amended to add the following:

That Council direct staff to work with renters groups, rental housing owners, and developers on items 1-5.

On the amendment:
Carried Unanimously

Main motion as amended:

When the rental apartment vacancy rate as provided by Canada Mortgage and Housing Corporation falls below 4% for Metro Victoria, no applications to demolish existing residential rental buildings containing more than four rental dwelling units shall be accepted, *to the greatest extent possible within the City's legal authority, for six months, while the following policy work is being completed and is received by Council:*

1. Completion of the Rental Housing Retention Review;
2. Adoption of a Standards of Rental Housing Maintenance Bylaw;
3. Adoption of a policy to ensure no net loss of affordable units with at least an equivalent number of units at the same rental price in new developments;
4. Progress toward development of a Rental Housing Incentive Program;
5. Investigation of increased municipal protections for tenants facing displacement due to renovations/demolitions, including priority for housing at comparable rents in refurbished/new units and increased compensation from landlords for displacement. The rental apartment vacancy rate shall be calculated in accordance with the provisions of the Residential Strata Titling Policy.

The rental apartment vacancy rate shall be calculated in accordance with the provisions of the Residential Strata Titling Policy.

That Council direct staff to bring forward a budget amendment drawing on the 2017 contingency to fund this work in an expedited manner, including the possibility of hiring a second housing planner on a contract basis.

That Council direct staff to provide further legal advice on this matter.

That Council direct staff to work with renters groups, rental housing owners, and developers on items 1-5.

On the main motion as amended:
Carried Unanimously

13. Letter to the Province Advocating Changes to the Residential Tenancy Act

Motion:

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

Be It Resolved that Council requests the Mayor write to the Premier of British Columbia and the Minister responsible for housing to advocate for changes to the Residential Tenancy Act to provide greater protections for tenants facing displacement due to "renovictions" including giving tenants the first right of refusal to return to their units at their existing rent. Landlords would be able to apply to the Residential Tenancy Branch to raise the rent if applicable.

Carried Unanimously

BYLAWS

1. Bylaw for Rezoning Application No. 00537 for 1010 Cook Street

Motion:

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

1. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1091) No. 17-029*

Carried

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

2. Bylaw for Rezoning Application No. 00566 for 778 Fort Street

Motion:

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

1. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1097) No. 17-044*

Carried

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

3. Bylaw for Rezoning Application No. 00553 for 1757 Newton Street

Motion:

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

1. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1093) No. 17-031*

Carried Unanimously

4. Bylaws for Proposed Burnside Gorge Neighbourhood Plan and Official Community Plan Amendments

Motion:

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

1. *Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 19) No. 17-071*

Carried Unanimously

Motion:

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

1. *Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 20) No. 17-072*

Carried Unanimously

5. Mobile Bicycle Vending Bylaw Amendments

Motion:

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

1. *Mobile Bicycle Vending Miscellaneous Amendments Bylaw, 2017, No. 17-073*

Carried Unanimously

6. Land Use Contract Discharge Bylaw

Motion:

It was moved by Councillor Alto, seconded by Councillor Lucas, that the following bylaw **be rescinded:**

1. *Land Use Contract Discharge (717 Market Street and 2735 Douglas Street) Bylaw No. 17-060*

Carried Unanimously

Motion:

It was moved by Councillor Alto, seconded by Councillor Coleman, that Council amend Bylaw No. 17-060 by:

1. Deleting "and 2735 Douglas Street" from the bylaw title and section 1; and
2. Deleting the definition of "Land" in section 2 and replacing it with the following:

""Land" means the land civically known as 717 Market Street and legally described as Lot 1, Section 4, Victoria District, Plan 32835."

That Bylaw No. 17-060 **be given second reading as amended.**

Carried Unanimously

7. Land Use Procedures Bylaw

Motion:

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

1. *Land Use Procedures Bylaw, Amendment Bylaw (No. 5) No. 17-054*

Carried Unanimously

CORRESPONDENCE

1. Letter from the Capital Regional District Board

Council received a letter dated May 23, 2017 that was sent to the Honourable Christy Clark regarding a request for provincial action to deliver on its climate action report commitments to support local and regional governments to reduce green house gas emissions, in which the City of Victoria was carbon-copied.

Motion:

It was moved by Councillor Alto, seconded by Councillor Coleman, that the correspondence dated May 23, 2017 from the Capital Regional District Board be received for information.

Carried Unanimously

NEW BUSINESS

1. Development Variance Permit No. 00189 for 735 Market Street

Council received a report providing information and recommendations regarding an application to reduce the parking requirement due to the proposed change of use on the ground floor from office to personal service to facilitate a physical rehabilitation business.

Motion:

It was moved by Councillor Coleman, seconded by Councillor Madoff, 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. 00189 for 735 Market Street, in accordance with:

1. Plans date stamped May 2, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Schedule C, section 16.C.4 - Relaxation of parking requirement from four spaces (one space per 37.50m²) to three spaces (one space per 60.85m²) for personal service use.
3. The Development Permit lapsing two years from the date of this resolution."

Carried Unanimously

2. UBCM Motion Regarding Provincial Share of Infrastructure Spending

Motion:

It was moved by Mayor Helps, seconded by Councillor Alto:

Whereas local governments receive 8 cents of each tax dollar collected in Canada;

And whereas municipalities own 60% of all Canadian infrastructure, face an enormous infrastructure debt, yet have the least ability to raise funds to cover that debt;

And whereas in the first phase of infrastructure spending the federal government committed 50% of the cost of infrastructure projects and will soon be negotiating the second phase of spending announced in the 2017 federal budget with a potential similar contribution;

Therefore be it resolved that UBCM request the Provincial government to match the Federal government's percentage of spending on infrastructure projects in phase two.

Amendment:

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

Therefore be it resolved that UBCM request the Provincial government to match the Federal government's percentage of spending on infrastructure projects ~~in phase two~~.

On the amendment:
Carried Unanimously

Main motion as amended:

Whereas local governments receive 8 cents of each tax dollar collected in Canada;

And whereas municipalities own 60% of all Canadian infrastructure, face an enormous infrastructure debt, yet have the least ability to raise funds to cover that debt;

And whereas in the first phase of infrastructure spending the federal government committed 50% of the cost of infrastructure projects and will soon be negotiating the second phase of spending announced in the 2017 federal budget with a potential similar contribution;

Therefore be it resolved that UBCM request the Provincial government to match the Federal government's percentage of spending on infrastructure projects.

On the main motion as amended:
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: 11:31 p.m.

Carried Unanimously

CERTIFIED CORRECT:

CITY CLERK

MAYOR