

**COMMITTEE OF THE WHOLE REPORT**  
**FROM THE MEETING HELD JUNE 15, 2017**

For the Council Meeting of June 22, 2017, the Committee recommends the following:

**1. City of Victoria Youth Council**

That Council receive the presentation for information.

**2. South Island Prosperity Project**

That Council receive the presentation for information.

**3. Johnson Street Bridge Project Update**

That Council receive the report for information.

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

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.

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

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
- h. establishing a monitoring system to evaluate success of short-term rental regulations and the Short-Term Rental Enforcement Strategy

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

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.

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

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."

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

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.

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

That Council approve the attendance of Councillor Margaret Lucas at the UDI Tour of Austin Texas.

**10. Update and Consolidation of Building and Electrical Bylaws**

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.

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

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 132m<sup>2</sup> for commercial uses.
  - c. the Development Variance Permit lapsing two years from the date of this resolution."

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

That Council decline Rezoning Application No. 00546 for the property located at 510-512 Yates Street.

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

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:
  - i. Lot A:
    - 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)
  - ii. 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)
  - iii. 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)
  - iv. 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.

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

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."

#### **15. Victoria Housing Reserve Fund Program Update**

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

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

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.

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

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.

**18. Municipal Finance Authority Socially Responsible Investments Survey**

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.