



MINUTES – VICTORIA CITY COUNCIL

MEETING OF THURSDAY, JANUARY 26, 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. 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; A. Meyer – Assistant Director of Development Services; J. Potter – Manager of Citizen Engagement; C. Mycroft – Executive Assistant to the City Manager; J. Handy – Senior Planner; L. Milburn – Senior Planner; P. Martin - Council Secretary.

GUEST: D. Manak – Acting Chief Constable of the Victoria Police Department.

APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Motion:
It was moved by Councillor Coleman, seconded by Councillor Alto, that the agenda be approved.

Amendment:
It was moved by Councillor Coleman, seconded by Councillor Alto, that Christopher Sylvester be added to the Request to Address Council section of the meeting.

On the amendment:
Carried Unanimously

On the main motion as amended:
Carried Unanimously

Yvonne Blomer, Poet Laureate, read a poem titled “And so they rise (in dream out of walls, from wood)”. Ms. Blomer then introduced the City’s new Youth Poet Laureate, Maita Cienska, who read a poem titled “New Year! Same God!”

Councillor Isitt joined the meeting at 6:35 p.m.

READING OF MINUTES

Motion:
It was moved by Councillor Coleman, seconded by Councillor Alto, that the following minutes be adopted:

1. Minutes from the Special Council meeting held October 13, 2016
2. Minutes from the Special Council meeting held October 27, 2016
3. Minutes from the Special Council meeting held November 3, 2016
4. Minutes from the Special Council meeting held November 10, 2016
5. Minutes from the meeting held January 12, 2017

Carried Unanimously

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. **Susan Kim: VicPD Mental Health Strategy**
Outlined why Council should decline the Victoria Police Department’s Mental Health Strategy request.
2. **Kat Palmateer: Budget for VicPD on ACT Team**
Outlined why Council should decline the Victoria Police Department’s Mental Health Strategy request.

3. **Bruce Dean: Police Budget**
Outlined why Council should decline the Victoria Police Department's Mental Health Strategy request.
4. **Orillia Gail: VicPD Budget Request**
Outlined why Council should decline the Victoria Police Department's Mental Health Strategy request.
5. **Douglas Curran: Affordable Housing and City Imposed Service Charges**
Outlined why the City's services charges are too high for the creation of affordable housing.
6. **Scott Carey: Proposal for Bylaws Concerning the Safety Regarding the Designated Driving Industry**
Outlined why Council should make bylaw amendments to ensure that designated driving companies are required to have insurance.

PROCLAMATIONS

Motion:

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

1. "Heart Month" – February 2017

Carried Unanimously

PUBLIC AND STATUTORY HEARINGS

1. **Rezoning Application No. 00473 for the Easterly 300 Block of Tyee Road and the Westerly 300 Block of Harbour Road (Undeveloped Lands as Dockside Green)**

1. **Public Hearing**

- Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 16) No. 17-007**

The purpose of this Bylaw is to amend the Official Community Plan by adding new design guidelines (the "Dockside Green Urban Design Guidelines (2016)" and the "BETA at Dockside Green Design Guidelines (2016)") to Development Permit Area 13: Core Songhees that will apply to the development of certain lands within the area marked "Dockside" in Map 64 of the Official Community Plan, and to exempt the subdivision of lands within the area marked "Dockside" in Map 64 of the Official Community Plan from the requirement for a Development Permit provided the subdivision is consistent with the Subdivision Plans set out in Appendix A to the Dockside Green Urban Design Guidelines (2016). The new Design Guidelines and the exemption of subdivisions from the requirement for a Development Permit will apply to the lands legally described below in the notice concerning Zoning Regulation Bylaw, Amendment Bylaw (No. 1076) – Bylaw No. 17-005, and which are also shown outlined in the accompanying map.

2. **Zoning Regulation**

The purpose of this Bylaw is to amend Part 12.9 – CD-9 Zone, Dockside District, of Bylaw No. 80-159, the Zoning Regulation Bylaw, by deleting sections 1 through 13, as well as Schedules A and B, and substituting the Regulations and Schedules set out in Appendix 1 to Bylaw No. 17-005. The Bylaw will alter the CD-9 Zone Regulations only as they apply to the lands shown outlined in the accompanying map, the legal descriptions are:

PID 027-424-791, Lot 6 District Lot 119 Esquimalt District Plan VIP84612;
 PID 027-424-804, Lot 7 District Lot 119 Esquimalt District Plan VIP84612;
 PID 027-424-821, Lot 9 District Lot 119 Esquimalt District Plan VIP84612;
 PID 027-424-839, Lot 10 District Lot 119 Esquimalt District Plan VIP84612;
 PID 027-424-847, Lot 11 District Lot 119 Esquimalt District Plan VIP84612;
 PID 017-941-865, Lot 4 District Lot 119 Esquimalt District Plan VIP53097;
 PID 024-236-462, Lot G District Lot 119 Esquimalt District Plan VIP67690; and
 PID 017-941-911, Lot 8 District Lot 119 Esquimalt District Plan VIP53097, Except Part in Plan VIP84612.

Jim Handy (Senior Planner): Advised that the application is to permit additional uses, increase permitted floor area, and amend the applicable design guidelines through amendments to the Official Community Plan Bylaw, Zoning Regulation Bylaw, and Land Use Procedures Bylaw.

Mayor Helps opened the public hearing at 7:12 p.m.

Norman Shearing (President of Dockside Green): Provided information regarding the application, which aims to create sustainability, public amenities, and affordable housing.

Ally Dewji (Director of Development): Provided information regarding the application by outlining the community engagement that has been undertaken.

Derek Lee (Project Manager): Provided information regarding the application by outlining the current design aspects of the application.

Ally Dewji: Provided information regarding the application by further outlining the amenities package, green buildings, transportation infrastructure, and advised that there will be ongoing consultation with the community as future applications are brought forward.

Council discussed the following:

- *The height and massing of the proposed developments.*
- *That each new building would require the approval of a development permit.*

Peter Schiønning (Front Street): Expressed concerns regarding the application as he believes the information provided by the applicant is misleading.

Doran Musgrove (Raider Street): Expressed concerns regarding the application as the Victoria West Community Centre has numerous concerns, specifically in regards to the development permit process.

Chris Hildreth (Owner of TOPSOIL): Expressed support for the application, as they are a proponent for urban agriculture, and the development's sustainability features are a positive attribute.

Sarah Shams (Colwood Resident): Expressed support for the application as it provides environmental sustainability, positive initiatives, and affordable housing.

Dan Hill (Burnhill Court): Expressed support for the application as it will be a good addition to the City and create affordable housing.

Morning Henderson (Cedar Avenue): Expressed support for the application as it will create affordable housing and environmental sustainability.

Nicole (Business Development and Community Outreach Manager for Modo the Car Co-Op): Expressed support for the application as it will help create a walkable, car-free community.

Nigel Deacon (Wharf Street): Expressed concerns regarding the application, as the emphasis on the environment is no longer a priority.

Caleb Behrs (Resident): Expressed support for the application as it will help to create a great City.

Joshua Samaldi (Haldi Place): Expressed support for the application as it will create affordable housing, will provide community amenities, and add to the local economy.

Joy McDonald (Admirals Road): Expressed support for the application as it is a supporter of the arts, and creates community amenities.

Kathleen Williams (Sitkum Road): Expressed support for the application as affordable housing and development will be positive in Victoria West.

Robert Brown (Harbour Road): Expressed support for the application as it will help create further affordable housing.

Robin Quinn (Saanich Resident): Expressed support for the application as it will create housing that is appealing for the growing technology industry.

Christine Collins (Newton Street): Expressed support for the application as it incorporates green space, sustainability, accessibility, and mixed use housing.

Doug Kelly (Sitkum Road): Expressed concerns regarding the application, as the 2005 application was preferable.

Willie Waddell (Tyee Road): Expressed support for the application as it will create affordable housing and it will create an inclusive community.

Michael Hawkins (Tyee Road): Expressed concerns regarding the application as inclusive, affordable housing needs to be considered.

John Rose (Sitkum Road): Expressed concerns regarding the application ,as the 2005 application was preferable.

Keith Dewie (Tyee Road): Expressed support for the application as more development should take place, and the developments should meet LEED standards.

Lee Tucker (Ware Road): Expressed support for the application as it will create more green energy management and community amenities.

Council discussed the following:

- *That the standard of the subdivided buildings can be consistent through Council's approval.*
- *The green standards that will be followed for future developments.*

- The affordable housing plan for the developments, which includes diversity in building rental and condominium buildings and the current requirements.
- The parking provisions that will be in place.
- At which stage the buildings will be connected to the current amenities.
- That the design guidelines would allow for consistency of design.

Mayor Helps closed the public hearing at 8:53 p.m.

Council recessed from 8:53 p.m. until 8:59 p.m.

3. **Bylaw Approval**

Motion:

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

1. Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 16) No. 17-007
2. Zoning Regulation Bylaw, Amendment Bylaw (No. 1076) No. 17-005

Carried Unanimously

4. **Bylaw Approval**

Motion:

It was moved by Councillor Madoff, seconded by Councillor Thornton-Joe, that the following bylaws **be adopted:**

1. Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 16) No. 17-007
2. Zoning Regulation Bylaw, Amendment Bylaw (No. 1076) No. 17-005
3. Land Use Procedures, 2016, Amendment Bylaw (No. 3) No. 17-006

Carried Unanimously

2. **Victoria Housing Strategy Implementation – Removing Minimum Unit Sizes**

1. **Public Hearing**

Zoning Regulation Bylaw, Amendment Bylaw (No. 1079) No. 16-094

The purpose of this Bylaw is to amend the *Zoning Regulation Bylaw* to remove minimum unit sizes from multi-unit zones throughout the City of Victoria and to include certain minimum livability standards for dwelling units within those zones. The proposed amendments will affect lands located in the following zones:

R3-AM-1 Zone, Mid-Rise Multiple Dwelling District
 R3-AM-2 Zone, Mid-Rise Multiple Dwelling District
 R3-G Zone, Garden Apartment District
 R-78 Zone, McClure Street Multiple Dwelling District
 R3-A-SC Zone, Low Profile Multiple Dwelling (Senior Citizen) District
 R3-L Zone, Low Density Multiple Dwelling District
 R3-1 Zone, Multiple Dwelling District
 R3-2 Zone, Multiple Dwelling District
 R3-B Zone, Bonus Multiple Dwelling District
 R3-H Zone, High Density Multiple Dwelling District
 R3-S Zone, Special Multiple Dwelling District
 R3-A1 Zone, Low Profile Multiple Dwelling District
 R3-A2 Zone, Low Profile Multiple Dwelling District
 CR-3 Zone, Commercial Residential Apartment District
 CR-3M Zone, Commercial Residential Apartment Modified District
 CR-G Zone, Commercial Residential Gorge Road District
 C1-NM Zone, Neighbourhood (Modified) Shopping District
 CR-4 Zone, Upper Cook Commercial Residential District
 CR-NP Zone, North Park Commercial Residential District
 CR-4-OB Zone, Oak Bay Commercial Residential District
 T-6 Zone, James Bay Transient Accommodation District
 CHP-R3 Zone, Cathedral Hill Precinct (Multiple Dwelling) District.

A. Meyer (Assistant Director of Development Services): Advised that the rezoning application is to amend the Zoning Regulation Bylaw to remove minimum residential unit sizes in multi-unit residential zones.

Mayor Helps opened the public hearing at 9:36 p.m.

Council discussed the following:

- The allowance of short term vacation rentals.

Roxanne Leese (Selkirk Aveue): Expressed support for the application as it would allow people who are marginalized to live with dignity.

Marg Gardner (Chair of James Bay Community Association): Expressed concerns regarding the application, as increased density in the James Bay neighbourhood would negatively affect the community.

Mayor Helps closed the public hearing at 9:52 p.m.

2. Bylaw Approval

Motion:

It was moved by Mayor Helps, seconded by Councillor Alto, that the following bylaw **be given third reading:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1079) No. 16-094

Council discussed the following:

- *That this would allow for more affordable housing.*
- *Whether the complete elimination of unit size is supportable.*

Motion to refer:

It was moved by Councillor Isitt, seconded by Councillor Madoff, that the motion be referred back to Committee Of The Whole to allow Council and staff to address concerns.

Council discussed the following:

- *Whether further refinements to the bylaw should be made.*
- *That amendments can be made at future meetings, while still allowing for affordable housing to be created in the interim.*

On the motion to refer:
Carried

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

REQUESTS TO ADDRESS COUNCIL

Motion:

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

Carried Unanimously

1. **Christine Brett: VicPD Mental Health Funding Application**
Outlined why Council should decline the Victoria Police Department's Mental Health Strategy request.
2. **Kevin Henry: #nocopsonoutreach**
Outlined why Council should decline the Victoria Police Department's Mental Health Strategy request.
3. **Stephen Portman: VicPD Budget Increase**
Outlined why Council should decline the Victoria Police Department's Mental Health Strategy request.
4. **Hilary Marks: Adding two officers to the ACT team**
Outlined why Council should accept the Victoria Police Department's Mental Health Strategy request.
5. **Julia Ford: Funding Request from Victoria Police Department**
Outlined why Council should decline the Victoria Police Department's Mental Health Strategy request.
6. **Ashley Mollison: VicPD budget proposal increase for mental health**
Outlined why Council should decline the Victoria Police Department's Mental Health Strategy request.
7. **Bruce Gillespie: Fort St. Bike Lane Proposal**
Outlined why Council should pause the Fort Street bike lane proposal to mitigate negative impacts.
8. **Jason Cridge: Fort St. Bike Lanes**
Outlined why Council should pause the Fort Street bike lane proposal to mitigate negative impacts.
9. **Khalela Bell: Alternatives to Police on Mental Health Teams**
Outlined why Council should decline the Victoria Police Department's Mental Health Strategy request.
10. **Robert Simon: Fort St. Corridor AAA Bike Route**
Outlined why Council should pause the Fort Street bike lane proposal to mitigate negative impacts.

Motion to extend meeting at 11:00 p.m.:

It was moved by Councillor Thornton-Joe, seconded by Councillor Isitt, that the meeting be extended until 12:30 a.m.

Carried Unanimously

11. **Anna McBee: Police Budget Request for Mental Health**
Outlined why Council should decline the Victoria Police Department's Mental Health Strategy request.
12. **Jack Philips: No to Police Mental Health Response Officers**
Outlined why Council should decline the Victoria Police Department's Mental Health Strategy request.

Mayor Helps withdrew from the meeting at 11:18 p.m. due to a potential non-pecuniary conflict of interest with the following item, due to her relationship with an AirBnB operator.

Councillor Alto assumed the Chair in her absence.

Councillor Lucas withdrew from the meeting at 11:18 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 11:18 p.m. due to a pecuniary conflict of interest with the following item, as she runs a Bed and Breakfast in her home.

13. **Ned Easton: Agenda Item H.1.a - #9 (Workshop - Short Term Vacation Rentals)**
Outlined why Council should refrain from writing to the province, asking that there be a repeal of Section 78(1)(b) of the Provincial Sales Tax exemption until all ramifications are understood.

Mayor Helps returned to the meeting at 11:22 p.m. and assumed the Chair.

Councillor Lucas returned to the meeting at 11:22 p.m.

Councillor Madoff returned to the meeting at 11:22 p.m.

14. **Christopher Silvester: Police Budget – Community Officer**
Outlined why Council should accept the Victoria Police Department's Mental Health Strategy request.

Motion:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Nick Montgomery be permitted to address Council under this section.

Amendment:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that the motion be amended to allow additional speakers lined up behind the podium, to address Council under this section.

On the amendment:
Carried Unanimously

On the main motion as amendment:
Carried Unanimously

15. **Nick Montgomery: Police Budget**
Outlined why Council should decline the Victoria Police Department's Mental Health Strategy request.
16. **Erin Donald: Police Budget**
Outlined why Council should decline the Victoria Police Department's Mental Health Strategy request.
17. **Brenda Leigh: Police Budget**
Outlined why Council should decline the Victoria Police Department's Mental Health Strategy request.
18. **Ben Caganzany: Police Budget**
Outlined why Council should accept the Victoria Police Department's Mental Health Strategy request.
19. **Reagan Elfport: Police Budget**
Outlined why Council should decline the Victoria Police Department's Mental Health Strategy request.
20. **Pierre Garrot: Police Budget**
Outlined why Council should decline the Victoria Police Department's Mental Health Strategy request.

UNFINISHED BUSINESS

1. **Victoria Police Mental Health Strategy**
Council received a verbal report from the Acting Chief Constable on the proposed Victoria Police Mental Health Strategy presented during the January 9, 2017 Special Committee of the Whole Meeting.
2. **2017-2021 Financial Plan**
Council received a report dated January 17, 2017 from the Director of Finance regarding the motion on the proposed mental health strategy.

Motion:

It was moved by Councillor Lucas, seconded by Councillor Coleman, that Council lift the following postponement motions from the Table for further consideration:

1. Fund first year of police support for vulnerable population pilot project, \$240,200 from 2016 surplus.
2. Subject to a report from police with regard to pilot project, to the satisfaction of the majority of Council, fund second year of pilot project, \$240,200 from 2017 surplus.
3. That Council direct staff to allocate any remaining surplus from 2016 to the Buildings and Infrastructure Reserve.

Carried Unanimously

Motion:

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

1. Fund first year of police support for vulnerable population pilot project, \$240,200 from 2016 surplus.
2. Subject to a report from police with regard to pilot project, to the satisfaction of the majority of Council, fund second year of pilot project, \$240,200 from 2017 surplus.
3. That Council direct staff to allocate any remaining surplus from 2016 to the Buildings and Infrastructure Reserve.

Amendment:

It was moved by Councillor Thornton-Joe, seconded by Councillor Coleman that the motion be amended as follows:

That Council:

1. Fund first year of police support for vulnerable population pilot project, **\$204,900** ~~\$240,200~~ from 2016 surplus.
2. Subject to a report from police with regard to pilot project, to the satisfaction of the majority of Council, fund second year of pilot project, **\$204,900** ~~\$240,200~~ from 2017 surplus.
3. That Council direct staff to allocate any remaining surplus from 2016 to the Buildings and Infrastructure Reserve.

On the amendment:
Carried Unanimously

Council discussed the following:

- *Whether the funding should come from the Victoria Police Department's current budget.*

Councillor Loveday withdrew from the meeting at 12:06 a.m. and returned at 12:07 a.m.

- *The purpose of the Assertive Community Treatment (ACT) team.*

Amendment:

It was moved by Councillor Thornton-Joe, seconded by Mayor Helps that the motion be amended by adding a point four as follows:

4. **That VicPD work with a cross section of community partners drawn from groups such as the DSP, and SIAC in developing an evaluation framework for the pilot project.**

Carried Unanimously

Amendment:

It was moved by Councillor Thornton-Joe, seconded by Councillor Coleman, that the motion be amended by adding a point five as follows:

5. **That the Mayor write to Island Health and ask for them to consider funding one of the ACT officers in the future.**

Amendment to the amendment:

It was moved by Councillor Thornton-Joe, seconded by Councillor Coleman, that the amendment be amended by adding a point five as follows:

5. **That the Mayor write to Island Health and ask for them to consider funding one of the ACT officers in 2017 the future.**

On the amendment to the amendment:
Defeated

For: Councillor Isitt

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

On the amendment:

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

Opposed: Councillors Alto, Isitt, and Loveday

Council discussed the following:

- Whether support of other health services would be a better option.

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Loveday, that the meeting be extended until 1:30 a.m.

Carried Unanimously

- Whether it is appropriate for this project to be funded by the City.

Councillor Isitt withdrew from the meeting at 12:33 a.m. and returned at 12:34 a.m.

- If further training for the police on dealing with the vulnerable population is necessary.

Main motion as amended:

That Council:

1. Fund first year of police support for vulnerable population pilot project, \$204,900 from 2016 surplus.
2. Subject to a report from police with regard to pilot project, to the satisfaction of the majority of Council, fund second year of pilot project, \$204,900 from 2017 surplus.
3. That Council direct staff to allocate any remaining surplus from 2016 to the Buildings and Infrastructure Reserve.
4. That VicPD work with a cross section of community partners drawn from groups such as the DSP, and SIAC in developing an evaluation framework for the pilot project.
5. That the Mayor write to Island Health and ask for them to consider funding one of the ACT officers in the future.

On main motion as amended:
Carried

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

3. Rezoning Application No. 00458 for 149 Montreal Street – Application Ready to Proceed to Public Hearing

Council received a report dated January 12, 2017 from the Director of Sustainable Planning and Community Development, providing and update on the application and recommending first and second reading of Zoning Regulation Bylaw, Amendment Bylaw (No. 1071) No. 17-015.

Motion:

It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that Council give first and second reading of Zoning Regulation Bylaw Amendment (Bylaw No. 17-015) and direct staff to set a Public Hearing date for Rezoning Application No. 00458 for 149 Montreal Street.

Motion to refer:

It was moved by Councillor Thornton-Joe, seconded by Councillor Coleman, that the motion be referred back to the next Committee of the Whole meeting for clarification.

On the motion to refer:
Carried Unanimously

4. Rise and Report From the October 6, 2016 Special Closed Council Meeting:

That Council authorizes the Mayor and Corporate Administrator to execute a Licence of Occupation between the City and Il Terrazzo Ristorante Ltd., 1321 Waddington Alley, for a period of two years from October 1, 2016 at an annual rent of \$5,150.00, in a form satisfactory to the City Clerk.

5. Rise and Report from the October 20, 2016 Special Closed Council Meeting:

That Council authorizes the Mayor and City Clerk to execute a lease, in a form satisfactory to the City Clerk, for premises at 740 Douglas Street for a period of two years commencing November 1, 2016 at a base rent of \$14,824.00 per annum, subject to the publication of the statutory notices required by the Community Charter.

6. Rise and Report from the December 1, 2016 Special Closed Council Meeting:

That Council authorizes the Mayor and City Clerk execute an extension of the lease agreement with the University of Victoria, in a form satisfactory to the City Clerk, for premises at 742 Johnson Street with Victoria City Studio for a period of three months commencing January 1, 2017, subject to the publication of the statutory notices required by the Community Charter.

REPORTS OF COMMITTEES

1. Committee of the Whole – January 19, 2017

1. Proclamations

Motion:

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

1. THAT staff be directed to create a standardized online form for proclamation requests, including the name of the sponsoring organization, the proposed date(s) of the proclamation, and the proposed text of the proclamation.
2. That staff report to Committee of the Whole with proclamation requests received in accordance with this prescribed form.
4. In order to be forwarded for Council's consideration, each proclamation request will require a resolution approved at Committee of the Whole.
5. That City Staff provide Council with a calendar each year with the proclamations made in the previous year.
6. That Council vote on each proclamation individually.
7. In consideration of proclamations that Council is fulfilling a request rather than taking a position

Carried Unanimously

2. Festival Investment Grants

Motion:

It was moved by Councillor Loveday, seconded by Councillor Alto, that Council approve the Festival Investment Grant allocations as recommended in Appendix 1 and 2 attached to the report dated January 12, 2017, for total cash grants of \$169,000 and in-kind grants up to \$115,500 including the \$15,000 in-kind contribution for Car Free Day already approved by Council.

Carried Unanimously

3. Advisory Bodies to Council

Motion:

It was moved by Councillor Loveday, seconded by Councillor Alto, that Council direct staff to bring forward policy options to address process enhancements for advisory bodies to Council.

Carried Unanimously

4. Bill C-323: Federal Heritage Tax Credit Bill

Motion:

It was moved by Councillor Madoff, seconded by Councillor Thornton-Joe, that the City of Victoria indicate its strong support of Bill C-323 and forward correspondence to The Honourable Catherine McKenna MP, The Honourable Murray Rankin MP, and The Honourable Peter van Loan MP.

Carried Unanimously

5. Canadian Capital Cities Organization Annual Board Meeting in Ottawa, Ontario, February 1-4, 2017

Motion:

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that Council authorizes the attendance and associated costs for Councillor Alto to attend the Canadian Capital Cities Organization Annual Board meeting to be held in Ottawa, Ontario, from February 1 – 4, 2017.

The approximate cost for attending is:

Travel	\$633.00
Accommodation	\$744.00
Incidentals	\$ 70.00
Cost per person	\$1447.00

Carried Unanimously

Councillor Thornton-Joe withdrew from the meeting at 1:00 a.m. due to a potential non-pecuniary conflict of interest with the following item, as her cousin is the president of the Asian Real Estate Association.

6. Extension of Vacancy Taxation and Additional Property Transfer Tax to Capital Region

Motion:

It was moved by Councillor Alto, seconded by Councillor Lucas, that the following motion be postponed for three months:

THAT Council endorse the following resolution and direct staff to forward copies to the Capital Regional District Board and the Mayors, Councillors and Directors of the thirteen municipalities and three electoral areas within the Capital Region, requesting favourable consideration and resolutions of support:

Resolution: Extension of Vacancy Taxation Authority and Additional Property Transfer Tax to Capital Region

WHEREAS the Government of British Columbia and Legislative Assembly responded to a housing affordability crisis in July 2016 by introducing a 15% Additional Property Transfer Tax on residential real-

estate purchases in Metro Vancouver by foreign entities – a policy that has helped curb rapid escalation of residential real-estate prices in that region;

AND WHEREAS the same legislation empowered the City of Vancouver to introduce a vacancy tax on residential properties;

AND WHEREAS there is a risk that application of these policies in a single region can create distortions in the real-estate market in other regions, including in the Capital Region, with a negative impact on housing affordability;

AND WHEREAS local government jurisdictions within the Capital Region have experienced sharp escalation in real-estate prices and land values in the past year, as well as growth in purchases by foreign entities since the Additional Property Transfer Tax was introduced in Metro Vancouver, undermining the Capital Regional District's Board Strategic Objective of increasing the supply of affordable housing;

THEREFORE BE IT RESOLVED THAT the Capital Regional District places itself on record requesting that the Government of British Columbia introduce legislation without delay to: (1) Extend Vacancy Taxation Authority to local governments within the Capital Region, and (2) Apply the 15% Additional Property Transfer Tax to purchases of residential real-estate by foreign entities in the Capital Region and utilize this increase to invest in affordable housing;

AND BE IT FURTHER RESOLVED THAT the Capital Regional District requests that purchases by individuals who live, work or pay provincial income tax in British Columbia be exempted from application of the Additional Property Transfer Tax;

AND BE IT FURTHER RESOLVED THAT the Capital Regional District requests that the Government of British Columbia introduce additional measures to curb speculation in residential real-estate and increase housing affordability in the region and province.

Amendment:

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

That the following motion be postponed for ~~two~~ **three** months:

On the amendment:
Defeated due to no seconder

On the motion:
Carried Unanimously

Councillor Thornton-Joe returned to the meeting at 1:02 p.m.

7. Extension of Vacancy Taxation and Additional Property Transfer Tax to Capital Region

Motion:

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

Motion to Refer:

That this motion be referred to the Movers and the Mayor for refinement, and that they look at past AVICC motions that are relevant:

THAT Council endorse the following resolution and forward copies to the Premier of British Columbia, the Ministers responsible for Local Government and Housing, the Association of Vancouver Island and Coastal Communities Annual Convention, and member local governments and regional districts in the Capital Region, AVICC and UBCM, requesting favourable consideration and resolutions of support.

Resolution: Extension of Vacancy Taxation Authority to Local Governments

WHEREAS the Government of British Columbia and Legislative Assembly responded to a housing affordability crisis in July 2016 by introducing legislation that empowered the City of Vancouver to introduce a surtax on vacant residential properties;

AND WHEREAS communities across British Columbia face acute housing affordability pressures, while a portion of the housing supply in all communities remains vacant, including properties that have remained derelict for years or decades;

AND WHEREAS vacant and derelict buildings pose substantial risks in terms of public safety in communities, as well as liveability and desirability for nearby and adjoining neighbourhoods and properties;

THEREFORE BE IT RESOLVED THAT the Province of British Columbia extend the authority to introduce a surtax on vacant residential properties to local governments across British Columbia, providing communities with the discretion to introduce taxation tools to discourage vacant and derelict buildings, and encourage the improvement of buildings to address housing affordability.

Carried Unanimously

Mayor Helps withdrew from the meeting at 1:03 a.m. due to a potential non-pecuniary conflict of interest with the following item, due to her relationship with an AirBnB operator.

Councillor Alto assumed the Chair in her absence.

Councillor Lucas withdrew from the meeting at 1:03 a.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 1:03 a.m. due to a pecuniary conflict of interest with the following item, as she runs a Bed and Breakfast in her home.

Councillor Loveday withdrew from the meeting at 1:03 a.m. due to a potential pecuniary conflict of interest with the following item, due to his association with Tourism Victoria.

8. Correspondence from the Hotel Association of Greater Victoria

Motion:

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that Council receive the report for information and refer the letter as part of the discussion on the next item regarding Short Term Vacation Rentals.

Carried Unanimously

Councillor Loveday returned to the meeting at 1:04 a.m.

9. Workshop: Short Term Vacation Rental

Motion:

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

Scenario 1: Entire condo with no transient zoning

1. That Council direct staff to proactively enforce current prohibition in zoning so Short-Term Vacation Rentals cease.
2. That staff report back to Council on options for permitting and enforcing limited, ancillary use of residential properties (in multi-unit and single-family dwellings, in all neighbourhoods in the city) by the occupants (owners or renters) for a limited number of maximum days in each calendar year for the commercial purpose of providing short-term vacation rentals.

Scenario 2: Entire condo with transient zoning

1. That Council direct staff to maintain zoning rights and proactively enforce through business license registration; monitor use through business license tracking and review collected data and assess annually the need for potential rezoning.
2. That Council direct staff to introduce language in the Zoning Bylaw and/or Housing Agreements for all new developments (in Downtown and all City neighbourhoods) to ensure that new residential-zoned units are used for the primary purpose of housing, rather than short-term vacation rentals.
3. That staff be directed to contact the BC Assessment Authority, drawing the Authority's attention to the existence of properties within the City of Victoria being used primarily for the commercial purpose of providing short-term vacation rentals, which should properly be classified (and taxed) as Commercial properties, rather than Residential properties.

Scenario 3: 1-2 bedrooms within occupied condo

That Council direct staff to permit and proactively enforce through business license registration and tracking.

Scenario 4: Entire homes

That Council direct staff to proactively enforce current regulations so Short-Term Vacation Rentals cease.

Scenario 5: Entire secondary suites (including garden suites)

That Council direct staff to proactively enforce current regulations so Short-Term Vacation Rentals cease.

Scenario 6: 1 - 2 Bedrooms within occupied SFD

That Council direct staff to proactively enforce current zoning rights through business license registration and monitor use through business license tracking.

1. That Council receive the December 23, 2016 report to guide and inform the short-term vacation rentals workshop on January 19, 2017; and
2. That staff report back with policy, regulatory and enforcement recommendations based on the workshop discussion.

Carried Unanimously

Councillor Loveday withdrew from the meeting at 1:05 a.m. due to a potential pecuniary conflict of interest with the following item, due to his association with Tourism Victoria.

Motion:

Scenario 1: Entire condo with no transient zoning

3. Motion to refer to the February 16, 2016 Committee of the Whole meeting and invite comment from the BnB Association, the Hotel Association and other operator, industry representatives that want to provide comment:
That the City write to the province asking there be a repeal of Section 78(1)(b) of the Provincial Sales Tax exemption and refund regulation.

Council discussed the following:

- *Clarification on when a letter would be written to the provincial government.*

Carried Unanimously

Mayor Helps returned to the meeting at 1:07 a.m. and assumed the Chair.

Councillor Lucas returned to the meeting at 1:07 a.m.

Councillor Madoff returned to the meeting at 1:07 a.m.

Councillor Loveday returned to the meeting at 1:07 a.m.

2. Committee of the Whole – January 26, 2017

1. Development Permit Application No. 000487 for 680 Montreal Street (James Bay)

Motion:

It was moved by Councillor Madoff, seconded by Councillor Thornton-Joe, that Council authorize the issuance of Development Permit Application No. 000487 for 680 Montreal Street in accordance with:

1. Plans date stamped December 14, 2016.
2. Development meeting all *Land Use Contract* requirements.
3. The Development Permit lapsing two years from the date of this resolution.

Carried Unanimously

Motion to recall:

The motion on the Development Permit Application No. 000487 for 680 Montreal Street (James Bay) was recalled by the Mayor by request of Councillor Isitt.

Council discussed the following:

- *Whether there were any concerns to be addressed.*

Amendment:

It was moved by Councillor Isitt, that the motion be referred back to Committee of the Whole.

On the amendment:
Defeated due to no seconder

On the motion:
Carried

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

2. Bylaw Officers

Motion:

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that Council approve the appointment of Lewis Elliot as a Bylaw Officer pursuant to Section 2 (a) of the Inspection Bylaw (06-061).

Carried Unanimously

3. Appointments to the Accessibility Working Group

Motion:

It was moved by Councillor Alto, seconded by Councillor Loveday, that Council rescind the appointment of Councillor Alto to the Accessibility Working Group, and appoint Councillor Thornton-Joe in her place, for the balance of the appointment term.

Carried Unanimously

4. Work Plan & Recommendation from the City of Victoria/Royal and McPherson Theatre Society Partners' Project Group

Motion:

It was moved by Councillor Alto, seconded by Councillor Madoff,

1. That Council endorse the RMTS/City of Victoria Partners Project work plan as outlined in this report.

2. That Council submit a recommendation to the CRD Board, for its February 8, 2017, agenda, requesting that the previously frozen Capital Funds earmarked for the McPherson Theatre be unfrozen for the 2017 budget year only.

Carried

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

5. Rezoning Application No. 00430 for 1303 Dallas Road – Clover Point Pump Station

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto,

1. That Council receive and file Bylaw No. 14-033.
2. That Council approve the Design Guidelines and Specifications for the Public Realm Improvements and Cycle Track for inclusion in the Clover Point Pump Station and Conveyance Pipe License of Occupation Agreements.
3. That Council accept the following public realm improvements and that these improvements be secured in the Licences of Occupation with the requirement that the final approval of the location and design of these improvements is made by Council to permit the Capital Regional District to occupy and expand the existing Clover Point Pump Station and install a conveyance pipe along Dallas Road:
 - i. public viewing plaza
 - ii. bike-pedestrian node to transition from the pedestrian path to the viewing plaza
 - iii. benches, bike kitchen (facilities for bicycle maintenance and repair), bike racks and water fountain
 - iv. public washrooms
 - v. two replanted grassed open spaces to the west and east of the plaza
 - vi. pedestrian paths connecting to the Ross Bay seawall
 - vii. separated bike path from the north edge of the zoned area to Dallas Road
 - viii. intersection improvements at Clover Point Road and Dallas Road
 - ix. cycle track along Dallas Road from Clover Point to Dock Street
 - x. interpretive signage and wayfinding signs at the Plaza and along the Cycle Track
 - xi. barrier-fencing between the cycle track and the off-leash dog areas along Dallas Road where potential conflicts may occur.
4. That Council accept the conceptual conveyance pipe alignment with the requirement that the final approval is by Council.
5. That Council authorize the Mayor and the City Clerk to execute Licences of Occupation consistent with the requirements of recommendation 3 and in a form satisfactory to the City Solicitor for the Clover Point Pump Station and the conveyancing along Dallas Road; such licences to be subject to adoption of the S-10-CP Zone, Services Clover Point District.
6. That Council instruct staff to prepare the necessary Zoning Regulation Amendment Bylaw that would authorize the proposed development outlined in Rezoning Application No.00430 for 1303 Dallas Road, that first and second reading of the Zoning Regulation Amendment bylaw be considered by Council and a Public Hearing date be set by staff subject to the execution of the Licences of Occupation and all documents associated with this transaction be submitted to the City.
7. That Council direct staff to explore the possibility of having electric vehicle charging stations at Clover Point.
8. That Council direct staff to hold a community workshop on the design elements of Clover Point and the bikeway within the approved design guidelines.
9. That Council direct staff to consult with the artist in residence and the aboriginal artist in residence for consideration of the inclusion of public art.
10. That Council approve the revised Design Guidelines in relation to the Dallas Road Cycle Track.

Council discussed the following:

- *The pedestrian crossing between Cook Street and Dallas Road*

Carried Unanimously

Motion to extend meeting:

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council extend the meeting until 1:40 a.m.

Carried Unanimously

6. Regional Growth Strategy Formal Referrals

Motion:

It was moved by Councillor Alto, seconded by Councillor Lucas, that Council advise the Capital Regional District (CRD) Board that the City of Victoria accepts CRD Bylaw No. 4017 to enact the 2016 *Regional Growth Strategy* for the Capital Region.

Carried

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

7. Accessibility Working Group Report

Motion:

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

- 1) Direct staff to report back with resource and timing implications at the next quarterly update regarding the AWG recommendation to hire an individual be contracted/hired to work with the AWG in identifying barriers for persons with disabilities, examine existing City accessibility policies and procedures, make policy recommendations, develop an accessibility framework, and provide on-going staff training and support, and report back on which 2017 projects may need to be done in 2018 as a result.
- 2) Approve amendments to the 2017 Financial Plan for new capital projects to be funded from the Accessibility Capital Reserve: a. "Truncated Dome Pilot Project" with a budget of \$30,000. b. "Accessible Pedestrian Signals Pilot Project" with a budget of \$30,000.
- 3) Update the Terms of Reference for the Accessibility Working Group to become an Advisory Committee as defined in the Council Procedures By-law 16-011.
- 4) Direct staff to include accessibility impacts on all reports to Council.

Carried Unanimously

8. Greater Victoria Harbour Authority – Legacy Project – Breakwater 100th Anniversary

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that Council endorse the Breakwater 100th Anniversary Project as the sole Legacy Fund applicant in the City to commemorate the 100th anniversary of the Ogden Point Breakwater and that the City provide in-kind support for the unveiling event from the existing special events budget in Arts and Culture.

Carried Unanimously

BYLAWS

1. FIRST READING

a. Bylaw for Rezoning Application for 8 and 10 Philippa Place

Motion:

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

1. *Zoning Regulation Bylaw, Amendment Bylaw (No.1084) No. 17-014*

Carried Unanimously

b. Bylaw to Permit Taxi Stands at Designated Fire Hydrants

Motion:

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

1. *Streets and Traffic Bylaw, Amendment Bylaw (No. 7) No. 16-089*

Carried Unanimously

2. SECOND READING

a. Bylaw for Rezoning Application for 8 and 10 Philippa Place

Motion:

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

1. *Zoning Regulation Bylaw, Amendment Bylaw (No.1084) No. 17-014*

Carried Unanimously

b. Bylaw to Permit Taxi Stands at Designated Fire Hydrants

Motion:

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

1. *Streets and Traffic Bylaw, Amendment Bylaw (No. 7) No. 16-089*

Carried Unanimously

3. THIRD READING

a. Bylaw to Permit Taxi Stands at Designated Fire Hydrants

Motion:

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

1. *Streets and Traffic Bylaw, Amendment Bylaw (No. 7) No. 16-089*

Carried Unanimously

3. **ADOPTION**

a. **Heritage Property Protection and Land Use Procedures Amendment Bylaws**

Motion:

It was moved by Councillor Madoff, seconded by Councillor Coleman, that the following bylaws be adopted:

1. Heritage Property Protection, Amendment Bylaw (No. 2) No. 17-011
2. Land Use Procedures Bylaw, Amendment Bylaw (No. 2) No. 17-012

Carried Unanimously

b. **Bylaw for Pesticide Use Reduction**

Motion:

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

1. Pesticide Use Reduction Bylaw, Amendment Bylaw (No. 1) No. 16-066

Carried Unanimously

CORRESPONDENCE

1. **Letter from the British Columbia Rifle Association**

Council received a letter dated December 13, 2016 thanking the City for their continued support of the British Columbia Rifle Association's annual British Columbia Target Rifle and F-Class Championship

Motion:

It was moved by Councillor Coleman, seconded by Councillor Young, that the correspondence dated December 13, 2016 from the British Columbia Rifle Association be received for information.

Motion to extend meeting:

It was moved by Councillor Thornton-Joe, seconded by Councillor Coleman, that Council extend the meeting until 1:45 a.m.

Carried Unanimously

Amendment:

It was moved by Councillor Loveday, seconded by Councillor Young, that the Mayor write a letter of congratulations to the 2016 winner of the City of Victoria Trophy and the City of Victoria medal during the 132nd Annual British Columbia Target Rifle and F-Class Championship.

On the amendment:
Carried Unanimously

On the main motion as amended:
Carried Unanimously

QUESTION PERIOD

A question period was held.

ADJOURNMENT

Motion:

It was moved by Councillor Coleman, seconded by Councillor Loveday, that the Council meeting adjourn.
Time: 1:41 p.m.

Carried Unanimously

CERTIFIED CORRECT:

CITY CLERK

MAYOR