



MINUTES – VICTORIA CITY COUNCIL

MEETING OF THURSDAY, SEPTEMBER 22, 2016, AT 6:32 P.M.

PLACE OF MEETING: Council Chambers, City Hall

PRESENT: Councillor Thornton-Joe in the Chair, Councillors Coleman, Isitt, Loveday, and Young

ABSENT: Mayor Helps, Councillors Madoff and Lucas

PRESENT FOR A PORTION OF THE MEETING THROUGH ELECTRONIC PARTICIPATION: Councillor Alto

STAFF PRESENT: J. Johnson – City Manager; J. Jenkyns - Deputy City Manager; C. Coates - City Clerk; P. Bruce – Fire Chief; M. Harris – Strategic Planning and Communications Advisor; S. Thompson – Director of Finance; A. Meyers – Assistant Director of Development Services; C. Havelka – Deputy City Clerk; C. Mycroft – Executive Assistant to the City Manager; 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 Loveday, that the agenda be approved as amended.

Carried Unanimously

READING OF MINUTES

Motion:

It was moved by Councillor Isitt, seconded by Councillor Young, that the minutes of the special meeting held August 18, 2016, be approved.

Carried Unanimously

REQUESTS TO ADDRESS COUNCIL

1. **Brian Lepine: Petition to save Clover Point Park**

Outlined reasons why Council should acknowledge the community's opposition to the proposal of a major sewage treatment plant being located at Clover Point Park.

PROCLAMATIONS

Motion:

It was moved by Councillor Coleman, seconded by Councillor Isitt, that the following Proclamations be endorsed:

1. "Community Living Month" – October 2016
2. "Manufacturing Month" – October 2016
3. "Occupational Therapy Month" – October 2016
4. "Fire Prevention Week 2016" – October 9th to 15th, 2016

Carried Unanimously

Motion:

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

1. "International Blasphemy Rights Day" – September 30, 2016

Council discussed the following:

- *Whether the wording of the proclamation is appropriate.*

Amendment:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that the proclamation be amended by removing the final “whereas”.

On the amendment:

Carried

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

On the main motion as amended:

Carried

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

PUBLIC AND STATUTORY HEARINGS

1. Heritage Designation Application No. 000160 for 564-572 Fisgard Street and 1706-1708 Government Street

1. Hearing

Heritage Designation Application No. 000160

Under the provisions of the Local Government Act, the City of Victoria intends to designate the exterior of the building located at 564 - 572 Fisgard Street/1706 - 1708 Government Street, legally described as the northerly 40 feet of Lot 459, Victoria City, as protected heritage property, under Heritage Designation (564 - 572 Fisgard Street/1706 - 1708 Government Street) Bylaw No. 16-071.

Alison Meyer (Assistant Director of Development Services): Provided information regarding the heritage designation application.

Councillor Thornton-Joe opened the public hearing at 6:50 p.m.

Councillor Thornton-Joe closed the public hearing at 6:53 p.m.

2. Bylaw Approval

It was moved by Councillor Isitt, seconded by Councillor Thornton-Joe, that the following bylaw **be given third reading:**

1. Heritage Designation (564-572 Fisgard Street / 1706-1708 Government Street) Bylaw No. 16-071

Carried Unanimously

3. Bylaw Approval

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

1. Heritage Designation (564-572 Fisgard Street / 1706-1708 Government Street) Bylaw No. 16-071

Carried Unanimously

2. Heritage Designation Application No. 000159 for 539-545 ½ Fisgard Street and 16-20 Fan Tan Alley

1. Hearing

Heritage Designation Application No. 000159

Under the provisions of the Local Government Act, the City of Victoria intends to designate the exterior of the building located at 539 - 545½ Fisgard Street/16 - 20 Fan Tan Alley, legally described as Lot 444, Victoria City, except the easterly 40 feet of said lot and Lot 445, Victoria City, as protected heritage property, under Heritage Designation (539 - 545½ Fisgard Street/16 - 20 Fan Tan Alley) Bylaw No. 16-070.

Alison Meyer (Assistant Director of Development Services): Provided information regarding the heritage designation application.

Councillor Thornton-Joe opened the public hearing at 6:55 p.m.

Councillor Thornton-Joe closed the public hearing at 6:56 p.m.

2. Bylaw Approval

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

1. Heritage Designation (539-545 ½ Fisgard Street / 16-20 Fan Tan Alley) Bylaw No. 16-070

Carried Unanimously

3. **Bylaw Approval**

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that the following bylaw be adopted:

1. *Heritage Designation (539-545 ½ Fisgard Street / 16-20 Fan Tan Alley) Bylaw No. 16-070*

Carried Unanimously

UNFINISHED BUSINESS

1. **Adoption of Storefront Cannabis Retailer Rezoning Policy**

It was moved by Councillor Isitt, seconded by Councillor Coleman, that Council adopt the proposed Storefront Cannabis Retailer Rezoning policy.

Carried Unanimously

2. **Letter from the District of North Saanich regarding Nav Canada and the Ruling that Favoured Municipalities in the Assessment of Single Use Properties**

It was moved by Councillor Coleman, seconded by Councillor Loveday, that the correspondence dated August 25, 2016, from the District of North Saanich be received for information.

Carried Unanimously

REPORTS OF COMMITTEES

1. **Committee of the Whole – September 15, 2016**

1. **Draft Burnside Gorge Neighbourhood Plan**

It was moved by Councillor Young, seconded by Councillor Isitt, that Council direct staff to proceed with public review of the draft Burnside Gorge Neighbourhood Plan, August 2016, and to hold a workshop with Council as part of the Committee of the Whole schedule before presenting the final plan to Council.

Carried Unanimously

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

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

1. Prepare amendments to the *Zoning Regulation Bylaw* to remove minimum residential unit size regulations and add new regulations that address liveability in the following zones:
 - i. R3-AM-1 Zone, Mid-Rise Multiple Dwelling District
 - ii. R3-AM-2 Zone, Mid-Rise Multiple Dwelling District
 - iii. R3-G Zone, Garden Apartment District
 - iv. R-78 Zone, McClure Street Multiple Dwelling District
 - v. R3-A-SC Zone, Low Profile Multiple Dwelling (Senior Citizen) District
 - vi. R3-L Zone, Low Density Multiple Dwelling District
 - vii. R3-1 Zone, Multiple Dwelling District
 - viii. R3-2 Zone, Multiple Dwelling District
 - ix. R3-B Zone, Bonus Multiple Dwelling District
 - x. R3-H Zone, High Density Multiple Dwelling District
 - xi. R3-S Zone, Special Multiple Dwelling District
 - xii. R3-A1 Zone, Low Profile Multiple Dwelling District
 - xiii. R3-A2 Zone, Low Profile Multiple Dwelling District
 - xiv. CR-3 Zone, Commercial Residential Apartment District
 - xv. CR-3M Zone, Commercial Residential Apartment Modified District
 - xvi. CR-G Zone, Commercial Residential Gorge Road District
 - xvii. C1-NM Zone, Neighbourhood (Modified) Shopping District
 - xviii. CR-4 Zone, Upper Cook Commercial Residential District
 - xix. CR-NP Zone, North Park Commercial Residential District
 - xx. CR-4-OB Zone, Oak Bay Commercial Residential District
 - xxi. T-6 Zone, James Bay Transient Accommodation District
 - xxii. CHP-R3 Zone, Cathedral Hill Precinct (Multiple Dwelling) District.
2. That staff bring forward the proposed zoning amendments for consideration of first and second readings in the Fall of 2016,
3. That the City notify:
 - i. the Community Association Land Use Committees, the Urban Development Institute, Together Against Poverty Society, and members of the Mayor's Task Force on Housing Affordability on the proposed zoning amendments through a stakeholder email with an opportunity to comment at a public hearing
 - ii. the general public through newspaper notices and the City's website and social media channels, with an opportunity for comment up to and at the public hearing.
4. That the zoning amendments include the requirement for an operable window in each unit.

Carried Unanimously

3. **Afghanistan War Memorial Placement**

It was moved by Councillor Coleman, seconded by Councillor Young, that Council approve the final location of the Afghanistan War Memorial, as described in Appendix B of the September 2, 2016 report, on the Rockland Avenue greenway, and that all costs associated with the installation be borne by the Afghanistan Memorial Committee.

Carried Unanimously

4. **City Governance – Six Month Review**

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

1. Confirm the ongoing use of Committee of the Whole as Council's Committee system.
2. Confirm the use of weekly Closed Council meetings if necessary, at the conclusion of Committee of the Whole when required and direct staff to amend and advertise the change to Council's meeting schedule for the remainder of 2016.
3. Direct staff to bring forward amendments to the Council Procedure Bylaw to establish a Presentations Section for Committee of the Whole and a procedure to cancel scheduled meetings if necessary.
4. Direct staff to develop for Council's consideration an External Agency Participation Policy for Council Meetings and a policy for partner agencies and intergovernmental business at committee meetings.

THAT Council direct staff to bring forward an amendment to the Council Bylaw to introduce a new sub-section 16(6), modeled on the following language:

"The Mayor is empowered to maintain decorum and respect for human rights in the Council Chamber during an address under this section."

AND THAT the existing sub-sections 16(6) and 16(7) be renumbered 16(7) and 16(8).

Carried Unanimously

2. **Committee of the Whole – September 22, 2016**

1. **Johnson Street Bridge Replacement Project Quarterly Update**

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

Carried Unanimously

2. **2016 Second Quarter Reports**

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

1. That Council receive the Victoria Police 2016 Second Quarter Report for information.
2. That Council receive the 2016 Second Quarter Report for information.

Carried Unanimously

3. **My Great Neighbourhood Grant Applications**

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council approve the eligible 2016 My Great Neighbourhood Grant applications.

Carried Unanimously

4. **Park Improvement Plan for Topaz Park**

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

1. That Council direct staff to work with the community to develop a Park Improvement Plan for Topaz Park, to be completed by December 2017.

Carried Unanimously

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

1. That Council direct staff to complete the removal of the broken asphalt surface and fencing where the tennis courts previously existed.

Council discussed the following:

- *Whether the removal of the tennis court is appropriate at this time.*

Carried

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

5. **Project Update: Crystal Pool Changeroom Renovation**

It was moved by Councillor Loveday, seconded by Councillor Coleman, that Council direct staff to re-post the Request for Offer (RFO) in Fall 2016.

Carried

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

6. **950 Kings Road - City Support for Community Use of Gymnasium**

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

1. The use of \$15,000 for initial repairs and \$25,000 in 2016 building operating costs, from the Corporate Contingency Account in 2016.
2. The ongoing annual operational funding in the Financial Plan of \$49,000 with the specific funding source to be determined through the budget process for 2017 and beyond.
3. Directing staff to include 950 Kings Road in the 2017-2019 permissive tax exemption bylaw.

Carried Unanimously

NOTICE OF MOTIONS

1. **Notice of Motion for October 13, 2016 Council Meeting**

Council was notified of a notice of motion provided by Councillor Isitt regarding *Advocacy for Clemency for Leonard Peltier*, which will be further discussed at the October 13, 2016 Council meeting.

BYLAWS

Councillor Alto joined the meeting electronically at 7:14 p.m.

1. **FIRST READING**

Motion:

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

1. *Tax Exemption (Permissive) Bylaw, 2017-2019 No. 16-074*

Carried Unanimously

2. **SECOND READING**

Motion:

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

1. *Tax Exemption (Permissive) Bylaw, 2017-2019 No. 16-074*

Carried Unanimously

3. **THIRD READING**

Motion:

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

1. *Tax Exemption (Permissive) Bylaw, 2017-2019 No. 16-074*

Carried Unanimously

Councillor Coleman withdrew from the meeting at 7:17 p.m. due to a potential pecuniary conflict of interest, as his wife is an employee of the Anglican Synod of the Diocese of BC.

4. **FIRST READING**

Motion:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that the following bylaws **be given first reading:**

1. *Tax Exemption (Permissive) Bylaw, 2017-2019 No. 16-075*

Carried Unanimously

5. **SECOND READING**

Motion:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that the following bylaws **be given second reading:**

1. *Tax Exemption (Permissive) Bylaw, 2017-2019 No. 16-075*

Carried Unanimously

6. **THIRD READING**

Motion:

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

1. *Tax Exemption (Permissive) Bylaw, 2017-2019 No. 16-075*

Carried Unanimously

Councillor Coleman returned to the meeting at 7:18 p.m.

Acting Mayor Councillor Thornton-Joe withdrew from the meeting at 7:18 p.m. due to a potential pecuniary conflict of interest, as her husband works for BC Transit.

Councillor Young assumed the Chair in her absence.

REPORTS OF COMMITTEES

1. **Committee of the Whole – September 15, 2016**

1. **Southbound Douglas Street Bus Lanes – Update on April 2016 Engagement/Final Decision**

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

1. Direct staff to progress discussions with regional partners to determine how to best manage and/or integrate high-occupancy and more sustainable transportation with regional, dedicated bus lanes;
2. Direct staff to work with local woodworking guild and education partners to ensure that wood materials are most appropriately utilised;
3. Approve the 24 hour bus lane design subject to the funding agreement and direct staff to continually assess bus-lane performance and make any necessary adjustments to promote the most optimal traffic-management along Douglas Street.
4. Authorize the Mayor and the City Clerk to execute a funding agreement with BC Transit, in a form acceptable to the City Solicitor, to enable BC Transit to fund construction of a southbound bus lane on Douglas Street (for completion by the end of March 2017) and contribute to its through-life operation and maintenance costs;
5. Direct staff to report back at six and 12 months after implementation, with measures of bus lane performance, impacts on ridership, and any recommendations for future improvements.

Carried Unanimously

Acting Mayor, Councillor Thornton-Joe returned to the meeting at 7:19 p.m. and assumed Chair.

Councillor Alto withdrew from the meeting at 7:19 p.m.

BYLAWS

7. **THIRD READING**

Motion:

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

1. Rescind third reading of the Ticket Bylaw, Amendment Bylaw (No. 9) given July 28, 2016.

Carried Unanimously

Motion:

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

1. Give third reading to the proposed Ticket Bylaw, Amendment Bylaw (No. 9), as amended.

Carried Unanimously

8. **Adoption**

Motion:

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

1. ***Bylaws for Small Scale Commercial Urban Food Production***
 - a. *Business Licence Bylaw, Amendment Bylaw (No. 31) No. 16-065*

Carried Unanimously

Motion:

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

1. ***Bylaws for Cannabis-Related Businesses***
 - a. *Cannabis-Related Business Regulation Bylaw No. 16-061*
 - b. *Land Use Procedures Bylaw, 2016, Amendment Bylaw (No. 1) No. 16-059*

Carried Unanimously

CORRESPONDENCE

1. **Letter from the Greater Victoria Harbour Authority regarding the possibility of a Financial Partnership**

It was moved by Councillor Isitt, seconded by Councillor Loveday, that the correspondence dated September 20, 2016 from the Greater Victoria Harbour Authority be referred to the next Committee of the Whole Meeting and that the letter be forwarded to the JBNA inviting comment by October 5, 2016.

Carried Unanimously

QUESTION PERIOD

A question period was held.

ADJOURNMENT

It was moved by Councillor Coleman, seconded by Councillor Loveday, that the Council meeting adjourn.
Time: 7:28 p.m.

Carried Unanimously

CERTIFIED CORRECT:

CITY CLERK

MAYOR