



MINUTES – VICTORIA CITY COUNCIL

MEETING OF THURSDAY, JANUARY 28, 2016, AT 7:00 P.M.

PLACE OF MEETING: Council Chambers, City Hall

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

STAFF PRESENT: J. Johnson - City Manager; P. Bruce - Fire Chief; C. Coates - City Clerk; J. Jenkyns - Deputy City Manager; T. Soulliere - Director of Parks, Recreation and Facilities; S. Thompson - Director of Finance; J. Tinney - Director, Sustainable Planning and Community Development; F. Work – Director of Engineering & Public Works; A. Meyer – Assistant Director of Development Services; C. Mycroft - Executive Assistant to the City Manager; L. Taylor – Senior Planner; B. Frewer – Citizen Engagement Advisory; C. Havelka - Council Secretary.

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 as amended.

Amendment:

It was moved by Councillor Alto, seconded by Councillor Isitt, that Susan Abells be added to Request to Address Council.

On the Amendment:
Carried Unanimously

Amendment:

It was moved by Mayor Helps, seconded by Councillor Coleman, that Item # 4 be added to the Closed Agenda:
Intergovernmental Report - Verbal.

On the Amendment:
Carried Unanimously

On the Main Motion as Amended:
Carried Unanimously

MINUTES

Motion

It was moved by Councillor Lucas, seconded by Councillor Loveday, that the Regular Council meeting minutes of January 14, 2016, be approved.

Councillor Thornton-Joe advised that a correction to the minutes is required on page 8, as follows:

Councillor Thornton-Joe spoke in support of the application noting there were concerns expressed by residents, but they met with the developer and this reflects those discussions. Height is a concern but ~~there is value in protecting one of the hidden courtyards~~ but courtyards are a feature of Chinatown that should also have consideration of protection.

On the minutes as corrected:
Carried Unanimously

PROCLAMATIONS

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

1. "Eating disorder Awareness Week" - February 1 to February 7, 2016
2. "Variety – The Children's Charity Week" - February 8 to February 14, 2016
3. "Black History Month 2016" – February 2016

Carried Unanimously

COMBINED DEVELOPMENT APPLICATIONS

1. **2972 Doncaster Drive**

1. **Public Hearing**

1. **Zoning Regulation Bylaw, Amendment Bylaw (No. 1060) – 16-007**

The purpose of this bylaw is to rezone the land known as 2972 Doncaster Drive from the R1-B2 Zone, Single Family Dwelling District, to the R1-S2 Zone, Restricted Small Lot (Two Storey) District, to permit the subdivision of one lot into two new small lots, which would enable the retention of the existing single family dwelling and construction of a new single family dwelling.

2. Development Permit Application

The Council of the City of Victoria will also consider issuing a development permit for the land known as 2972 Doncaster Drive, in Development Permit Area 15A: Intensive Residential – Small Lot for the purposes of approving the exterior design and finishes for the two small lot houses as well as landscaping, and to vary the following requirements of the Zoning Regulation Bylaw:

Existing House (Proposed Lot A)

- Reduce the front yard setback of the existing house from 6m to 5.54m
- Reduce the rear yard setback of the existing house from 6m to 1.63m
- Permit the proposed accessory building to be located in the side yard
- Reduce the front yard setback of the accessory building from 18m to 14.72m
- Permit parking to be located in the front yard

New House (Proposed Lot B)

- Reduce the front yard setback of the new house from 6m to 4.5m
- Reduce the front yard setback of the proposed accessory building from 18m to 14.72m

Leanne Taylor (Senior Planner): This is a proposal to rezone 2972 Doncaster Drive, to permit the subdivision of one lot to two small lots, to permit the retention of the single family dwelling, and add a new single family dwelling. There is a concurrent development permit application and the requested variances were described. Council is to consider the supportability of this application.

Mayor Helps opened the public hearing at 7:05 p.m.

Greg Chwelos (Property Owner): Outlined the location of the property and the rationale behind the variances that are requested for this project. Also described was the consultation process and how the design was mitigated in response to that input. He provided information about the preservation of the trees and the landscape plan.

Mayor Helps closed the public hearing at 7:25 p.m.

2. Bylaw Approval

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

Zoning Regulation Bylaw, Amendment Bylaw (No. 1060) – 16-007

Councillor Isitt noted the applicant's supportable consultation process and that this is a model of appropriate infill in a neighbourhood.

Carried Unanimously

3. Bylaw Approval

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

Zoning Regulation Bylaw, Amendment Bylaw (No. 1060) – 16-007

Carried Unanimously

4. Development Permit Approval

It was moved by Councillor Alto, seconded by Councillor Loveday, that Council authorize the Development Permit Application No. 00492 for 2972 Doncaster Drive, in accordance with:

1. Plans date stamped November 10, 2015.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - Existing House (Proposed Lot A)
 - i. Part 1.23 (8)(a): Reduce the front yard setback of the main structure from 6m to 5.54m.
 - ii. Part 1.23 (8)(b): Reduce the rear yard setback of the main structure from 6m to 1.63m.
 - iii. Part 1.23 (9): Permit accessory buildings to be located in the side yard.
 - iv. Part 1.23 (3)(a): Reduce the front yard setback of the accessory building from 18m to 14.72m.
 - v. Schedule "C" (3): Permit parking to be located between the building and the front lot line.
 - New House (Proposed Lot B)
 - vi. Part 1.23 (8)(a): Reduce the front yard setback of the main structure from 6m to 4.5m.
 - vii. Part 1.23 (13)(a): Reduce the front yard setback of the accessory building from 18m to 14.72m.
3. The Development Permit lapsing two years from the date of this resolution."

Carried Unanimously

DEVELOPMENT VARIANCE PERMIT APPLICATION

2. 1066 and 1070 Finlayson Street

1. Hearing

1. Development Variance Permit Application No. 00163

The City of Victoria will be considering the issuance of a Development Variance Permit for the land known as and 1070 Finlayson Street. The intent of this application is to reduce the rear yard setback of 1070 Finlayson Street in order to facilitate a subdivision with the property located at 1066 Finlayson Street to create a new lot.

The Development Variance Permit will vary the following requirements of the Zoning Regulation Bylaw R1-B, Single Family Dwelling District:

- Part 1.2, Section 1.2.5. b: reduce the rear yard setback from 8.98m to 4.67m.

Leanne Taylor (Senior Planner): Advised that this development variance permit application is to request a reduction in the rear yard setback to facilitate a subdivision with the adjacent property at 1066 Finlayson Street.

Mayor Helps opened the public hearing at 7:28 p.m.

Brad Cunnin (Consultant for the applicant): Advised that this proposal has been before Council previously, and he outlined the policy behind this as it relates to the OCP and local area plan. He described the size of the proposed lots, and noted that only one variance is requested.

Mayor Helps closed the public hearing at 7:31 p.m.

Mayor Helps asked how this application differs from the previous one.

Leanne Taylor: Advised that this time the new lot has no variances and it is seeking a smaller rear yard variance.

5. **Development Variance Permit Approval**

It was moved by Councillor Young, seconded by Councillor Lucas, that Council authorize the issuance of Development Variance Permit Application No. 00163 for 1066 and 1070 Finlayson Street, in accordance with:

1. Plans date stamped October 26, 2015.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - Reduce the rear yard setback of 1070 Finlayson Street from 8.98m to 4.67m.
3. Final plans to be in accordance with the plans identified above to the satisfaction of City staff.
4. The Development Permit lapsing two years from the date of this resolution.

Councillor Coleman noted the options that could have come forward for this project and that this proposal is supportable.

Councillor Isitt noted that there were some reservations regarding this proposal in the neighbourhood, but in the absence of opposition, he can support it moving forward.

Carried Unanimously

ZONING REGULATION BYLAW AMENDMENT APPLICATION

1. **Zoning Regulation Bylaw, Amendment Bylaw**

1. **Public Hearing**

Zoning Regulation Bylaw, Amendment Bylaw (No. 1050) No. 16-004

The purpose of this bylaw is to amend the Zoning Regulation Bylaw:

- a. to add definitions for outdoor feature, finished grade and natural grade;
- b. to amend zones R1-A, R1-B, R1-G, R1-S, R1-S2, R1-S-G, R1-S1, R1-S2, RS-1, R1-25, R1-G2, R1-NH, R1-G6, R1-35, R1-S25, R1-39, R1-25, R2-38, and R-2-P to include the requirement that outdoor features are subject to site coverage, height and setback regulations;
- c. to amend general regulations to apply accessory building regulations to outdoor features in all other zones.

Leanne Taylor (Senior Planner): Outlined the purpose of this City-initiated zoning amendment and described the community consultation process, advising that the amendments under consideration tonight are a result of the community input.

Mayor Helps opened the public hearing at 7:37 p.m.

Mayor Helps closed the public hearing at 7:38 p.m.

2. **Bylaw Approval**

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

Zoning Regulation Bylaw, Amendment Bylaw (No. 1050) 16-004

Councillor Madoff advised that this amendment was inspired by developments that impacted the Gonzales neighbourhood in the past and expressed hope that this amendment will prevent that from happening in the future.

Carried Unanimously

3. **Bylaw Approval:**

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

Zoning Regulation Bylaw, Amendment Bylaw (No. 1050) 16-004

Carried Unanimously

LIQUOR LICENCE APPLICATION

1. Liquor Primary Liquor Licence Application for the Royal Canadian Legion Public Service Branch 127, at 514 Government Street

This is an application to establish a new Liquor Primary Liquor Licence at the Royal Canadian Legion Branch 127, located at 514 Government Street.

- The proposed licensed person capacity (occupant load), including staff and patrons, is 100 persons.
- Requested hours are: 1100h (11:00am) – 2300h (11:00pm), seven days per week.
- Primarily open only on Fridays and the first Tuesday of the month, and special occasions.
- The Royal Canadian Legion Public Service Branch 127 is a social meeting place for local and out of town club members (veterans).

2. Hearing – Liquor Primary Liquor Licence

Chris Coates (City Clerk): Advised that the purpose of this hearing is to receive public input on the new liquor primary liquor licence, described the proposed capacity of the facility, and outlined the applicant's requested hours. Council's role in the process is to provide comment to the Liquor Control and Licensing Branch who have authority over liquor licences in B.C.

Mayor Helps opened the public hearing at 7:41 p.m.

Mayor Helps closed the public hearing at 7:42 p.m.

HEARINGS – REQUESTS TO ADDRESS COUNCIL

It was moved by Councillor Coleman, seconded by Councillor Madoff, that the following speakers be permitted to address Council. **Carried Unanimously**

1. **Samantha Stone: Opposed to Cool Aids Proposal of Low Barrier Housing on Vancouver Street**
Spoke in support of Christ Church School and outlined concerns regarding Cool Aid's proposal for low barrier housing at the adjacent Mr. Edwards facility.
2. **Darwin Laninga: Passenger Pick Up fee at Ogden Point**
Outlined concerns regarding the pick-up fee imposed by the Greater Victoria Harbour Authority that is applied to specific group of service providers in the tourist industry.
3. **Domenico Trombetta: Tour Company / Western Stevedoring**
Expressed concerns regarding policy changes that have resulted in fees being applied to small service providers at cruise ships ports and how this impacts jobs in the tourism industry.
4. **Ron Malzon: Funding Cool Aid for the Purchase of Mt. Edwards**
Outlined concerns regarding the camp at the Court House and described issues that have impacted the neighbours. Also expressed were concerns regarding the low barrier housing that is proposed beside Christ Church Cathedral School.
5. **Wayne Hollohan: Development Proposals in the Community**
Outlined concerns regarding the density proposed for Cook Street Village and that important issues are not addressed during Council discussions on development proposals. Also outlined was the CALUC policy.
6. **Susan Abells: Against the Proposed VicPD Mental Health Pilot**
Spoke against a pilot project proposed by VicPD for a Mental Health project, and outlined issues related to addressing mental health matters.

UNFINISHED BUSINESS

1. Motion – Letter to CRD Mayors Regarding Parks Regulation Bylaw – Camping in Parks

Mayor Helps outlined for Council the purpose of the motion to consider an alternate motion to the motion Council approved November 12, 2015, to send a letter to CRD Mayors regarding the Parks Regulation Bylaw.

Councillor Young expressed concerns regarding the new motion as it doesn't address the intent of the original motion, which was to sensitize other municipalities to the effects and needs of the homeless, which the new motion doesn't address.

Mayor Helps asked the City Clerk regarding the mechanism for reconsideration of this motion.

Chris Coates (City Clerk): There are provisions to reconsider a motion, but the time for that has expired. As new information been received, this has allowed for a new item of business and is the mechanism for this motion to come forward.

Council discussed options for sending both motions to CRD Mayors.

Motion:

It was moved by Mayor Helps, seconded by Councillor Thornton-Joe, that in view of the Capital Regional District Board's unanimous approval for providing \$30,000,000 for funding Housing Projects in the Region, Council's November 12, 2015 motion to write to regional Mayors and the CRD be replaced with:

That the Mayor, on behalf of Council, write to the Mayors of all CRD municipalities and the Electoral Area Directors to acknowledge with appreciation, the unanimous approval of the significant funding for Housing with supports in the Region approved by the Capital Regional District Board.

Amendment:

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

That in view of the Capital Regional District Board's unanimous approval for providing \$30,000,000 for funding Housing Projects in the Region, Council's November 12, 2015 motion to write to regional Mayors and the CRD be replaced with:

*That the Mayor, on behalf of Council, write to the Mayors of all CRD municipalities and the Electoral Area Directors, **instead of writing the letter as discussed in original motion**, to acknowledge with appreciation, the unanimous approval of the significant funding for Housing with supports in the Region approved by the Capital Regional District Board.*

Postpone:

It was moved by Mayor Helps, seconded by Councillor Thornton-Joe, that Council postpone consideration of this matter until the Mayor provides a draft letter to Council.

Carried

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

2. **Correspondence for Information: Belleville Terminal Project**

It was moved by Councillor Lucas, seconded by Councillor Alto, that Council receive for information the letter dated January 6, 2016 from the Ministry of Transportation and Infrastructure regarding the Belleville Terminal Project.

Carried Unanimously

REPORTS OF THE COMMITTEES

1. **Governance and Priorities Committee – January 21, 2016**

1. **Parking Stand Allocations Under the Vehicles for Hire Bylaw**

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

1. Bring forward amendments to the Vehicles for Hire Bylaw for Council consideration that would:
 - a. extend the current motorized sightseeing vehicle parking stand allocations for Parking Stands 1, 2, and 4 to March 31, 2017
 - b. allow the City to displace stand users if required for capital improvements, and
 - c. require stand users to participate, upon request, in a possible City-led bus study, which could include the installation of GPS/data logging equipment on buses.
2. Conduct a competitive process for the allocation of Parking Stand 3 for a period starting April 1, 2016.
3. Continue to explore opportunities to reduce community sightseeing vehicle emissions through discussions with sightseeing business operators and other partners, including the Greater Victoria Harbour Authority.
4. Consider and report back on the costs and feasibility, as part of the capital budget, of installing electric charging stations at the four parking stands.
5. That the James Bay Neighbourhood Association, the Downtown Residents Association and the Downtown Victoria Business Association be engaged in the process.

Carried Unanimously

2. **Parking Dispute Adjudication**

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

- Bylaw Notice Dispute Adjudication Bylaw,
 - Administration Fees Bylaw, Amendment Bylaw (No. 3)
- generally in accordance with draft bylaws attached as appendices B and C.

Carried Unanimously

3. **Festival Investment Grant 2016 Allocations**

It was moved by Councillor Thornton-Joe, seconded by Councillor Madoff, that Council approve the Festival Investment Grant allocations as recommended in Appendix 1 and 2 for total cash grants of \$156,000 and in-kind grants of up to \$95,500.

And that Council direct staff to request the Dragon Boat Festival and India ME LA to submit their applications and that Council support in kind requests.

That Council consider an increase to the 2016 Festival Investment Grant budget during February 2016 budget discussions.

Carried Unanimously

4. Arts and Culture Master Plan Project Plan

It was moved by Councillor Madoff, seconded by Councillor Loveday, that Council approve the Project Plan for the Arts and Culture Master Plan.

Carried

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

Opposed: Councillor Young

5. Update on Pandora Avenue Two-Way Protected Bike Lane

It was moved by Councillor Loveday, seconded by Councillor Isitt, that Council receive this updated report dated January 14th, 2016, on the two-way Pandora Avenue protected bike lane.

Carried Unanimously

6. Biketoria Network – Public Engagement Update

It was moved by Councillor Loveday, seconded by Councillor Coleman, that Council receive this report dated January 14th, 2016 for information.

Carried Unanimously

7. Improving Equity in Support for Neighbourhoods

It was moved by Councillor Isitt, seconded by Councillor Lucas, that Council

1. Acknowledges that a funded operational capacity inequity exists between neighbourhood associations that have access to dedicated City facilities and neighbourhood associations that do not have access to City facilities, and extends to all neighbourhood associations the opportunity to submit operational plans and related funding needs for Council's consideration in the annual budgeting process;
2. Directs staff to meet with each of the following neighbourhood associations as soon as possible, to discuss their near-term operational plans and submit any immediate funding requests for Council's consideration: the Downtown Residents Association, James Bay Neighbourhood Association, North Jubilee Neighbourhood Association, North Park Neighbourhood Association, Rockland Neighbourhood Association and South Jubilee Neighbourhood Association.

Carried Unanimously

8. Conference Attendance Requests – Association of Vancouver Island and Coastal Communities Annual Conference

It was moved by Councillor Coleman, seconded by Councillor Loveday, that Council authorizes:

1. The attendance and associated costs for Councillor Isitt to attend the AVICC conference to be held in Nanaimo, April 8 to 10, 2016.
2. The attendance and associated costs for Mayor Lisa Helps at the 2016 AVICC AGM and Convention.

Carried Unanimously

9. Conference Attendance Requests – Civic Governance Forum

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council authorize the attendance and associated costs for Councillor Isitt to the Civic Governance Forum in Harrison Hot Springs, April 1 and 2, 2016.

Carried Unanimously

REPORTS OF THE COMMITTEE

2. Planning and Land Use Committee – January 28, 2016

1. Update on Rezoning Application No. 00472 and Development Permit Application with Variances No. 000402 for 1041 Oliphant Avenue and 212 – 220 Cook Street

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council postpone consideration of the Rezoning Application until receipt of the Advisory Design Panel recommendations.

(Rezoning Application)

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No.00472 for 1041 Oliphant Avenue and 212-220 Cook Street, securing 75% of the value of the identified land lift to be contributed to and divided equally between the Parks and Greenways Acquisition Reserve Fund and the Victoria Housing Reserve Fund, 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 (previous conditions that have been satisfied have been removed):

1. Registration of the following:
 - a. Housing Agreement to secure the rental of nine units for a minimum of 20 years at a minimum rental rate at least 10% below market rental, if not more, and that future strata bylaws cannot prohibit strata owners from renting residential strata units;
 - b. Statutory Right-of-Way of 3m for the rear lane access off Oliphant Avenue to the satisfaction of City staff;
 - c. Section 219 Covenant for sewage attenuation to mitigate the impact of increased density, as required, to the satisfaction of City staff;
 - d. Section 219 Covenant for the public realm improvements associated with the sidewalk widening along Cook Street and the paving/widening of the rear lane, to the satisfaction of City staff.

(Development Permit)

That Council refer the Application to the Advisory Design Panel, with a request that the Panel pay particular attention to:

- the transition to the buildings along Oliphant Avenue
- opportunities to soften the visual appearance of the rear surface parking courtyard
- overall massing and finishes in relation to the neighbourhood context
- setbacks of upper stories
- pedestrian facilities in the public realm
- appropriateness of the commercial extension from Oliphant to Park Boulevard
- Cook Street guidelines and appropriateness of architecture expressions

Following this referral, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00472, if it is approved, that Council consider the following motion:

That Council authorize the issuance of Development Permit Application with Variance No. 00402 for 1041 Oliphant Avenue and 212-220 Cook Street, in accordance with:

1. Plans date stamped September 28, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Schedule C, 16.A.12(c) - Required residential parking is reduced from 1.4 spaces per dwelling unit to 0.9 spaces per dwelling unit.
3. The Development Permit lapsing two years from the date of this resolution.
4. Final plans to be generally in accordance with the plans identified above to the satisfaction of staff.
4. That Council authorize staff 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 at the property line.

That Council refer the Development Permit Application to the Advisory Design Panel and have recommendations brought back to Council.

Amendment:

It was moved by Councillor Madoff, seconded by Councillor Young, that Council amend the motion by deleting the following bullet:

(Development Permit)

That Council refer the Application to the Advisory Design Panel, with a request that the Panel pay particular attention to:

- the transition to the buildings along Oliphant Avenue
- opportunities to soften the visual appearance of the rear surface parking courtyard
- overall massing and finishes in relation to the neighbourhood context
- setbacks of upper stories
- pedestrian facilities in the public realm
- ~~appropriateness of the commercial extension from Oliphant to Park Boulevard~~
- Cook Street guidelines and appropriateness of architecture expressions

On the amendment:
Carried Unanimously

Amendment:

It was moved by Councillor Madoff, seconded by Councillor Coleman, that Council amend the motion by clarifying the last bullet into two bullets, as follows:

(Development Permit)

That Council refer the Application to the Advisory Design Panel, with a request that the Panel pay particular attention to:

- the transition to the buildings along Oliphant Avenue
- opportunities to soften the visual appearance of the rear surface parking courtyard
- overall massing and finishes in relation to the neighbourhood context
- setbacks of upper stories
- pedestrian facilities in the public realm
- **Cook Street Village Guidelines and Local Area Plans**
- **Appropriateness of architecture expressions**

On the amendment:
Carried Unanimously

Amendment:

It was moved by Councillor Loveday, seconded by Councillor Isitt, that Council amend the motion by adding the following bullet:

(Development Permit)

That Council refer the Application to the Advisory Design Panel, with a request that the Panel pay particular attention to:

- the transition to the buildings along Oliphant Avenue
- opportunities to soften the visual appearance of the rear surface parking courtyard

- overall massing and finishes in relation to the neighbourhood context
- setbacks of upper stories
- pedestrian facilities in the public realm
- Cook Street Village Guidelines and Local Area Plans
- Appropriateness of architecture expressions
- **Transition from Beacon Hill Park to Cook Street Village**

On the amendment:
Carried Unanimously

Councillor Isitt noted that this application needs more work so that there will be less conflict in Cook Street Village, with more massing and setbacks for a more sympathetic transition.

Amendment:

It was moved by Councillor Coleman, seconded by Councillor Loveday, that Council amend the motion by adding the following bullet:

(Development Permit)

That Council refer the Application to the Advisory Design Panel, with a request that the Panel pay particular attention to:

- the transition to the buildings along Oliphant Avenue
- **the pedestrian realm and its relationship to the building along Cook Street**
- opportunities to soften the visual appearance of the rear surface parking courtyard
- overall massing and finishes in relation to the neighbourhood context
- setbacks of upper stories
- pedestrian facilities in the public realm
- Cook Street Village Guidelines and Local Area Plans
- Appropriateness of architecture expressions
- Transition from Beacon Hill Park to Cook Street Village

On the amendment:
Carried Unanimously

Councillor Madoff said she can't support the main motion as there are land use issues with the application that cannot be addressed at ADP.

On the main motion as amended:
Carried

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

2. Rezoning Application No. 00485 for 2330 Richmond Road

It was moved by Councillor Madoff, seconded by Councillor Thornton-Joe, that Council postpone the Rezoning Application for two weeks for further discussion.

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00485 for 2330 Richmond Road by rezoning the subject parcel from the R1-B Zone, Single Family Dwelling District, to a site specific zone, and 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 condition is met:

- Should sewage attenuation be required, a legal agreement to the satisfaction of staff would be required prior to Public Hearing.

Carried

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

Councillor Lucas withdrew from the meeting at 8:36 p.m. due to a potential pecuniary conflict of interest with the following item, as the subject property and the Hotel Rialto are owned by her employer.

3. Rezoning Application No. 00497 for 755 – 795 Market Street and 766 – 770 Hillside Avenue

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

- instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment and Land Use Contract Discharge Bylaws that would authorize the proposed development outlined in Rezoning Application No. 00497 for 755-795 Market Street and 766-770 Hillside Avenue;
- consider giving first and second reading of the Zoning Regulation Bylaw Amendment and Land Use Contract Discharge Bylaws;
- set a Public Hearing date once a Housing Agreement has been registered on title for the life of the building to secure the rental tenure of apartments used for permanent residents when not used as transient accommodation.

Carried Unanimously

Councillor Lucas returned to the meeting at 8:37 p.m.

4. Development Permit Application No. 000454 for 1006 Wharf Street

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that Council authorize the issuance of Development Permit Application No. 000454 for 1006 Wharf Street in accordance with:

1. Plans date stamped December 14, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. The Development Permit lapsing two years from the date of this resolution.

Carried Unanimously

5. Development Permit Application No. 000456 for 430, 468, and 470 Belleville Avenue

It was moved by Councillor Lucas, seconded by Councillor Coleman, that Council authorize the issuance of Development Permit Application No. 00456 for 430, 468, and 470 Belleville Street in accordance with:

1. Plans date stamped January 19, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. The Development Permit lapsing two years from the date of this resolution.

Carried Unanimously

6. Development Variance Permit Application No. 00169 for 534 Pandora Avenue (Lum Sam and Look Den Building):

It was moved by Councillor Madoff, seconded by Councillor Thornton-Joe, that Council after giving notice and allowing an opportunity for public comment at a meeting of Council, considers the following motion:

Authorize the issuance of Development Variance Permit Application No. 00169 for 534 Pandora Avenue, in accordance with:

1. Plans date stamped December 11, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
Part 6.7 - CA-3C Zone - Old Town District, 1 (e), to allow residential uses on the ground floor.
3. The Development Variance Permit lapsing two years from the date of this resolution.

Carried Unanimously

7. Development Permit with Variances No. 00002 for 1001 Blanshard Street and 804 – 812 Broughton Street

It was moved by Councillor Thornton-Joe, seconded by Councillor Coleman, that after giving notice and allowing an opportunity for public comment at a meeting of Council, that Council consider the following motion:

That Council authorize the issuance of Development Permit with Variances Application No. 00002 for 1001 Blanshard Street and 804-812 Broughton Street, in accordance with:

1. Plans date stamped December 31, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Schedule C, Section 16.C.12: reduce the required number of parking spaces from 48 to 10;
 - ii. Schedule C, Section 7.2(b): reduce the setback of parking spaces from the street from 1m to 0.62m.
3. The Development Permit lapsing two years from the date of this resolution.
4. That this application be forwarded to the Council meeting of January 28, 2016 to set a Hearing Date for February 11, 2016.

Carried Unanimously

8. Heritage Alteration Permit No. 00212 for 560 Johnson Street (Market Square)

It was moved by Councillor Alto, seconded by Councillor Coleman, that Council authorize the issuance of Heritage Alteration Permit Application No. 00212 for the property at 560 Johnson Street, in accordance with:

1. Plans date stamped December 14, 2015
2. Development meeting all *Zoning Regulation Bylaw* requirements
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Director, Sustainable Planning and Community Development.

That the applicant be encouraged on appropriate use of timbers, particularly in a heritage manner.

Carried Unanimously

9. Victoria Housing Reserve Fund Grant: Capital Region Housing Corporation

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that Council cancel a \$460,000 Victoria Housing Reserve Fund grant, which was approved on April 30, 2009, to assist the Capital Region Housing Corporation (CRHC) to create non-market rental housing at Dockside Green, as the grant is no longer needed.

Carried Unanimously

10. Review of Community Association Land Use Committee Procedures for Processing Rezoning and Variance Applications and Terms of Reference

It was moved by Councillor Madoff, seconded by Councillor Isitt, that Council direct staff to undertake further consultation with the Community Association Land Use Committee (CALUC) chairs (or their designates as assigned by the Community Association) and the Urban Development Institute regarding the CALUC Procedures for Processing Rezoning and Variance Applications as well as the CALUC Terms

of Reference on the topics outlined in this report and report back to Council with a summary of the consultation as well as recommendations for improvements by May 2016.

That Council direct staff to work with the Neighbourhood Associations, the Community Associations Land Use Committees and the Urban Development Institute and report back to Council with recommendations on potential improvements to the CALUC process, considering, but not limited to the following items (recognizing that more issues and ideas will arise during discussions):

1. Create a process to ensure that for large/complex/significant projects there is an opportunity for the developer to convene neighbourhood residents and business owners early in the process to canvas neighbourhood hopes, dreams and aspirations that might be included in the development.
2. Contemplate a role for City staff (from the Sustainable Planning and Community Development Department, the Neighbourhood Unit or both) as facilitators of the CALUC process for complex applications. The role of the facilitator is to convene the conversation as well as to provide pertinent, fact-based information relating to City policy as
3. it relates to the proposed development and/or surrounding land use context.
4. Create a cohesive, transparent process that each neighbourhood must follow in order to create ease and information sharing between neighbourhoods and predictability for the development community.
5. Ensure that each CALUC has a process for inviting neighbourhood residents on an annual basis to consider participating on the CALUC and a fair, transparent and inclusive for selecting members.
6. Review the current referrals to CALUC and then make clear and transparent which items, if any in addition to development applications, are required to be referred to a CALUC meeting and which are not.

Carried Unanimously

11. Update on Public Realm Concept Development and Engagement Materials for the Johnson Street Bridge

It was moved by Councillor Madoff, seconded by Councillor Coleman, that Council receive this report for information and direct staff to report out to the Charrette group for further input prior to proceeding with steps recommended in the staff report, and report back to Council.

Carried

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

Councillor Loveday withdrew from the meeting at 8:41 p.m.

MOTIONS

1. To Set Public Hearings for the Council Meeting of Thursday, February 11, 2016 for:

It was moved by Councillor Madoff, seconded by Councillor Coleman, that the following Public Hearings be held in Council Chambers, City Hall, on **THURSDAY, FEBRUARY 11, 2016, at 6:30 p.m.:**

1. Rezoning Application No. 00488, Development Permit Application No. 00488, Development Variance Permit No. 00156 and Heritage Designation No. 00155 for 59 Cook Street.
2. Rezoning Application No. 00490 for 1845 Gonzales Avenue
3. Development Permit with Variances Application No. 000377 for 613 Herald Street
4. Development Permit with Variances Application No. 000426 for 951 Johnson Street
5. Development Variance Permit Application No. 000158 for 950 Rockland Avenue
6. Development Variance Permit Application No. 000166 for 1082 Richmond Street
7. Heritage Designation Application No. 00154 for 727 Yates Street
8. Development Permit with Variances No. 00002 for 1001 Blanshard Street and 804 – 812 Broughton Street

Carried Unanimously

BYLAWS

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1059) - 16-006 for 1845 Gonzales Avenue

Councillor Loveday returned to the meeting at 8:43 p.m.

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, that Council approve giving first and second reading to Zoning Regulation Bylaw, Amendment Bylaw (No. 1059) No. 16-006 and set a Public Hearing date.

Carried Unanimously

FIRST READING

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

Zoning Regulation Bylaw, Amendment Bylaw (No. 1059) No. 16-006

To amend the Zoning Regulation Bylaw to rezone the land known as 1845 Gonzales Avenue to permit a garden suite.

Carried Unanimously

2. Zoning Regulation Bylaw, Amendment Bylaw (No. 1060), - 16-016 for 59 Cook Street

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, that Council give first and second reading of the Zoning Regulation Bylaw Amendment (No. 1060) - 16-016 and set a Public Hearing date.

Carried Unanimously

FIRST READING

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

Zoning Regulation Bylaw, Amendment Bylaw (No. 1060) - 16-016

To amend the Zoning Regulation Bylaw to rezone the land known as 59 Cook Street to permit a two-lot subdivision and allow construction of one new small lot house.

Carried Unanimously

3. **Heritage Designation (59 Cook Street) Bylaw – 16-015:**

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, that Council consider first and second readings of Heritage Designation (59 Cook Street) Bylaw – 16-015.

Carried Unanimously

FIRST READING

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

Heritage Designation (59 Cook Street) Bylaw – 16-015.

To designate the exterior of the building located at 59 Cook Street to be protected heritage property.

Carried Unanimously

4. **FIRST READING**

Heritage Designation (727 Yates Street) Bylaw – 16-005

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

Heritage Designation (727 Yates Street) Bylaw – 16-005

To designate the exterior of the building located at 727 Yates Street to be protected heritage property.

Carried Unanimously

2. **SECOND READING**

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1059) No. 16-006
2. Zoning Regulation Bylaw, Amendment Bylaw (No. 1060) - 16-016
3. Heritage Designation (59 Cook Street) Bylaw – 16-015.
4. Heritage Designation (727 Yates Street) Bylaw – 16-005

Carried Unanimously

3. **ADOPTION**

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

1. Temporary Borrowing Bylaw, 2016 – 16-008
2. Council Procedures Bylaw, - 16-011
3. Parks Regulation (Skateboarding) Amendment Bylaw, - 16-012
4. Streets and Traffic (Skateboarding) Amendment Bylaw, - 16-013
5. Ticket Bylaw, Amendment Bylaw, - 16-014

Carried Unanimously

QUESTION PERIOD

A question period was held.

NEW BUSINESS

1. **Access to Financial Services through Postal Banking**

Council received a report from Councillors Isitt and Loveday who provided information regarding access to financial services through postal banking.

Motion:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council direct staff to forward the following resolution to the Federation of Canadian Municipalities for consideration at the 2016 Annual Conference in Winnipeg, and that copies be sent to FCM member local governments requesting favourable consideration and resolutions of support, and that the resolution be forwarded to the Prime Minister of Canada:

Access to Financial Services through Postal Banking

WHEREAS many remote, indigenous and rural communities in Canada are not served by financial institutions;

AND WHEREAS nearly two million Canadians rely on payday lenders and would benefit from access to fair and affordable financial services;

AND WHEREAS jurisdictions around the world have introduced financial services in conjunction with postal services in order to expand access to financial services and promote social inclusion;

AND WHEREAS the federal government's review of Canada Post provides an opportunity to expand access to financial services for Canadians while modernizing the postal system.
AND THEREFORE BE IT RESOLVED THAT the City of Victoria supports the expansion of financial services for Canadians through the postal service, with a mandate of promoting social inclusion;
AND BE IT FURTHER RESOLVED THAT the City of Victoria calls on the federal government to include in its review of Canada Post an examination of how financial and banking services can be delivered in conjunction with the postal service.

Councillor Coleman advised that the process is for the resolution to go through the Board.

Amendment:

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

That Council direct staff to forward the following resolution to the **Board of the** Federation of Canadian Municipalities **requesting** for consideration at the 2016 Annual Conference in Winnipeg, and that copies be sent to FCM member local governments requesting favourable consideration and resolutions of support, and that the resolution be forwarded to the Prime Minister of Canada:

On the Amendment:
Carried Unanimously

On the Main Motion as Amended:
Carried Unanimously

CLOSED MEETING at 8:49 p.m.

It was moved by Councillor Isitt, seconded by Councillor Madoff, that Council convene a closed meeting that excludes the public under Section 12(6) of the Council Bylaw for the reason that the following agenda items deal with matters specified in Sections 12(3) and/or (4) of the Council Bylaw; namely:

Section 12(3)(e) *The acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure might reasonably be expected to harm the interests of the City.*

Section 12(3)(i) *The receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.*

Section 12(4)(b) *The consideration of information received and held in confidence relating to negotiations between the City and a Provincial government or the Federal government or both, or between a Provincial government or the Federal government or both and a third party.*

Carried Unanimously

ADJOURNMENT

It was moved by Councillor Alto, seconded by Councillor Loveday, that the Council meeting adjourn.
Time: 9:42 p.m.

Carried Unanimously

CERTIFIED CORRECT:

CITY CLERK

MAYOR OF THE CITY OF VICTORIA