



**UPDATED AMENDED AGENDA
COMMITTEE OF THE WHOLE
MEETING OF THURSDAY, OCTOBER 26, 2017, AT 9:00 A.M.
COUNCIL CHAMBERS
CITY HALL, 1 CENTENNIAL SQUARE
Located on the traditional territory of the Esquimalt and Songhees People**

APPROVAL OF AGENDA

CONSENT AGENDA

READING OF MINUTES

Presentation

1. National Capital Cities Commission
--Dr. Kristmanson
2. CityStudio Presentation 'Graduate Certificate in Community Sustainable Development'
--Dr. Bill Dushenko, Adjunct Professor, Royal Roads University

Late Item: Presentations

- [RRU City Project Team Executive Summaries](#)
[1.YOUTHASLEADERSCLIMATECHANGEPowerpointSlides](#)
[2.LaunchingSocialProcurement_slides](#)
[3.CentennialSquarePresentation_slides](#)

[Addenda]

3. Sponsorship of 2019 International Ice Hockey Federation (IIHF) World Junior Hockey Championship
--T. Soulliere, Director of Parks, Recreation and Facilities

A report providing information and recommendations regarding the sponsorship for 2019 IIHF World Junior Championships taking place in Victoria and

Vancouver, December 26, 2018 - January 5, 2019.

Late Item: Presentation

Recommendation: That Council approve up to \$70,000 in financial support associated with co-hosting the 2019 IIHF World Junior Championship with funding from 2017 surplus.

[Report_2019 World Junior Championship](#)

[2_Late Presentation_2019 IIHF World Junior Championships](#)

[Addenda]

UNFINISHED BUSINESS

LAND USE MATTERS

4. Update on Rezoning Application No. 00525 and Development Permit with Variances No. 00035 for 1201 Fort Street and 1050 Pentrelew Place, and associated Official Community Plan Amendment (Rockland)
--J. Tinney, Director of Sustainable Planning and Community Development

A report providing information and recommendations regarding the revised proposal to rezone and acquire a Development Permit with Variances for the properties located at 1201 Fort Street and 1050 Pentrelew Place in order to increase density and allow for the construction of two multi-unit residential buildings and ten townhouses.

Late Item: Correspondence & Presentation

Recommendation: Rezoning Application No.00525 and associated Official Community Plan Amendment: That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the Local Government Act and the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00525 for 1201 Fort Street and 1050 Pentrelew Place, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set once the following conditions are met: 1. Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff: a. Housing Agreement to ensure that a future strata corporation could not pass bylaws that would prohibit or restrict the rental of units to non-owners. b. Housing Agreement to ensure that ten percent of the approved unit count, being no less than ten units, be provided as affordable rental units on another site within the City of Victoria. c. Statutory Right-of-Way of 1.86m along the Pentrelew Place frontage. d. Statutory Right-of-Way of 2.4m for the provision of a public pathway connecting Fort Street to Pentrelew Place. e. Statutory Right-of-Way of 2.4m for the provision of a future public pathway along the west side of the property. f. Section 219 Covenant for public realm improvements to Fort Street and Pentrelew Place. g. Section 219 Covenant for construction and maintenance of the public pathways. 2. Provision of a tree protection plan for the Bylaw protected trees that identifies the

location of the tree roots, the location of proposed construction and site services in relation to the root system, and the driveway construction methodology, to the satisfaction of City staff. 3. That Council determine, pursuant to section 475(1) of the Local Government Act, that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; that the appropriate consultation measures would include a mailed notice of the proposed Official Community Plan Amendment to the affected persons; posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration. 4. That Council, having provided the opportunity for consultation with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties have been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required, pursuant to Section 475(1) of the Local Government Act. 5. That Council, specifically consider whether consultation is required under Section 475(2)(b) of the Local Government Act, and determine that no referrals are necessary with the Capital Regional District Board, Councils of Oak Bay, Esquimalt and Saanich, the Songhees and Esquimalt First Nations, the School District Board and the provincial and federal governments and their agencies due to the nature of the proposed amendment. 6. That Council give first reading to the Official Community Plan Amendment Bylaw. 7. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2012-2016 Financial Plan, the Capital Regional District Liquid Waste Management Plan and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw. 8. That Council give second reading to the Official Community Plan Amendment Bylaw. 9. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing. Development Permit with Variances Application No. 00035: That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00525, if it is approved, consider the following motion: "That Council authorize the issuance of Development Permit with Variances Application No. 00035 for 1201 Fort Street and 1050 Pentrelew Place, in accordance with: 1. Plans date stamped September 8, 2017. 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances: a. increase the maximum height for Building A from 12.00m to 21.42m. b. increase the maximum height for Building B from 12.00m to 15.11m. c. increase the maximum site coverage from 40% to 57.20%. d. reduce the Fort Street setback for Building A from 10.50m to 6.00m (to the building). e. reduce the south setback for Building B from 9.00m to 4.67m. f. reduce the west setback for Building A from 10.7m to 4.00m (to the parkade structure) g. reduce the west setback for Building B from 7.56m to 0.60m (to ground floor parking area and patio screen). h. reduce the Pentrelew Place setback for Buildings C,D and E from 5.37m to 2.00m (to buildings) and 1.91m (to stairs). i. reduce the required parking from 132 parking stalls to 121 parking stalls. j. reduce the required visitor parking from 12 stalls to 9 stalls. 3. Refinement of balcony materials on Buildings A and B to the satisfaction of the Director of Sustainable Planning and Community Development. 4. The Development Permit lapsing two years from the date of this resolution.

- [1_Report_Rezoning_1201 Fort Street and 1050 Pentrelew](#)
- [2_Attachment A_Subject Map](#)
- [3_Attachment B_Aerial Map](#)
- [4_Attachment C_Plans date stamped September 8, 2017](#)
- [5_Attachment D_Letter from applicant to Mayor and Council dated Sept 27, 2017](#)
- [6_Attachment E_Affordable Housing Proposal dated Sept 25, 2017](#)
- [7_Attachment F_CALUC Meeting Summary](#)
- [8_Attachment G_Arborist Report dated October 10, 2017](#)
- [9_Attachment H_COTW reports for Rez and DP dated March 23, 2017](#)
- [10_Attachment I_Correspondence](#)
- [11_LATE Correspondence](#)
- [12_LATE LATE Correspondence](#)
- [13_Late_Ltr from applicant to Mayor and Council_October 20, 2017](#)
- [14_Late_Presentation - 1201 Fort](#)

[Addenda]

5. Rezoning Application No. 00519 for 71 and 75 Montreal Street (James Bay)
 --J. Tinney, Director of Sustainable Planning and Community Development

A report providing information and recommendations regarding a proposal to rezone the properties located at 71 and 75 Montreal Street to allow for increased density and the construction of 12 residential units.

Late Item: Presentation & Letter from the JBNA

Recommendation: That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00519 for 71 and 75 Montreal Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set by staff once the following conditions are met: 1. Preparation and execution by the applicant of a Housing Agreement to ensure that a future strata corporation could not pass bylaws that would prohibit or restrict the rental of units to non-owners to the satisfaction of City Staff. 2. Preparation and execution by the applicant of a section 219 covenant for sewerage attenuation to mitigate the impact of increased density, as required, to the satisfaction of City Staff.

- [1_Report_Rezoning_71 and 75 Montreal](#)
- [2_Attachment A_Subject Map](#)
- [3_Attachment B_Aerial Map](#)
- [4_Attachment C_Plans date stamped August 16, 2017](#)
- [5_Attachment D_Letter from applicant to Mayor and Council dated July 10, 2017](#)

- [6 Attachment E CALUC comments dated May 11, 2017 and October 15, 2017](#)
- [7 Attachment F Parking Study dated May 23, 2017](#)
- [8 Attachment G Sewer Attenuation Report dated October 6, 2017](#)
- [9 Attachment H Correspondence](#)
- [10 Late Ltr from JBNA to Mayor and Council dated October 25, 2017](#)
- [11 Late Presentation 71-75 Montreal](#)

[Addenda]

6. Development Permit Application No. 000495 for 71 and 75 Montreal Street (James Bay)

--J. Tinney, Director of Sustainable Planning and Community Development

A report providing information and recommendation regarding the revised Development Permit Application for the properties located at 71 and 75 Montreal Street in order to construct a 12 unit residential building.

Recommendation: That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion: "That Council authorize the issuance of Development Permit Application No. 000495 for 71-75 Montreal Street in accordance with: 1. Plans date stamped August 16, 2017. 2. Development meeting all Zoning Regulation Bylaw requirements. 3. The Development Permit lapsing two years from the date of this resolution."

- [1 Report DP 71 and 75 Montreal](#)
- [2 Attachment A Subject Map](#)
- [3 Attachment B Aerial Map](#)
- [4 Attachment C Plans date stamped August 16, 2017](#)

7. Rezoning Application No. 00540 for 608 Esquimalt Road (Victoria West)

--J. Tinney, Director of Sustainable Planning and Community Development

A report providing information and recommendations regarding a proposal to rezone the property located at 608 Esquimalt Road to a site-specific zone in order to permit use of a storefront cannabis retailer.

Late Item: Presentation

Recommendation: That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00540 for 608 Esquimalt Road, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set once staff receive proof of registration at the Land Titles Survey Authority of an executed Statutory Right-of-Way (SRW) of 2.03m on Esquimalt Road.

- [1 Report Rezoning for 608 Esquimalt](#)

- [2_Attachment A_Subject Map](#)
- [3_Attachment B_Aerial Map](#)
- [4_Attachment C_Plans date stamped September 18, 2017](#)
- [5_Attachment D_Ltr from applicant to Mayor and Council dated September 27, 2017](#)
- [6_Late_Presentation - 608 Esquimalt](#)

[Addenda]

8. Downtown Public Realm Plan Adoption
--J. Tinney, Director of Sustainable Planning and Community Development

A report providing information and recommendations regarding the adoption of the revised Downtown Public Realm Plan.

Late Item: Presentation

Recommendation: That Council: 1. Approve the City of Victoria Downtown Public Realm Plan, 2017, to replace the City of Victoria Downtown Beautification Strategy and Kit-of-Parts, January 26, 1995. 2. Direct staff to amend the Subdivision and Development Services Bylaw to reference the Downtown Public Realm Plan to direct frontage improvements for development within the downtown.

- [1_Report_Downtown Public Realm Plan Adoption](#)
- [2_Attachment 1_FINAL Public Realm Document_October 2017](#)
- [3_Attachment 2_Downtown Public Realm Plan Draft July 13](#)
- [4_Attachment 3_AWG Minutes 2016-12-05](#)
- [5_Attachment 4_DPRP feedback summary_phases 1-3](#)
- [6_Attachment 5_Letter for Public Realm Plan from GVPN - July 5 2017](#)
- [7_Late Presentation_COTW Public Realm](#)

[Addenda]

STAFF REPORTS

9. Draft 2018 - 2022 Financial Plan
--S. Thompson, Director of Finance

A report providing information and recommendation regarding the overview of the Financial Plan with is scheduled to be presented in detail October 30, 31, and November 7, 2017.

Late Item: Presentation

Recommendation: That Council receive this report for information and further consideration on November 7, 2017.

[Link to the Draft 2018 - 2022 Financial Plan](#)

- [1_Report_Draft 2018-2022 Financial Plan](#)
- [2_Appendix A_Examples of Cooperative Efforts between Municipalities](#)
- [3_Appendix B_Supplementary Operating Budget Request](#)
- [4_Appendix C_Additional Grant Requests](#)
- [5_Appendix D_South Island Prosperity Project - Five year Strategy](#)
- [6_Late_Presentation_Draft Financial Plan](#)

10. Single-Use Checkout Bag Reduction Program - Bag Regulation Strategy

--F. Work, Director of Engineering and Public Works

A report providing information and recommendations regarding a proposed Single-Use Checkout Bag regulation strategy.

Late Item: Report and attachments

Recommendation: That Council direct staff to: 1. Engage with stakeholders on the draft Checkout Bag Regulation Bylaw and report back to Committee of the Whole on December 14, 2017 with the following information: a) A summary of bylaw key points/issues from business and community stakeholders, b) Any recommended changes to the bylaw; and c) Communication, engagement and enforcement considerations and plan, including resource implications and recommendations. 2. Measure and report on the performance of the bag regulation program after one year in effect, using waste audits and retailer bag sales data, wherever possible, and analyze and review the complete program with improvement recommendations; 3. Include the development of a Single-Use Materials Management Plan in the ongoing development of the City's Sustainable Waste Management Strategy. 4. Work with the Province, RecycleBC and other institutions to develop a performance specification for the preferred sustainable reusable bag in order to help business and industry choose amongst options, and also influence bag design sustainability standards. That Council: 5. Request the Mayor to write letters to each of the following key stakeholders to support regional consistency and a wide, renewed focus on waste avoidance programs: a) To the CRD, and Provincial governments before December 2017 requesting support for the City's approach to single-use checkout bag regulations and the overall increased investment in innovative strategies with a focus on waste-prevention, and the required stewardship programs to drastically reduce single-use materials, including plastic bags; b) To major food producers before January 2018, requesting increased efforts in the development and implementation of improved use/application of recyclable, sustainable and eco-benign packaging for food and household items; and c) To the CRD and neighbouring municipalities by the 7th of November 2017 requesting feedback and/or support for the City's single-use checkout bylaw principles and rules.

- [1_Report_Single-Use Checkout Bag Reduction Program- Bag Regulation Strategy](#)
- [2_Annex A_Draft Bylaw - Checkout Bag Regulation](#)
- [3_Annex B_Additional Stakeholder Considerations-Information](#)

[4_Annex C_Detailed Bag Performance and Regulation Considerations](#)
[5_Appendix A_Redacted Emails](#)

[Addenda]

11. Work without permit - 2360 & 2370 Forbes Street / Bylaw File(s) #46560 & #46514 (Fernwood)
 --C. Coates, City Clerk

A report providing information and recommendations regarding the condition of the properties located at 2360 & 2370 Forbes Street as well as recommendation that Notice be placed on title in respect to work done without a permit.

Recommendation: *That Council direct the City Clerk to file a notice in the Land Title Office in relation to two properties located at 2360 Forbes Street, legally described as LOT 6, SECTION 75, VICTORIA, PLAN 811, and 2370 Forbes Street, legally described at LOT 7, SECTION 75, VICTORIA, PLAN 8111 indicating that resolutions relating to these properties have been made under the authority delegated pursuant to Section 57(3) of the Community Charter and the provisions of the Property Maintenance Delegation Bylaw, and advise that further information regarding these resolutions may be inspected at the Legislative & Regulatory Services Department in Victoria City Hall.*

- [1_Report_Work without permit - 2360 & 2370 Forbes](#)
[2_Schedule A_Ltr to property owner dated August 11, 2014](#)
[3_Schedule B_Ltr to property owner dated Sept 25, 2016](#)
[4_Schedule C_photos taken of 2360 Forbes](#)
[5_Schedule D_photos taken of 2370 Forbes](#)
[6_Schedule E_Ltr to property owner dated Nov 17, 2014 re 2360 Forbes](#)
[7_Schedule F_Ltr to property owner dated Nov 17, 2014 re 2370 Forbes](#)
[8_Schedule G_Ltr to propert owner dated October 30, 2016](#)
[9_Schedule H_Email Exchange with property owner October 21, 2016](#)
[10_Schedule I_Location of properties on map](#)
[11_Schedule J_Aerial Photos of properties](#)

12. Capital Regional District Board and Hospital Board Weighted Votes
 --C. Coates, City Clerk

A report providing information and recommendations regarding the need to allocate an additional Capital Regional District Board and Hospital Board Vote to one of the Councillors.

Recommendation: *That Council allocate the additional Capital Regional District and Hospital Board vote to one of the existing Directors who has*

four votes.

[1_Report_CRD board votes](#)

[2_Attachment A_Ltr from the CRD](#)

NOTICE OF MOTIONS

NEW BUSINESS

13. **Referred from the Council Meeting held October 12, 2017**

Council Member Motion: Regional Transit

-- Mayor Helps

A Council member motion regarding regional transportation issues.

Recommendation: That Council endorse the following motion and forward to the CRD Board through the CRD Transportation Committee: "That the Board direct CRD staff to create a transportation advisory group of the 13 mayors and the Director of the Juan de Fuca Electoral area for the purposes of establishing a common vision and transportation priorities for the region with a focus on a vision for transit and the necessary amendments to Provincial legislation to enable the 13 mayors and the Director of the Juan de Fuca Electoral area to sit as the Transit Commission."

[Council Member Motion_Regional Transit](#)

14. **Referred from the Council Meeting held October 12, 2017**

Letter from the City of Langford

A letter dated September 9, 2017, requesting that the CRD establish an advisory committee to provide recommendations on priorities to the BC Transit and the Ministry of Transportation and infrastructure.

[Letter from the City of Langford](#)

ADJOURNMENT OF COMMITTEE OF THE WHOLE

CONVENE COUNCIL MEETING

MOTION TO CLOSE THE OCTOBER 26, 2017 COUNCIL MEETING TO THE PUBLIC

That Council convene a closed meeting that excludes the public under Section 90 of the Community Charter for the reason that the following agenda items deal with matters specified in Sections 90(1) and/or (2) of the Community Charter, namely:

- Section 90(1)(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be

- expected to harm the interests of the municipality;*
- *Section 90(1)(f)(law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;*
 - *Section 90(1)(i)the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;*
 - *Section 90(1)(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.*

APPROVAL OF CLOSED AGENDA

READING OF CLOSED MINUTES

UNFINISHED BUSINESS

1. Land / Legal Advice
--T. Zworski, City Solicitor

[Addenda]

2. Proposed Municipal Service
--P. Bruce, Fire Chief

[Addenda]

CORRESPONDENCE

NEW BUSINESS

3. Law Enforcement
--C. Coates, City Clerk

[Addenda]

4. Legal Advice/Proposed Municipal Service
--F. Work, Director of Engineering and Public Works

[Addenda]

CONSIDERATION TO RISE & REPORT

ADJOURNMENT