

**MINUTES OF THE**  
**COMMITTEE OF THE WHOLE MEETING**  
**HELD THURSDAY, OCTOBER 12, 2017, 9:00 A.M.**

**1. THE CHAIR CALLED THE MEETING TO ORDER AT 9:00 A.M.**

**Committee Members Present:** Mayor Helps (Chair), Councillors Alto, Coleman, Isitt, Loveday, Lucas, Thornton-Joe, and Young

**Absent:** Councillor Madoff

**Staff Present:** J. Jenkyns – Acting City Manager; C. Coates – City Clerk; P. Bruce – Fire Chief; S. Thompson – Director of Finance; J. Jensen – Head of Human Resources; J. Tinney – Director of Sustainable Planning & Community Development; N. Sidhu – Assistant Director of Parks, Recreation, & Facilities; F. Work – Director of Engineering & Public Works; B. Eisenhower – Head of Engagement; C. Mycroft – Manager of Executive Operations; A. Meyer – Assistant Director of Development Services; L. Taylor – Senior Planner; P. Martin – Recording Secretary.

**2. APPROVAL OF AGENDA**

**Motion:** It was moved by Councillor Coleman, seconded by Councillor Alto, that the Agenda of the October 12, 2017, Committee of the Whole meeting be approved.

**Amendment:** It was moved by Councillor Loveday, seconded by Councillor Isitt, that the Agenda of the October 12, 2017, Committee of the Whole meeting be amended as follows:

**Consent Agenda:**

**Item #1 – Minutes from the meeting held September 7, 2017**

**Item #4 - Progress Report on 1525 Shasta Place 60-Day Temporary Protection Order (Rockland)**

**Item #5 - Application for a New Liquor Primary Licence for The Drake, 517 Pandora Street (Downtown)**

**Item #10 - Emergency Container at 2906 Cook Street**

On the amendment:  
CARRIED UNANIMOUSLY 17/COTW

**Main motion as amended:**

That the amended Agenda of the October 12, 2017, Committee of the Whole Meeting be approved with the following amendments:

**Consent Agenda:**

Item #1 – Minutes from the meeting held September 7, 2017

Item #4 - Progress Report on 1525 Shasta Place 60-Day Temporary Protection Order (Rockland)

Item #5 - Application for a New Liquor Primary Licence for The Drake, 517 Pandora Street (Downtown)

Item #10 - Emergency Container at 2906 Cook Street

On the main motion as amended:  
CARRIED UNANIMOUSLY 17/COTW

**3. CONSENT AGENDA**

**Motion:** It was moved by Councillor Isitt, seconded by Councillor Coleman, that the following items be approved without further debate:

**3.1 Minutes from the meeting held September 7, 2017**

**Motion:** It was moved by Councillor Isitt, seconded by Councillor Coleman, that the Minutes of the meeting held September 7, 2017, be adopted.

CARRIED UNANIMOUSLY 17/COTW

**3.2 Progress Report on 1525 Shasta Place 60-Day Temporary Protection Order (Rockland)**

Committee received a report dated October 3, 2017, from the Director of Sustainable Planning & Community Development regarding a report providing an update on the status of discussions with the owners of 1525 Shasta Place, that have occurred as a result of the 60-day temporary protection order placed on the property.

**Motion:** It was moved by Councillor Isitt, seconded by Councillor Coleman, that Council receive this report for information.

CARRIED UNANIMOUSLY 17/COTW

**3.3 Application for a New Liquor Primary Licence for The Drake, 517 Pandora Street (Downtown)**

Committee received a report dated September 22, 2017, from the Director of Sustainable Planning & Community Development regarding an application for a new Liquor Primary License at 517 Pandora Avenue, having licenced hours of service

from 9:00 a.m. until 12:00 a.m., seven days a week and an occupant load of 178 persons.

**Motion:** It was moved by Councillor Isitt, seconded by Councillor Coleman, that Council direct staff to provide the following response to the Liquor Control and Licensing Branch:

1. Council, after conducting a review with respect to the location of the establishment and the person capacity and hours of liquor service, supports the application of The Drake, located at 517 Pandora Street to obtain a new Liquor Primary License permitting service from 9:00 am until 12:00 am seven days a week for an occupant load not in excess of 178 persons.

Providing the following comments on the prescribed considerations:

- a. The impact of noise on the community in the vicinity of the establishment has been considered and is expected to be consistent with existing operations based on an understanding that the total licensed capacity under the Food Primary Licence is 178 persons and the hours of operation are 11:30 am until 12:00 am seven days per week.
- b. If the application is approved, the impact on the community is expected to be negligible given the size and hours of the business.
- c. The views of residents were solicited via a mail out to neighbouring property owners and occupiers within 50 metres of the licensed location and a notice posted at the property. The City received four letters, all in support of the application.
- d. Council recommends the issuance of the license.

CARRIED UNANIMOUSLY 17/COTW

### **3.4 Emergency Container at 2906 Cook Street**

Committee received a report dated October 4, 2017, from Councillors Isitt and Loveday regarding the residents and owners of the Spencer Castle condominium complex at who have approved the installation of an emergency container on Spencer Castle property, on the parcel at 2906 Cook Street, in order for the residents of the 105-unit, 3-building condominium complex to be self-sufficient in case of an emergency. This objective aligns with the City of Victoria's Strategic Priorities relating to emergency preparedness.

**Motion:** It was moved by Councillor Isitt, seconded by Councillor Coleman, that Council direct staff to add the property at 2906 Cook Street to the second round of Land Use Contract terminations, and initiate a rezoning to the R3-A1 Zone via a concurrent City initiated rezoning, to permit the installation of an emergency container on the property.

CARRIED UNANIMOUSLY 17/COTW

## **4. LAND USE MATTERS**

### **4.1 Temporary Use Permit Application No. 00003 for 3020 Douglas Street & 540 Burnside Road East**

Committee received a report dated September 28, 2017, from the Director of Sustainable Planning & Community Development regarding an application to temporarily change the use from motel to 52 transitional housing units and monthly rental parking for a period of up to three years.

Committee discussed:

- The possibility for better bike storage.
- That the Temporary Use Permit cannot be terminated early, however conditions can be put in place as a requirement for the permit.

**Motion:** It was moved by Councillor Isitt, seconded by Councillor Alto, that Council after giving notice and allowing an opportunity for a Public Hearing at the next available meeting of Council, consider the following motion: "That Council authorize the issuance of Temporary Use Permit Application No. 00003 for 3020 Douglas Street and 540 Burnside Road East, in accordance with:

1. Plans date stamped August 24, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. Registration of a Section 219 Covenant on title to the satisfaction of staff to secure the following minimum criteria with respect to transitional housing on the subject property:
  - 24/7 staffing model and ancillary supports, including two trained resident support workers onsite at all times and one full-time supervisor during the week
  - at least one staff member patrolling around the entire perimeter of the building to inspect the property and attend to the removal of any rubbish or debris
  - residents provided with access to health care and counselling support services.
4. The applicant providing a landscape cost estimate for the entire cost of the onsite landscaping in accordance with the Landscape Plan prepared by LADR Landscape Architects dated August 17, 2017 and a landscape security deposit in the amount of 120% of the Landscape Cost Estimate is payable to the City prior to the issuance of any building permits.
5. The Temporary Use Permit lapsing three years from the date of this resolution.

Committee discussed:

- The importance of forwarding this application to a Public Hearing in order to hear from the public.
- The potential impact on the neighbourhood and consideration of how similar facilities have been run.

**Amendment:** It was moved by Mayor Helps, seconded by Councillor Isitt, that the motion be amended to include the following point:

6. **That the applicant hold a Community Association Land Use Committee meeting before proceeding to Public Hearing.**

On the amendment:  
CARRIED UNANIMOUSLY 17/COTW

**Amendment:** It was moved by Mayor Helps, seconded by Councillor Isitt, that the motion be amended to include the following point:

7. **Direct staff to work with the applicant to provide more appropriate bicycle parking for the residents.**

On the amendment:  
CARRIED UNANIMOUSLY 17/COTW

Committee discussed:

- Concerns relating to the impact on the neighbourhood.

**Amendment:** It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that point three be amended as follows:

3. Registration of a Section 219 Covenant on title to the satisfaction of staff to secure the following minimum criteria with respect to transitional housing on the subject property:
  - 24/7 staffing model and ancillary supports, including two trained resident support workers onsite at all times and one full-time supervisor during the week
  - at least one staff member patrolling around the entire perimeter of the building to inspect the property **daily** and attend to the removal of any rubbish or debris **or graffiti**
  - residents provided with access to health care and counselling support services.

On the amendment:  
CARRIED UNANIMOUSLY 17/COTW

**Amendment:** It was moved by Councillor Thornton-Joe, seconded by Councillor Coleman, that the motion be amended to include the following point:

8. **On the condition that as per the applicant's letter visitors are allowed on an individual basis with staff monitoring all ingress and egress.**

**Motion:** It was moved by Councillor Isitt, seconded by Councillor Young, that the applicant be allowed to answer the question of what sort of tenancy is being contemplated for this residence.

CARRIED UNANIMOUSLY 17/COTW

*The applicant advised Council that the type of tenancy would be subject to Residential Tenancy Act, and that they come up with rules as a community.*

Committee discussed:

- Concerns relating to whether this amendment restrains the freedoms of the tenants.

**Amendment to the amendment:**

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

8. ~~That On the condition that as per the applicant's letter visitors are allowed on an individual basis with staff monitoring all ingress and egress.~~

On the amendment to the amendment:  
CARRIED UNANIMOUSLY 17/COTW

On the amendment:  
CARRIED UNANIMOUSLY 17/COTW

**Amendment:** It was moved by Councillor Thornton-Joe, seconded by Councillor Isitt, that the motion be amended to include the following point:

9. **And will primarily house those already in supportive housing facilities, who have favourably responded to and are willing to accept the restrictions, policies, and procedures for the building.**

On the amendment:  
CARRIED UNANIMOUSLY 17/COTW

**Main motion as amended:**

That Council after giving notice and allowing an opportunity for a Public Hearing at the next available meeting of Council, consider the following motion:

"That Council authorize the issuance of Temporary Use Permit Application No. 00003 for 3020 Douglas Street and 540 Burnside Road East, in accordance with:

1. Plans date stamped August 24, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. Registration of a Section 219 Covenant on title to the satisfaction of staff to secure the following minimum criteria with respect to transitional housing on the subject property:
  - 24/7 staffing model and ancillary supports, including two trained resident support workers onsite at all times and one full-time supervisor during the week;
  - at least one staff member patrolling around the entire perimeter of the building to inspect the property daily and attend to the removal of any rubbish or debris or graffiti; and
  - residents provided with access to health care and counselling support services.
4. The applicant providing a landscape cost estimate for the entire cost of the onsite landscaping in accordance with the Landscape Plan prepared by LADR Landscape Architects dated August 17, 2017 and a landscape security deposit in the amount of 120% of the Landscape Cost Estimate is payable to the City prior to the issuance of any building permits.

5. The Temporary Use Permit lapsing three years from the date of this resolution.
6. That the applicant hold a Community Association Land Use Committee meeting before proceeding to Public Hearing.
7. Direct staff to work with the applicant to provide more appropriate bicycle parking for residents.
8. That staff will monitor all ingress and egress.
9. And will primarily house those already in supportive housing facilities, who have favourably responded to and are willing to accept the restrictions, policies, and procedures for the building.

On the main motion as amended:  
CARRIED 17/COTW

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

**Motion:** It was moved by Councillor Isitt, seconded by Councillor Loveday, that the City of Victoria request that BC Housing:

1. Convene a meeting with transitional and supportive housing operators to identify actions and resources necessary to mitigate neighbourhood impacts of transitional and supportive housing facilities in the City of Victoria; and
2. Provide Council with a summary report of actions arising from this meeting.

CARRIED UNANIMOUSLY 17/COTW

*Committee recessed at 10:05 a.m., and returned at 10:11 a.m.*

#### **4.2 Land Use Procedures Bylaw Amendments – Temporary Use Permits Notification**

Committee received a report dated September 29, 2017, from the Director of Sustainable Planning & Community Development regarding a recommended change to the Land Use Procedures Bylaw to fulfil Council's previous intent for the Temporary use Permit application process.

**Motion:** It was moved by Councillor Coleman, seconded by Councillor Alto, that Council:

1. Give 1st, 2nd, and 3rd readings for the attached Land Use Procedures Bylaw amendments which would reduce the notification distance for opportunities for public comment for Temporary Use Permits.
2. Direct staff to amend the Storefront Cannabis Retailer Rezoning Policy to specify that Temporary Use Permit applications require the notification distance for Council's opportunity for public comment be 100 metres.

CARRIED UNANIMOUSLY 17/COTW

#### **4.3 Zoning Bylaw, 2017 – Direction to Proceed to Public Hearing**

Committee received a report dated September 18, 2017, from the Director of Sustainable Planning & Community Development regarding the proposed Zoning Bylaw 2017, which is ready to proceed to Public Hearing.

Committee discussed:

- The letter from the Downtown Residents Association.
- Whether the bylaw could lead to the overbuilding of retail in the downtown.

**Motion:** It was moved by Mayor Helps, seconded by Councillor Lucas, that Council direct staff to bring forward Zoning Bylaw 2017 for Council's consideration of first and second readings prior to a Public Hearing.

CARRIED UNANIMOUSLY 17/COTW

### **5. STAFF REPORTS**

#### **5.1 Update: Artist in Residence Program**

Committee received a report dated October 12, 2017, from the Acting City Manager regarding an update on the Artist in Residence program.

**Motion:** It was moved by Councillor Loveday, seconded by Councillor Isitt, that Council approve the extension for one year of the Artist in Residence to December 31, 2018.

Committee discussed:

- The positive feedback that has been received by the public.
- The possibility of nominating the Artist in Residence for an award.

CARRIED UNANIMOUSLY 17/COTW

**Motion:**

It was moved by Councillor Alto, seconded by Councillor Loveday, that Council direct staff to report back on the Indigenous Artist in Residence Program with recommendations on its future.

CARRIED UNANIMOUSLY 17/COTW

#### **5.2 2018 Council and Committee Meeting Calendar**

Committee received a report dated October 3, 2017, from the City Clerk regarding the 2018 Committee of the Whole and Council meeting schedule.

**Motion:** It was moved by Mayor Helps, seconded by Councillor Loveday, that Council approve the 2018 Committee of the Whole and Council meeting schedule attached to this report and make available to the public as required under the Section 127 of the Community Charter.



**Amendment:** It was moved by Mayor Helps, seconded by Councillor Loveday, that Council approve the 2018 Committee of the Whole and Council meeting schedule as amended and make available to the public as required under the Section 127 of the Community Charter:

**That the 2018 Committee of the Whole and Council meeting schedule be amended by removing the October 4<sup>th</sup> and October 25<sup>th</sup>, 2018 meeting dates, and making November 1<sup>st</sup>, 2018 the Inaugural Meeting date.**

**Amendment to the amendment:**

It was moved by Councillor Young, seconded by Councillor Alto, that the amendment be amended as follows:

**That the 2018 Committee of the Whole and Council meeting schedule be amended by removing the October 4<sup>th</sup> and October 25<sup>th</sup>, 2018 meeting dates, and making November 1<sup>st</sup>, 2018 the Inaugural Meeting date.**

On the amendment to the amendment:  
CARRIED 17/COTW

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

**Amendment to the amendment:**

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

**That the 2018 Committee of the Whole and Council meeting schedule be amended by removing the October 25<sup>th</sup>, 2018 meeting date, replacing the proposed October 25<sup>th</sup>, 2018 Council meeting date with a Council meeting on October 4<sup>th</sup>, 2018, and making November 1<sup>st</sup>, 2018 the Inaugural Meeting date.**

On the amendment to the amendment:  
CARRIED 17/COTW

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

**Amendment to the amendment:**

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

**That the 2018 Committee of the Whole and Council meeting schedule be amended by moving the August 2<sup>nd</sup> and August 9<sup>th</sup> meeting dates to August 16<sup>th</sup> and August 23<sup>rd</sup>, removing the October 25<sup>th</sup>, 2018 meeting date, replacing the proposed October 25<sup>th</sup>, 2018 Council meeting date**

**with a Council meeting on October 4<sup>th</sup>, 2018, and making November 1<sup>st</sup>, 2018 the Inaugural Meeting date.**

On the amendment to the amendment:  
Defeated due to no seconder

Committee discussed:

- That there should be a robust orientation program for new councils.

On the amendment:  
CARRIED UNANIMOUSLY 17/COTW

**Main motion as amended:**

That Council approve the 2018 Committee of the Whole and Council meeting schedule as amended and make available to the public as required under the Section 127 of the Community Charter.

**That the 2018 Committee of the Whole and Council meeting schedule be amended by removing the October 25<sup>th</sup>, 2018 meeting date, replacing the proposed October 25<sup>th</sup>, 2018 Council meeting date with a Council meeting on October 4<sup>th</sup>, 2018, and making November 1<sup>st</sup>, 2018 the Inaugural Meeting date.**

On the main motion as amended:  
CARRIED UNANIMOUSLY 17/COTW

**6. NEW BUSINESS**

**6.1 Holding Fossil Fuel Companies Responsible for Climate Change**

Committee received a report dated October 5, 2017, from Mayor Helps and Councillors Loveday and Isitt regarding a recommendation that letters be sent to major fossil fuel companies on climate accountability.

**Motion:** It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council request that the Mayor, on behalf of Council, send a Climate Accountability Letter to major fossil fuel companies.

Committee discussed:

- The importance of municipalities being leaders in climate change.
- Whether the onus should be on senior levels of the government to take steps towards major climate action change, rather than fossil fuel companies.

CARRIED 17/COTW

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

Against: Councillor Young

**Motion:** It was moved by Mayor Helps, seconded by Councillor Isitt, that the Mayor formulate into a motion for COTW consideration and upon approval, forward to AVICC.

**Amendment:** It was moved by Councillor Isitt, seconded by Councillor Coleman, that the Mayor formulate into a motion for COTW consideration and upon approval, forward to AVICC **and FCM for consideration at the UBCM Convention.**

On the amendment:  
CARRIED 17/COTW

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

Against: Councillor Young

**Main motion as amended:**

That the Mayor formulate into a motion for COTW consideration and upon approval, forward to AVICC and FCM for consideration at the UBCM Convention.

On the main motion as amended:  
CARRIED 17/COTW

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

Against: Councillor Young

## **7. ADJOURNMENT**

**Motion:** It was moved by Councillor Coleman, seconded by Councillor Alto, that the Committee of the Whole meeting of October 12, 2017, be adjourned at 11:51 a.m.

CARRIED UNANIMOUSLY 17/COTW

CERTIFIED CORRECT:

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CITY CLERK

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MAYOR