



## **MINUTES - VICTORIA CITY COUNCIL**

**May 17, 2018, 9:25 A.M.**

**COUNCIL CHAMBERS, CITY HALL, 1 CENTENNIAL SQUARE**

**Located on the traditional territory of the Esquimalt and Songhees People**

**PRESENT:** Mayor Helps in the Chair, Councillor Alto, Councillor Coleman, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, Councillor Young

**ABSENT:** Councillor Isitt

**STAFF PRESENT:** J. Jenkyns - Acting City Manager, C. Coates - City Clerk, P. Bruce - Fire Chief, S. Thompson - Director of Finance, F. Work - Director of Engineering & Public Works, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhauer - Head of Engagement, C. Havelka - Deputy City Clerk, A. Hudson - Assistant Director of Community Planning, C. Mycroft - Manager of Executive Operations, AM Ferguson - Committee Secretary, T. Zworski - City Solicitor

**A. CONVENE COUNCIL MEETING**

**B. APPROVAL OF AGENDA**

**Moved By** Councillor Loveday

**Seconded By** Councillor Coleman

That the agenda be approved.

**CARRIED UNANIMOUSLY**

**C. READING OF MINUTES**

**C.1 Addenda: Minutes from the daytime Meeting held April 5, 2018**

**Moved By** Councillor Alto

**Seconded By** Councillor Coleman

That the minutes from the daytime Meeting held April 5, 2018 be approved.

**CARRIED UNANIMOUSLY**

**D. PROCLAMATION**

**D.1 Addenda: "International Day against Homophobia, Transphobia and Biphobia" - May 17, 2018**

Council (Daytime)

May 17, 2018

**Moved By** Councillor Coleman  
**Seconded By** Councillor Alto

1. That the *International Day against Homophobia, Transphobia and Biphobia* Proclamation be forwarded to the May 17, 2018 Council meeting for Council's consideration.
2. Subject to Committee of the Whole's consideration of the above recommendation, that the motion be forwarded to the Special Council Meeting of May 17, 2018.

**CARRIED UNANIMOUSLY**

**E. REPORTS OF COMMITTEE**

**E.1 Committee of the Whole**

**E.1.a Report from the May 3, 2018 COTW Meeting**

**E.1.a.a Draft Esquimalt Official Community Plan Referral**

**Moved By** Councillor Alto  
**Seconded By** Councillor Coleman

That Council consider the draft Esquimalt Official Community Plan and direct staff to provide the following comments to the Township of Esquimalt:

1. Consider additional Development Permit Area guidelines for sensitive transitions and context-sensitive design where more intensive land uses are considered on the Esquimalt side of the shared municipal boundary, for compatibility with adjacent development in Victoria.
2. Correct the proposed land use map (Schedule B of the Township of Esquimalt Draft Official Community Plan) to maintain the Parks and Open Space designation for the part of Victoria's Barnard Park which falls within Esquimalt's municipal boundary.

**CARRIED UNANIMOUSLY**

**E.1.a.b Cash in Lieu of Community Space, Roundhouse Master Development Agreement**

**Moved By** Councillor Lucas  
**Seconded By** Councillor Loveday

That Council:

1. Direct staff to prepare an amendment to the Roundhouse Master Development

Agreement (MDA) deferring the "cash-in-lieu of community space payment" to the time of submission of the first Building Permit Application for the Roundhouse development to the satisfaction of the Director of Sustainable Planning and Community Development and the City Solicitor.

2. Authorize the Mayor and City Clerk to execute the MDA amendment and any other instruments necessary to effect its registration in the Land Title Office in the form satisfactory to the City Solicitor.
3. Direct staff to develop a work plan for a public engagement process to determine the use of the community amenity generated through the roundhouse development.

### **CARRIED UNANIMOUSLY**

#### **E.1.a.c Cecelia Ravine Park Improvement Plan**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Alto

That Council:

1. Approve the Park Improvement Plan for Cecelia Ravine Park (Appendix A); and
2. Amend the 2018 Financial Plan to increase the project budget by \$600,000, with funding from the Parks and Greenways Acquisition Reserve.
3. Direct staff to include \$49,000 for ongoing operating costs within the 2019 Financial Plan to be funded from general property tax revenue.
4. Refer the project to the Accessibility Working Group and the Active Transportation Advisory Committee.

### **CARRIED UNANIMOUSLY**

#### **E.1.a.d Direction for 2019 Financial Plan**

**Moved By** Councillor Coleman

**Seconded By** Councillor Lucas

That Council direct staff to:

1. Prepare a draft 2019 Financial Plan for Council's consideration that:
  - a. maintains existing services and service levels
  - b. continues the in-progress initiatives within the 2015-2018 Strategic Plan
  - c. Direct staff to develop two options
    - i. One that keeps the tax increase to no more than inflation plus 1% including police.

- ii. A second that keeps the tax increase to no more than inflation plus 1% including police plus an additional tax increase to accommodate the impact of the new health tax increase which at this point is planned to be imposed by the Province.
- d. factors in \$200,000 in savings from the reduction in 2018 Medical Services Plan premiums to fund a portion of the premiums in 2019
- 2. Bring forward the draft 2019 Financial Plan in the late fall 2018 to accommodate Council's orientation and strategic planning sessions.
- 3. Report back to Council with any updates or requests for change in direction should the Province outline another implementation path for the employer health tax.

FOR (7): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, and Councillor Thornton-Joe

OPPOSED (1): Councillor Young

### **CARRIED (8 to 1)**

#### **E.1.b Report from the May 10, 2018 COTW Meeting**

##### **E.1.b.a Market Rental Revitalization Study**

*Councillor Lucas withdrew from the meeting at 10:34 a.m. due to a non pecuniary conflict of interest with the following item as the owner of the hotel that she manages owns apartment buildings in the city.*

**Moved By** Councillor Alto

**Seconded By** Councillor Loveday

That Council:

1. Accept the Market Rental Building Inventory for information, and direct staff to:
  - a. Incorporate the market rental building inventory into City systems such as VicMap for public access.
  - b. Continue the Development Monitoring project to provide better tracking and upkeep of the rental building inventory.
2. Instruct the City Solicitor to bring forward a bylaw to implement the Rental Property Standards of Maintenance elements described in Attachment G.
3. Direct Staff to report back to Council with a Rental Property Standards of Maintenance Bylaw resourcing and implementation plan for budgetary approval.
4. Adopt the Tenant Assistance Policy attached to this report (Attachment H) effective September 1, 2018, and direct staff to:

- a. Report back to Council following conclusion of the Provincial Renters Task Force and any proposed changes to the Residential Tenancy Act that may impact provisions outlined in the Tenant Assistance Policy.
5. Refer consideration of a grant program to provide support to organisations that provide information, education and support to tenants on residential tenancy matters to the 2019 financial planning process.
6. Adopt the Market Rental Energy and Seismic Upgrade incentive program described in this report, and direct staff to :
  - a. Identify pilot projects for testing and further development of the incentive program.
7. Direct staff to report back on options for facilitating a partnership to advance a local proposal for the recently released CMHC National Co-investment Fund, to renew existing purpose-build rental housing in Victoria, prevent the demolition of rental housing, and reduce the likelihood of displacement of renters.

*Councillor Alto withdrew from the meeting at 10:49 a.m. due to a pecuniary conflict of interest with the following item as she rents a building with less than four units.*

*Councillor Young withdrew from the meeting at 10:50 a.m. due to a non pecuniary conflict of interest with the following item as members of his family rent buildings with less than four units.*

#### **CARRIED UNANIMOUSLY**

**Moved By** Mayor Helps  
**Seconded By** Councillor Coleman

#### **Amendment:**

That the motion be amended to include the following:

**8. Direct staff to make the Rental Standards of Maintenance Bylaw apply to all rental units on a one-year trial basis.**

#### **CARRIED UNANIMOUSLY**

**Moved By** Councillor Loveday  
**Seconded By** Mayor Helps

#### **Amendment to the amendment:**

That the amendment be amended to include the following:

**8. Direct staff to make the Rental Standards of Maintenance Bylaw apply to all rental units on a one-year trial basis and ask staff to report back in one year**

**with the implications and advisability of continuing this policy.**

**On the amendment:**  
**CARRIED UNANIMOUSLY**

**On the amendment to the amendment:**  
**CARRIED UNANIMOUSLY**

**Moved By** Councillor Loveday  
**Seconded By** Mayor Helps

**Amendment:**

That the motion be amended to include the following:

**9. Direct staff to report back to Council any time a Rental Property Standards of Maintenance Bylaw complaint triggers an eviction. And that Staff be directed to apply the tenant assistance policy to any evictions caused by Rental Property Standards of Maintenance Bylaw complaints.**

**CARRIED UNANIMOUSLY**

**Moved By** Mayor Helps  
**Seconded By** Councillor Loveday

**Amendment to the amendment:**

That the amendment be amended as follows:

**9. Direct staff to report back to Council any time a Rental Property Standards of Maintenance Bylaw complaint triggers an eviction. And that Staff be directed to apply the tenant assistance policy to any evictions caused by Rental Property Standards of Maintenance Bylaw complaints.**

**On the amendment:**

**CARRIED UNANIMOUSLY**

**On the amendment to the amendment:**

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Loveday  
**Seconded By** Councillor Coleman

**Amendment:**

That the motion be amended to include the following:

**10. Request staff to provide the Tenant Assistance Policy to landlords in any evictions caused by Rental Property Standards of Maintenance Bylaw complaints and encourage them to adhere to it.**

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Loveday

**Seconded By** Mayor Helps

**Amendment:**

That the motion be amended to include the following:

**11. Direct staff to extend the Tenant Assistance Policy to all rental housing units.**

**CARRIED UNANIMOUSLY**

**Moved By** Mayor Helps

**Seconded By** Councillor Loveday

**Amendment:**

That the motion be amended to include the following:

**12. Direct staff to report back in one year after the implementation of the Tenant Assistance Policy and the Rental Property Standards of Maintenance Bylaw on unintended and potential consequences.**

**CARRIED UNANIMOUSLY**

**Main motion as amended:**

That Council:

1. Accept the Market Rental Building Inventory for information, and direct staff to:
  - a. Incorporate the market rental building inventory into City systems such as VicMap for public access.
  - b. Continue the Development Monitoring project to provide better tracking and upkeep of the rental building inventory.
2. Instruct the City Solicitor to bring forward a bylaw to implement the Rental Property Standards of Maintenance elements described in Attachment G.
3. Direct Staff to report back to Council with a Rental Property Standards of Maintenance Bylaw resourcing and implementation plan for budgetary approval.

4. Adopt the Tenant Assistance Policy attached to this report (Attachment H) effective September 1, 2018, and direct staff to:
  - a. Report back to Council following conclusion of the Provincial Renters Task Force and any proposed changes to the Residential Tenancy Act that may impact provisions outlined in the Tenant Assistance Policy.
5. Refer consideration of a grant program to provide support to organisations that provide information, education and support to tenants on residential tenancy matters to the 2019 financial planning process.
6. Adopt the Market Rental Energy and Seismic Upgrade incentive program described in this report, and direct staff to :
  - a. Identify pilot projects for testing and further development of the incentive program.
7. Direct staff to report back on options for facilitating a partnership to advance a local proposal for the recently released CMHC National Co-investment Fund, to renew existing purpose-build rental housing in Victoria, prevent the demolition of rental housing, and reduce the likelihood of displacement of renters.
8. Direct staff to make the Rental Property Standards of Maintenance Bylaw apply to all rentals units on a one-year trial basis and ask staff to report back in one year with the implications and advisability of continuing this policy.
9. Direct staff to report back to Council any time a Rental Property Standards of Maintenance Bylaw complaint triggers an eviction.
10. Direct staff to provide the Tenant Assistance Policy to landlords in any evictions caused by Rental Property Standards of Maintenance Bylaw complaints and encourage them to adhere to it.
11. Direct staff to extend the Tenant Assistance Policy to all rental housing units.
12. Direct staff to report back in one year after the implementation of the Tenant Assistance Policy and the Rental Property Standards of Maintenance Bylaw on unintended and potential consequences.

### **CARRIED UNANIMOUSLY**

#### **E.1.c Addenda: Report from the May 17, 2018 COTW Meeting**

##### **E.1.c.a Laurel Point Park Environmental Remediation**

*Councillors Alto and Young returned to the meeting at 11:23 a.m.*



Councillor Loveday left the meeting at 11:24 am.

**Moved By** Councillor Alto

**Seconded By** Councillor Coleman

That Council direct staff to:

1. Bring forward amendments to the 2018 Financial Plan bylaw to add \$3.1 million for the environmental remediation at Laurel Point Park with funding from the Tax Sale Lands Reserve.
2. Approve funding of \$50,000 from contingencies for the removal, storage, and reinstallation of various City assets on Laurel Point federal lands.
3. Authorize the Mayor and City Clerk to execute, on behalf of the City, an Agreement with the federal government as represented by Transport Canada, in a form satisfactory to the City Solicitor, to allow remediation of City land in conjunction with the Transport Canada Middle Harbour Fill Site remediation project.

**CARRIED UNANIMOUSLY**

**F. CLOSED MEETING**

**Moved By** Councillor Coleman

**Seconded By** Councillor Madoff

MOTION TO CLOSE THE MAY 17, 2018 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) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

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.

**CARRIED UNANIMOUSLY**

**G. APPROVAL OF CLOSED AGENDA**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Lucas

That the agenda be approved.

**CARRIED UNANIMOUSLY**

**Amendment:**

That the agenda be amended as follows:

**Consent Agenda:**

**Item No. E. 1 - Land**

**CARRIED UNANIMOUSLY**

**Main motion as amended:**

**CARRIED UNANIMOUSLY**

**H. CONSENT AGENDA**

**Moved By** Councillor Lucas

**Seconded By** Councillor Alto

That the following items be approved without further debate:

**CARRIED UNANIMOUSLY**

**L. NEW BUSINESS**

**L.1 Land**

**Moved By** Councillor Lucas

**Seconded By** Councillor Alto

Council received a confidential report dated May 8, 2018, from the Head of Strategic Real Estate regarding a land item.

The motion was recorded and kept confidential.

**CARRIED UNANIMOUSLY**

**I. READING OF CLOSED MINUTES**

**I.1 Addenda: Minutes from the closed Meeting held April 5, 2018**

**Moved By** Councillor Alto

**Seconded By** Councillor Lucas

That the minutes from the closed Meeting held April 5, 2018 be approved.

**CARRIED UNANIMOUSLY**

**L. NEW BUSINESS**

**L.2 Land**

Council received a verbal confidential update from the Director of Parks, Recreation and Facilities regarding a land item.

The discussion was recorded and kept confidential.

**N. ADJOURNMENT**

**Moved By** Councillor Alto

**Seconded By** Councillor Lucas

That the Closed Council Meeting be adjourned at 10:58 a.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR