



## **MINUTES - COMMITTEE OF THE WHOLE**

**April 11, 2019, 9:00 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 Isitt, Councillor Loveday, Councillor Thornton-Joe, Councillor Dubow, Councillor Potts, Councillor Collins

**ABSENT:** Councillor Young

**STAFF PRESENT:** J. Jenkyns - City Manager, C. Coates - City Clerk, P. Bruce - Fire Chief, S. Thompson - Deputy City Manager / 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. Meyer - Assistant Director of Development Services, A. Hudson - Acting Director of Sustainable Planning & Community Development, C. Mycroft - Manager of Executive Operations, T. Zworski - City Solicitor, K. Sidhu - Committee Secretary, J. O'Connor - Deputy Director of Finance

### **A. APPROVAL OF AGENDA**

**Moved By** Councillor Alto

**Seconded By** Councillor Thornton-Joe

That the agenda be approved.

**Amendment:**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Loveday

That the Agenda of the April 11, 2019, Committee of the Whole meeting be amended as follows:

**Consent Agenda:**

**C.1 Minutes from the Committee of the Whole Meeting held March 28, 2019**

**E.4 933 Collinson Street - Development Permit with Variances Application No. 00086 (Fairfield)**

**F.2 Proclamation - National Dental Hygienists Week**

**H.1 Amendment to the AVICC Climate Emergency Declaration Motion**

H.2 **Late Motion to AVICC Convention - Subsidies to Fossil Fuel Companies**

H.3 **Attendance at the AVICC Conference, Powell River, April 12-14**

**CARRIED UNANIMOUSLY**

**Main Motion as amended:**

**CARRIED UNANIMOUSLY**

**B. CONSENT AGENDA**

That the following items be approved without further debate:

**C.1 Minutes from the meeting held March 28, 2019**

**Moved By** Councillor Isitt

**Seconded By** Councillor Collins

That the minutes from the meeting held March 28, 2019 be adopted.

**CARRIED UNANIMOUSLY**

**E.4 933 Collinson Street - Development Permit with Variances Application No. 00086 (Fairfield)**

Committee received a report from the Acting Director of Sustainable Planning and Community Development dated March 28, 2019 proposing to recognize the placement of a deck and stairs in the rear yard of a small lot house located at 933 Collinson Street. Resulting from a Bylaw complaint, it was determined that a new deck and stairs have been constructed without appropriate permits.

**Moved By** Councillor Isitt

**Seconded By** Councillor Collins

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 with Variance Application No. 00086 for 933 Collinson Street, in accordance with:

1. Plans date stamped March 9, 2019.
2. Development meeting all *Zoning Regulation Bylaw* requirements, R1-S2 Zone, except for the following variances:
  - i. to reduce the rear yard setback from 6.0m to 2.0m (for deck and stairs)
  - ii. increase the site coverage from 40% to 60.1% (for deck and stairs).
3. The Development Permit lapsing two years from the date of this resolution."

**CARRIED UNANIMOUSLY**

**F.2 Proclamation - National Dental Hygienists Week**

Committee received a report dated April 5, 2019 from the City Clerk regarding a proclamation for a National Dental Hygienists Week from April 6 to 12, 2019.

**Moved By** Councillor Isitt

**Seconded By** Councillor Collins

That the *National Dental Hygienists Week* Proclamation be forwarded to the April 11, 2019 Council meeting for Council's consideration.

**CARRIED UNANIMOUSLY**

**H.1 Amendment to the AVICC Climate Emergency Declaration Motion**

Committee received a report dated April 5, 2019 from Mayor Helps and Councillor Isitt seeking Council to endorse proposed amendments to the AVICC Resolution 16 Climate Emergency Declaration submitted by the Sunshine Coast Regional District.

**Moved By** Councillor Isitt

**Seconded By** Councillor Collins

That Council endorse the proposed amendments to AVICC Resolution 16 Climate Emergency Declaration submitted by the Sunshine Coast Regional District. The deletions are struck through and the additions are in red:

WHEREAS the impacts of climate change in the form of extreme weather events, wildfires and drought are occurring at an accelerated rate and with growing frequency throughout BC and are creating major financial, social and environmental costs which are largely being borne by local governments and the residents they serve;

AND WHEREAS there is an urgency for action but a lack of resources and coordination to support local governments in their ability to adapt to and mitigate the ongoing effects of climate change, especially with respect to infrastructure upgrades, repairs and maintenance, and emergency preparedness measures:

THEREFORE BE IT RESOLVED that the provincial government be urged to declare a province wide Climate Emergency and to assist local governments in achieving carbon neutrality by 2030 and a 45% reduction in greenhouse gas emissions by 2030 and a 100% reduction in greenhouse gas emissions by 2050 as per the Intergovernmental Panel on Climate Change October 2018 report. ~~in order to emphasize the critical imperative for immediate action and to assist with province-wide collaboration and coordination of resources that will support local~~

governments

BE IT FURTHER RESOLVED THAT the President of UBCM communicate to the Provincial Minister of the Environment local government's support to help the Province close the 25% emissions gap in the *CleanBC Plan*, and call on the Province to provide the powers and resources to local governments to do so.

**CARRIED UNANIMOUSLY**

## **H.2 Late Motion to AVICC Convention - Subsidies to Fossil Fuel Companies**

Committee received a report dated April 5, 2019 from Mayor Helps and Councillor Isitt to endorse a AVICC motion to subsidize Local Climate Action instead of Fossil Fuels.

**Moved By** Councillor Isitt

**Seconded By** Councillor Collins

That Council endorse the following motion and submit to the Association of Vancouver Island and Coastal Communities as a late resolution for consideration at the 2019 Convention:

WHEREAS the Federal government recently released a scientific report that reveals that Canada is warming at twice the global rate, the Provincial government recently approved a \$5.35-billion package of tax incentives for a \$40-billion LNG Canada megaproject, supported by \$1.275 billion from the Federal government, and, according to a 2015 report by the International Monetary Fund, the annual Federal government subsidy to the fossil fuel industry is \$46 billion;

AND WHEREAS the funding formula for local governments has changed little since 1867 with local governments receiving roughly 8 cents of every tax dollar leaving them unprepared for the emerging and significant costs of mitigation and adaption to climate change;

THEREFORE BE IT RESOLVED that UBCM call on the Provincial government to end all subsidies to fossil fuel companies and to invest the money instead in climate change mitigation and adaptation activities being undertaken by local governments in a predictable and regularized funding formula and that the UBCM through the FCM call on the Federal government to end all subsidies to fossil fuel companies and to invest the money instead in climate change mitigation and adaptation activities being undertaken by local governments in a predictable and regularized funding formula.

**CARRIED UNANIMOUSLY**

### **H.3 Attendance at the AVICC Conference, Powell River, April 12-14**

Committee received a Council Member Motion dated April 9, 2019 from Councillor Potts requesting authorization to attend the AVICC Conference held in Powell River from April 12-14, 2019.

**Moved By** Councillor Isitt

**Seconded By** Councillor Collins

That Council authorize the attendance and associated costs for Councillor Sarah Potts to attend the AVICC Conference to be held in Powell River, April 12-14, 2019.

**CARRIED UNANIMOUSLY**

## **E. LAND USE MATTERS**

### **E.1 Inclusionary Housing and Density Bonus Policy**

Committee received a report dated April 5, 2019 from the Acting Director of Sustainable Planning and Community Development, as well as Blair Erb from Coriolis Consulting providing an update to Council on the Inclusionary Housing and Community Amenity Policy and to seek direction on implementation.

Committee discussed:

- pros and cons of the amendments to the revised policy as proposed by Councillor Isitt.
- the need for more affordable housing

**Moved By** Councillor Isitt

**Seconded By** Councillor Alto

That Council:

1. Adopt the Inclusionary Housing and Community Amenity Policy, 2019.
2. Direct staff to:
  - a. Apply the Inclusionary Housing and Community Amenity Policy, 2019 to rezoning applications received after April 11, 2019;
  - b. Issue an Expression of Interest to non-profit housing and government agencies to purchase and/or operate inclusionary housing units;
  - c. Monitor the requirements for staff resources needed for policy implementation, administration and monitoring and report back in one year with requests for additional resources as needed;
  - d. Report back on policy results in three years following policy implementation (2022).

**Amendment:**

**Moved By** Councillor Isitt

**Seconded By** Councillor Collins

Add item 2.e: report back within 6 months with a progress update on the impacts of the policy to date.

**Amendment to the amendment:**

**Moved By** Councillor Alto

replace “6 months” with “one year”

**Defeated due to no seconder**

**On the amendment:**

**CARRIED UNANIMOUSLY**

**Amendment:**

**Moved By** Councillor Isitt

**Seconded By** Councillor Potts

That the Inclusive Housing and Community Amenity Policy, Attachment A be amended as outlined in the revised policy document provided by Councillor Isitt (with proposed new text shown in green, and proposed deleted text shown in red)

**Motion to refer:**

**Moved By** Councillor Isitt

**Seconded By** Councillor Dubow

1. That the matter be referred to staff to report back by May 16 with any proposed amendments to the revised Attachment A to ensure a workable policy; and
2. That any amendments be consistent with the principle that new density beyond the entitlement in the existing zoning should be targeted toward the social purpose of expanding inclusivity and affordability in the community.
3. That the Interim Policy adopted by Council in November 2018 remain in effect until a new policy is adopted.

**Amendment to the referral:**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Alto

New #2: that the revised attachment a be forwarded to the working group for comment

**CARRIED UNANIMOUSLY**

**On the main referral motion:**

**Moved By** Councillor Loveday

**Seconded By** Councillor Alto

Postpone referral motion and this matter to next week's Committee of the Whole Meeting.

FOR (4): Councillor Alto, Councillor Loveday, Councillor Potts and Councillor Thornton-Joe

OPPOSED (4): Mayor Helps, Councillor Collins, Councillor Dubow and Councillor Isitt

**DEFEATED (4 to 4)**

**On the motion to refer:**

Motion to refer:

1. That the matter be referred to staff to report back by May 16 with any proposed amendments to the revised Attachment A to ensure a workable policy; and
2. Revised attachment A be forwarded to the working group for comment
3. That any amendments be consistent with the principle that new density beyond the entitlement in the existing zoning should be targeted toward the social purpose of expanding inclusivity and affordability in the community.
4. That the Interim Policy adopted by Council in November 2018 remain in effect until a new policy is adopted.

Postpone Motion to refer:

**Moved By** Councillor Collins

**Seconded By** Councillor Potts

Postpone the motion to refer to ask questions.

**CARRIED UNANIMOUSLY**

Council discussed:

- the housing crisis and the need for more affordable housing
- staff and consultant's rationale for proposing 10% affordable units

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

Motion to lift the postponed motion to refer from the table

**CARRIED UNANIMOUSLY**

**On the motion to refer:**

FOR (7): Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts and Councillor Thornton-Joe

OPPOSED (1): Mayor Helps

**CARRIED (7 to 1)**

*Committee recessed at 10:31 a.m. and returned at 10:37 a.m.*

**E.2     1900 - 1912 Richmond Road - Rezoning Application No. 00651 and Development Permit Application No. 000531 (North Jubilee)**

Committee received a report dated March 28, 2019 from the Acting Director of Sustainable Planning and Community Development providing information on a Rezoning and a Development Permit Application proposing to construct a five-storey assisted living and memory care building with ground floor commercial uses along Fort Street and Richmond Street.

**Moved By** Councillor Thornton-Joe  
**Seconded By** Councillor Alto

Rezoning Application No. 00651

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00651 for 1900-1912 Richmond Road, 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 and execution of the following legal documents to the satisfaction of the City Solicitor:
  - a. Statutory Right-of-Way of 1.82m off Fort Street
  - b. Statutory Right-of-Way of 1.39m off Birch Street
  - c. Statutory Right-of-Way of 4.53m off Richmond Road
  - d. Statutory Right-of-Way of 1.44m off Ashgrove Street
  - e. Housing Agreement to secure the building as rental in perpetuity and to secure the amenity spaces as noted on plans date stamped March 14, 2019.
2. Submission of revised plans that address the parking shortfall and the slope of the driveway to the underground parking.



Development Permit Application No. 000531

That Council, after the Public Hearing for Rezoning Application No. 00651, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000531 for 1900-1912 Richmond Road, in accordance with:

1. Plans date stamped March 14, 2019.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. Council authorizing anchor-pinning into the City Right-of-Way, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
4. The Development Permit lapsing two years from the date of this resolution."

FOR (6): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Loveday, Councillor Potts and Councillor Thornton-Joe

OPPOSED (2): Councillor Dubow and Councillor Isitt

**CARRIED (6 to 2)**

**E.3 2921 Gosworth Road - Rezoning Application No. 00667 and Development Permit with Variances Application No. 00096 (Oaklands)**

Committee received a report dated March 28, 2019 from the Acting Director of Sustainable Planning and Community Development providing information on a rezoning and development permit with variances application to subdivide to create two small lots, retain the existing dwelling on one lot and build a new single-family dwelling on the additional lot at 2921 Gosworth Road.

**Moved By** Councillor Isitt

**Seconded By** Councillor Alto

That the applicant works with staff to make changes to the proposed design and return to a Committee of the Whole meeting. Revisions should address:

- reducing the massing of the proposed house to better respond to the neighbourhood context
- revise the materials and colour of the proposed house to better reflect the neighbourhood context
- revise the landscaping and screening for the proposed patio for the existing house

**CARRIED UNANIMOUSLY**

**F. STAFF REPORTS**

**F.1 Revenue and Tax Policy Benchmark Monitoring and 2019 Tax Rates**

Committee received a report dated April 3, 2019 from the Deputy Director of Finance providing updated benchmark measures related to the City's Revenue and Tax Policy and seeking direction on 2019 tax rates.

**Moved By** Councillor Isitt

**Seconded By** Councillor Collins

That Council:

1. Approve 2019 tax rates based on current policy as follows:

Residential	3.1564
Utility	31.6048
Major Industrial	10.9821
Light Industrial	10.9821
Business	10.9821
Rec/Non Profit	7.1031

2. Direct staff to bring forward Tax Bylaw, 2019 for first, second and third readings to the April 25, 2019 Council meeting and for adoption at the daytime Council meeting on May 2, 2019

**CARRIED UNANIMOUSLY**

**H. NEW BUSINESS**

**H.4 Lobbying Efforts by Big Oil Companies to Deter Climate Action**

Committee received a report dated April 10, 2019 from Councillor Ben Isitt endorsing the information received by a non-profit organization documenting lobbying efforts by major fossil fuel corporations to deter climate action by governments.

**Moved By** Councillor Isitt

**Seconded By** Mayor Helps

That Council receive the report *Big Oil's Real Agenda on Climate Change* for information.

**CARRIED UNANIMOUSLY**

I. **ADJOURNMENT OF COMMITTEE OF THE WHOLE**

**Moved By** Councillor Loveday

**Seconded By** Councillor Alto

That the Committee of the Whole Meeting be adjourned at 11:48 a.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR