MINUTES - COMMITTEE OF THE WHOLE

November 28, 2019, 9:00 A.M.
COUNCIL CHAMBERS, CITY HALL, 1 CENTENNIAL SQUARE
The City of Victoria is located on the homelands of the Songhees and Esquimalt People

PRESENT:	Councillor Loveday in the Chair, Councillor Alto, Councillor Isitt, Councillor Potts (Joined the meeting at 9:05 a.m.), Councillor Thornton-Joe, Councillor Dubow (Joined the meeting at 9:08 a.m.), Councillor Young
ABSENT:	Mayor Helps
STAFF PRESENT:	J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Director of Finance, C. Coates - City Clerk , P. Bruce - Fire Chief, T. Zworski - City Solicitor, F. Work - Director of Engineering & Public Works, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhauer - Head of Engagement, J. Jensen - Head of Human Resources, A. Hudson - Acting Director of Sustainable Planning & Community Development, C. Havelka - Deputy City Clerk, J. O'Connor - Deputy Director of Finance, C. Mycroft - Manager of Executive Operations, AK Ferguson - Committee Secretary
GUESTS:	K. Roth, Executive Director, Greater Victoria Coalition to End Homelessness; J. Theobald, Inclusion and Collaboration Manager, Greater Victoria Coalition to End Homelessness

A. APPROVAL OF AGENDA

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the agenda be approved.

CARRIED UNANIMOUSLY

C. READING OF MINUTES

C.1 Minutes from the special meeting held November 4, 2019

Moved By Councillor Isitt
Seconded By Councillor Alto

That the minutes from the special Committee of the Whole meeting held November 4, 2019 be adopted.

CARRIED UNANIMOUSLY

C.2 Minutes from the meeting held November 14, 2019

Moved By Councillor Isitt
Seconded By Councillor Alto

That the minutes from the Committee of the Whole meeting held November 14, 2019 be adopted.

CARRIED UNANIMOUSLY

C.3 Minutes from the special meeting held November 15, 2019

Moved By Councillor Isitt
Seconded By Councillor Alto

That the minutes from the special Committee of the Whole meeting held November 15, 2019 be adopted.

CARRIED UNANIMOUSLY

D. PRESENTATIONS

D.1 Greater Victoria Coalition to End Homelessness

Councillor Potts joined the meeting at 9:05 a.m.

Councillor Dubow joined the meeting at 9:08 a.m.

The representatives from the Greater Victoria Coalition to End Homelessness presented to Committee regarding their Pandora Task Force Report and also provided their budget considerations to Committee for 2020.

Committee discussed:

- *Concerns with the current mandate and governance of the Coalition.*
- *Concerns with no member of Island Health or DVBA being part of the team.*
- *The apparent discrepancy in budget quotes for the two Langley washrooms between City of Victoria staff and the Coalition.*
- *Reasoning for the proposed "Kelowna" model being used and concerns that the model might not be right for Victoria.*

Moved By Councillor Isitt
Seconded By Councillor Thornton-Joe

That the report from the Greater Victoria Coalition to End Homelessness be received for information.

CARRIED UNANIMOUSLY

A Council member requested that the motions within the report be voted on separately.

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That Council direct staff to comment, as part of the 2020 budget process, on the implications of implementing:

Immediate recommendations

3 (Appoint the GVCEH and City of Victoria to coordinate implementation of these actions and report on results)

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

OPPOSED (3): Councillor Isitt, Councillor Loveday, and Councillor Young

CARRIED (4 to 3)

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That Council direct staff to comment, as part of the 2020 budget process, on the implications of implementing:

Immediate recommendations

4 (Request funding from Ministry of Mental Health and Addictions to support Peer engagement in Action Teams and implementation of recommendations)

Motion to Refer:

Moved By Councillor Isitt
Seconded By Councillor Young

That this matter be referred to the peer informed task force to provide advice to Council.

FOR (6): Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Dubow, and Councillor Young

OPPOSED (1): Councillor Alto

CARRIED (6 to 1)

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That Council direct staff to comment, as part of the 2020 budget process, on the implications of implementing:

Short Term Recommendations

1 (Develop pilot program designed in collaboration with peer leaders, reflecting some aspects of the Downtown on Call program in Kelowna)

Motion to Refer:

Moved By Councillor Isitt
Seconded By Councillor Young

That this matter be referred to the peer informed task force to provide advice to Council.

FOR (6): Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Dubow, and Councillor Young

OPPOSED (1): Councillor Alto

CARRIED (6 to 1)

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That Council direct staff to comment, as part of the 2020 budget process, on the implications of implementing:

Short Term Recommendations

2 (Installation of Water Bottle Refill Station)

CARRIED UNANIMOUSLY

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That Council direct staff to comment, as part of the 2020 budget process, on the implications of implementing:

Short Term Recommendations

3 (24-hour accessible restrooms are installed on the 900 block maintained by street community members as a social enterprise)

Amendment:

Moved By Councillor Isitt
Seconded By Councillor Dubow

3 (24-hour accessible restrooms are installed on the 900 block. ~~maintained by street community members as a social enterprise)~~

Amendment to the Amendment:

Moved By Councillor Thornton-Joe
Seconded By Councillor Dubow

3 (24-hour accessible restrooms are installed on the 900 block **possibly** maintained by street community members as a social enterprise)

CARRIED UNANIMOUSLY

On the amendment:

CARRIED UNANIMOUSLY

On the main motion as amended:
3 (24-hour accessible restrooms are installed on the 900 block possibly maintained by street community members as a social enterprise)

CARRIED UNANIMOUSLY

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That Council direct staff to comment, as part of the 2020 budget process, on the implications of implementing:

Short Term Recommendations

#4 (Collaborative Space Making is undertaken on the 900 block)

Amendment:

Moved By Councillor Thornton-Joe
Seconded By Councillor Loveday

#4 (Collaborative Space Making is ~~undertaken~~ **piloted** on the 900 block)

CARRIED UNANIMOUSLY

On the main motion as amended:
#4 (Collaborative Space Making is piloted on the 900 block)

FOR (6): Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, and Councillor Dubow

OPPOSED (1): Councillor Young

CARRIED (6 to 1)

Moved By Councillor Loveday
Seconded By Councillor Isitt

That Committee move E.1 to be after D.1.

CARRIED UNANIMOUSLY

Committee recessed at 11:42 a.m. and returned at 11:46 a.m.

Moved By Councillor Loveday
Seconded By Councillor Dubow

That Committee recess the meeting to go into a Closed Council meeting.

CARRIED UNANIMOUSLY

Committee recessed the meeting at 11:47 a.m. and returned at 1:26 p.m.

E. UNFINISHED BUSINESS

E.1 Work Without Permit - 1551 Bay Street / Bylaw File #71169

Committee received a report from the Manager of Bylaw regarding the hearing that was recessed on September 19, 2019 for 60 days. The hearing reconvened with the property owner, Manager of Bylaw and the Manager of Permits & Inspections providing information and responding to questions from Council.

The Acting Mayor offered the property owner the time to speak regarding his property at 1551 Bay Street.

The property owner provided a presentation to Council regarding his property.

Committee did not have any questions for the property owner.

Committee asked staff to outline the purpose of a Notice on Title.

Moved By Councillor Thornton-Joe
Seconded By Councillor Young

That Council direct the City clerk to file a notice in the Land Title Office in relation to the property located at 1551 Bay Street, legally described as **LOT 5, SECTION 75, VICTORIA, PLAN 7812** indicating that a resolution relating to this property has 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 advice that further information regarding this resolution may be inspected at the Legislative & Regulatory Services Department in Victoria City Hall.

CARRIED UNANIMOUSLY

Moved By Councillor Potts
Seconded By Councillor Loveday

That the Committee meeting be extended until 3:00 p.m.

CARRIED UNANIMOUSLY

Moved By Councillor Loveday
Seconded By Councillor Thornton-Joe

That F.2 be moved after E.1

CARRIED UNANIMOUSLY

F. LAND USE MATTERS

F.2 578 Yates Street and 1300-1306 Government Street - Heritage Alteration Permit Application No. 00238 (Downtown)

Committee received a report from the Acting Director of Sustainable Planning and Community Development regarding the issuance of a Heritage Alteration Permit Application for the property located at 578 Yates Street and 1300-1306 Government Street.

Moved By Councillor Thornton-Joe
Seconded By Councillor Isitt

That Council authorize the issuance of Heritage Alteration Permit Application No. 00238 for 578 Yates Street and 1300-1306 Government Street in accordance with:

1. Plans, date stamped October 25, 2019.
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 of Sustainable Planning and Community Development.
4. Minor plan amendments to address text errors on the plans to the satisfaction of the Director of Sustainable Planning and Community Development.
5. Conservation of the original metal column of the Adelphi Building at 1300 Government Street, if it is found in repairable condition, to the satisfaction of the Director of Sustainable Planning and Community Development.
6. Council authorizing the existing architectural façade projections and details on Government Street and Yates Street and the existing fire escapes on Government Street, 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.
7. Heritage Alteration Permit lapsing two years from the date of this resolution.

Amendment:

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

8. that the applicant consider having the parapet painted to reflect the original parapet design.

CARRIED UNANIMOUSLY

On the main motion as amended:
That Council authorize the issuance of Heritage Alteration Permit Application No. 00238 for 578 Yates Street and 1300-1306 Government Street in accordance with:

1. Plans, date stamped October 25, 2019.
2. Development meeting all *Zoning Regulation Bylaw*
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.
4. Minor plan amendments to address text errors on the plans to the satisfaction of the Director of Sustainable Planning and Community Development.
5. Conservation of the original metal column of the Adelphi Building at 1300 Government Street, if it is found in repairable condition, to the satisfaction of the Director of Sustainable Planning and Community Development.
6. Council authorizing the existing architectural façade projections and details on Government Street and Yates Street and the existing fire escapes on Government Street, 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.
7. Heritage Alteration Permit lapsing two years from the date of this resolution.
8. That the applicant consider having the parapet painted to reflect the original parapet design.

CARRIED UNANIMOUSLY

D. PRESENTATIONS

D.2 Third Quarter 2019 Update

Committee received a report from the City Manager and Head of Service Innovation and Improvement regarding the Third Quarter 2019 Update. The City Manager requested Committee provide staff with more guidance regarding the 2020 Town Halls.

Moved By Councillor Isitt
Seconded By Councillor Alto

That the first Town Hall in 2020 be for the Seniors Task Force to receive input on the Seniors Strategy.

Amendment:

Moved By Councillor Alto
Seconded By Councillor Isitt

That the second Town Hall in 2020 be focused on issues as directed in the Trans Inclusion Strategy.

CARRIED UNANIMOUSLY

On the main motion as amended:

That the first Town Hall in 2020 be for the Seniors Task Force to receive input on the Seniors Strategy.

That the second Town Hall in 2020 be focused on issues as directed in the Trans Inclusion Strategy.

CARRIED UNANIMOUSLY

Moved By Councillor Loveday
Seconded By Councillor Isitt

Move the item "barrier free business program" to a 2020 action item that is Council led.

Amendment:

Moved By Councillor Isitt
Seconded By Councillor Thornton-Joe

Move the item "barrier free business program" to a 2020 action item that is Council led **and supported by staff.**

CARRIED UNANIMOUSLY

On the main motion as amended:

Move the item "barrier free business program" to a 2020 action item that is Council led and supported by staff.

CARRIED UNANIMOUSLY

Moved By Councillor Young
Seconded By Councillor Dubow

Arts and Culture Funding:

Report back on spending by the City in this area and total grant funding by the City in this area.

Amendment:

Moved By Councillor Loveday
Seconded By Councillor Alto

Arts and Culture Funding:

Report back on spending by the City in this area and total grant funding by the City in this area **in the context of the next Create Victoria update.**

CARRIED UNANIMOUSLY

On the main motion as amended:

Arts and Culture Funding:

Report back on spending by the City in this area and total grant funding by the City in this area in the context of the next Create Victoria update.

FOR (3): Councillor Alto, Councillor Thornton-Joe, and Councillor Young

OPPOSED (4): Councillor Isitt, Councillor Loveday, Councillor Potts, and Councillor Dubow

DEFEATED (3 to 4)

Moved By Councillor Loveday
Seconded By Councillor Isitt

Arts and Culture:

That this item be referred for Council consideration of strategic plan amendments to the 2020 budget process.

CARRIED UNANIMOUSLY

Moved By Councillor Alto
Seconded By Councillor Loveday

City Staff Transit:

That this item be referred for Council consideration of strategic plan amendments to the 2020 budget process.

CARRIED UNANIMOUSLY

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That Council receive the Third Quarter (Q3) 2019 update report for information.

Amendment:

Moved By Councillor Thornton-Joe
Seconded By Councillor Potts

That Council request that staff report back on the options for adding attendance for COTW and Closed meetings, to the dashboard.

CARRIED UNANIMOUSLY

On the main motion as amended:

That Council receive the Third Quarter (Q3) 2019 update report for information and that Council request that staff report back on the options for adding attendance for COTW and Closed meetings, to the dashboard.

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

1. That the Carriage companies submit to bylaw and BCSPCA their protocol and training of staff in equine emergency response.
2. Staff proceed with street signs along the carriage routes.
3. Send a letter of thanks to BCSPCA for their letter.

Amendment:

Moved By Councillor Isitt
Seconded By Councillor Thornton-Joe

1. That the Carriage companies submit to bylaw and BCSPCA their protocol and training of staff in equine emergency response
2. Staff proceed with street signs along the carriage routes.
3. Send a letter of thanks to BCSPCA for their letter.
4. **Directing staff to prepare bylaw amendments to specify a maximum temperature of BGT less than 28.**

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Isitt
Seconded By Councillor Loveday

That the third quarter report be received for information

1. That the Carriage companies submit to bylaw and BCSPCA their protocol and training of staff in equine emergency response
2. Staff proceed with street signs along the carriage routes.
3. Send a letter of thanks to BCSPCA for their letter.
4. Directing staff to prepare bylaw amendments to specify a maximum temperature of BGT less than 28.
5. **Operations not be permitted on Oswego or Superior Street.**

Motion to refer:

Moved By Councillor Loveday
Seconded By Councillor Isitt

Refer this matter to the next consideration of the strategic plan update:

1. That the Carriage companies submit to bylaw and BCSPCA their protocol and training of staff in equine emergency response
2. Staff proceed with street signs along the carriage routes.
3. Send a letter of thanks to BCSPCA for their letter.
4. Directing staff to prepare bylaw amendments to specify a maximum temperature of BGT less than 28.
5. Operations not be permitted on Oswego or Superior Street.

FOR (4): Councillor Isitt, Councillor Loveday, Councillor Potts, and Councillor Dubow

OPPOSED (3): Councillor Alto, Councillor Thornton-Joe, and Councillor Young

CARRIED (4 to 3)

Moved By Councillor Isitt
Seconded By Councillor Loveday

That the meeting be extended until 3:30 p.m.

CARRIED UNANIMOUSLY

Moved By Councillor Loveday
Seconded By Councillor Potts

That G.1 and G.2 be referred to the meeting of December 5, 2019.

CARRIED UNANIMOUSLY

F. LAND USE MATTERS

F.1 1302 Finlayson Street - Rezoning Application No. 00687 and Development Permit with Variances Application No. 000546 (Hillside/Quadra)

Committee received a report from the Acting Director of Sustainable Planning and Community Development regarding a proposal to rezone the property located at 1302 Finlayson Street in order to subdivide the property, retain the existing mixed-use building and construct a new small lot house.

Moved By Councillor Young
Seconded By Councillor Potts

Rezoning Application No. 00687 for 1302 Finlayson Street

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00687 for 1302 Finlayson Street, 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 a Statutory Right-of-Way of 2.50m on the Finlayson Street frontage, to the satisfaction of the City Solicitor

2. An opportunity for City Council to consider heritage recognition or designation of the building based on a motion from the Heritage Advisory Panel.

Development Permit with Variances Application No. 000546 for 1302 Finlayson Street

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. 00687, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application

No. 000546 for 1302 Finlayson Street, in accordance with:

1. Plans date stamped May 3, 2019.

2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:

    i. reduce the front yard setback from 6.0m to 2.0m (Lot A)

    ii. reduce the rear yard setback from 6.0m to 4.63m to the building and to 3.43m to the steps (Lot A)

    iii. reduce the side yard setback on Finlayson Street from 6.0m to 0.51 m (Lot B)

    iv. increase the site coverage from 40% to 47.99% (Lot B).

3. Revised plans, to the satisfaction of the Director of Sustainable Planning and Community Development, that address the asymmetry of the second floor north facade windows and the width of the exterior railing supports.

4. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

F.3 Local Government Recommendation for Kiaro at 475 Gorge Road East

Committee received a report from the City Clerk regarding an application by Kiaro at 475 Gorge Road East to obtain a provincial cannabis retail store license.

Moved By Councillor Potts
Seconded By Councillor Alto

1. That Council direct staff to advise the Liquor and Cannabis Regulation Branch:

    Council supports the application of Kiaro at 475 Gorge Road East to receive a provincial cannabis retail store license with following comments on the prescribed considerations:

a. The Council recommends that the LCRB issue a license to Kiaro at 475 Gorge Road East.

b. City staff did not raise any concerns about this application in terms of community impacts.

c. The views of residents were solicited through a mail-out to neighbouring property owners and occupiers within 100 meters of this address and to the relevant neighbourhood association. The City sent 281 notices and received 9 letters in response. 6 letters were from respondents occupying an address within 100 metres of the property. The City did not receive a response from the Burnside/Gorge Community Association. Of the 9 responses, 3 support issuing a license and 6 oppose issuing a license. The respondents raised concerns about a cannabis retail store nearby another licensed cannabis retail store in the neighbourhood, fit of a cannabis retail store in the neighbourhood, and public safety.

d. Council wishes the Province to make its own deliberations about the fact that this operation was open until at least January 26, 2019

2. That Council direct staff to advise the LCRB of Council's recommendation subject to the applicant's compliance with City bylaws and permits.

CARRIED UNANIMOUSLY

J. ADJOURNMENT OF COMMITTEE OF THE WHOLE

Moved By Councillor Potts
Seconded By Councillor Alto

That the Committee of the Whole Meeting be adjourned at 3:29 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR