



## MINUTES - COMMITTEE OF THE WHOLE

April 23, 2020, 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:** Mayor Helps in the Chair, Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Dubow, Councillor Young

**PRESENT ELECTRONICALLY:** Councillor Potts, Councillor Thornton-Joe

**GUESTS:** D. Manak – Chief Constable, Victoria Police Department

**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, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhauer - Head of Engagement, K. Hoese - Director of Sustainable Planning and Community Development, A. Meyer - Assistant Director of Development Services, C. Havelka - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, L. Taylor - Senior Planner, R. Morhart - Manager, Permits & Inspections, M. Heiser - Committee Secretary, P. Bellefontaine – Acting Director of Engineering & Public Works

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

**Moved By** Councillor Alto  
**Seconded By** Councillor Loveday

That the agenda be approved.

**CARRIED UNANIMOUSLY**

### **B. CONSENT AGENDA**

**Moved By** Councillor Loveday  
**Seconded By** Councillor Alto

That the following items be approved without further debate.

**CARRIED UNANIMOUSLY**

**C.1 Minutes from the meeting held April 2, 2020**

**Moved By** Councillor Loveday

**Seconded By** Councillor Alto

That the minutes from the Committee of the Whole meeting held April 2, 2020 be adopted.

**CARRIED UNANIMOUSLY**

**F.2 1023 Tolmie Avenue: Rezoning Application No. 00672 and Development Permit with Variances Application No. 00097 (Hillside/Quadra)**

Committee received a report dated April 9, 2020 from the Director of Sustainable Planning and Community Development regarding the proposed Rezoning Application No. 00672 and Development Permit with Variances Application No. 00097 for 1023 Tolmie Avenue in order to subdivide the property and construct a new small lot house to the south of the existing dwelling.

**Moved By** Councillor Loveday

**Seconded By** Councillor Alto

**Rezoning Application No. 00672**

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00672 for 1023 Tolmie Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

**Development Permit with Variances Application No. 00097**

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. 00097, if it is approved, consider the following motion:

That Council authorize the issuance of Development Permit with Variance Application No. 00097 for 1023 Tolmie Avenue, in accordance with:

1. Plans date stamped April 6, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. reduce the front yard setback on the south lot from 6.0m to 4.2m to the building and 3.0m to the deck;
  - ii. reduce the rear yard setback on the south lot from 6.0m to 3.5m;
  - iii. reduce the south side yard setback on the south lot from 2.4m to 1.5m for any portion of a dwelling used for habitable space and which has a habitable window; and
  - iv. reduce the south side yard setback on the north lot from 2.4m to 1.73m for any portion of a dwelling used for habitable space and which has a habitable window.
3. The Development Permit lapsing two years from the date of this resolution.

**CARRIED UNANIMOUSLY**

*Councillor Dubow joined the meeting at 9:03 a.m.*

## D. Presentations

### D.1 Victoria Police Department - Special Funding Request for Topaz Park Policing Costs

Committee received a letter dated April 20 from the Chief Constable requesting funding for a five-week supplemental deployment in and around the Topaz Park neighborhood. The Chief Constable highlighted several issues and initiatives related to Topaz Park:

- Increased call volume
- Increased community concern
- Recent events observed during an undercover project

*Committee discussed the following:*

- *Opportunity to reallocate resources in review of the funding request*
- *Precautions taken to protect officers and the virus' transmission*
- *Peer based approaches and safety*
- *Protecting vulnerable populations*
- *Collaboration with staff on site at Topaz Park*

**Moved By** Mayor Helps

**Seconded By** Councillor Young

That Council allocate up to \$52,500 from the late night funding to fund the cost of policing as requested.

**Amendment:**

**Moved By** Councillor Isitt

**Seconded By** Councillor Loveday

That Council ~~allocate up to \$52,500 from the late night funding to fund the cost of policing as requested~~ authorize the following re-allocation of previously approved resources from the Late Night Great Night Program funding in the 2020 Provisional Financial Plan, to ensure public safety and public health during the COVID19 pandemic:

- a. \$100,000 to book accommodation for vulnerable populations, including people facing domestic violence, with staff directed to deploy these resources with no delay, working with partners to provide appropriate support services; and
- b. up to \$52,500 in additional public safety measures if required.

That staff report to Council if the remaining funds in the Late Night Great Night Program are expended, to consider a potential additional allocation to year end.

**Motion to go into a closed Committee of the Whole meeting at 9:45 a.m.**

**Moved By** Mayor Helps

**Seconded By** Councillor Loveday

That Council close the Committee of the Whole meeting for the following reasons:

- Community Charter Section 90(2)(b) – Intergovernmental Relations

**CARRIED UNANIMOUSLY**

*The open Committee of the Whole meeting reconvened at 10:00 a.m.*

**Amendment to the amendment:**

**Moved By** Councillor Loveday

**Seconded By** Councillor Young

- up to \$100,000 to book accommodation for vulnerable populations, including people facing domestic violence, with staff directed to deploy these resources with no delay, working with partners to provide appropriate support services; and**

FOR (7): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young

OPPOSED (1): Councillor Isitt

**CARRIED (7 to 1)**

**Amendment to the amendment:**

**Moved By** Mayor Helps

**Seconded By** Councillor Dubow

- up to \$100,000 to book accommodation for vulnerable populations, including people facing domestic violence, with staff directed to deploy these resources should Council not see appropriate action from the province in this regard by April 27 ~~with no delay,~~ working with partners to provide appropriate support services; and**

*Committee discussed the following:*

- *Specifics relating the Emergency Support Services program*
- *Provincial approval required to action Emergency Support Services*

*Councillor Dubow withdrew from the meeting at 10:39 a.m. and returned at 10: 40 a.m.*

*Councillor Loveday withdrew from the meeting at 10:50 a.m. and returned at 10:52 a.m.*

**On the amendment to the amendment:**

FOR (3): Mayor Helps, Councillor Thornton-Joe, Councillor Young  
OPPOSED (5): Councillor Alto, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts

**DEFEATED (3 to 5)**

*Committee recessed the meeting at 10:54 a.m. due to technical difficulties and reconvened the meeting at 11:02 a.m.*

**On the amendment:**

*Councillor Dubow requested that Committee consider the bulleted items in the amendment separately.*

That Council ~~allocate up to \$52,500 from the late night funding to fund the cost of policing as requested~~ authorize the following re-allocation of previously approved resources from the Late Night Great Night Program funding in the 2020 Provisional Financial Plan, to ensure public safety and public health during the COVID19 pandemic:

- a. up to \$100,000 to book accommodation for vulnerable populations, including people facing domestic violence, with staff directed to deploy these resources with no delay, working with partners to provide appropriate support services; and

FOR (5): Councillor Alto, Councillor Isitt, Councillor Dubow, Councillor Loveday, Councillor Potts  
OPPOSED (3): Mayor Helps, Councillor Thornton-Joe, Councillor Young

**CARRIED (5 to 3)**

- b. up to \$52,500 in additional public safety measures if required.

**That staff report to Council if the remaining funds in the Late Night Great Night Program are expended, to consider a potential additional allocation to year end.**

FOR (6): Mayor Helps, Councillor Alto, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young  
OPPOSED (2): Councillor Isitt, Councillor Dubow

**CARRIED (6 to 2)**

**On the main motion as amended:**

That Council authorize the following re-allocation of previously approved resources from the Late Night Great Night Program funding in the 2020

Provisional Financial Plan, to ensure public safety and public health during the COVID19 pandemic:

- a. up to \$100,000 to book accommodation for vulnerable populations, including people facing domestic violence, with staff directed to deploy these resources with no delay, working with partners to provide appropriate support services; and
- b. up to \$52,500 in additional public safety measures if required.

That staff report to Council if the remaining funds in the Late Night Great Night Program are expended, to consider a potential additional allocation to year end.

*Councillor Dubow requested that Committee consider the bulleted items in the motion separately.*

That Council authorize the following re-allocation of previously approved resources from the Late Night Great Night Program funding in the 2020 Provisional Financial Plan, to ensure public safety and public health during the COVID19 pandemic:

- a. up to \$100,000 to book accommodation for vulnerable populations, including people facing domestic violence, with staff directed to deploy these resources with no delay, working with partners to provide appropriate support services; and

FOR (7): Mayor Helps, Councillor Alto, Councillor Isitt, Councillor Dubow, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe

OPPOSED (1): Councillor Young

**CARRIED (7 to 1)**

- b. up to \$52,500 in additional public safety measures if required.

That staff report to Council if the remaining funds in the Late Night Great Night Program are expended, to consider a potential additional allocation to year end.

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

OPPOSED (2): Councillor Dubow, Councillor Isitt

**CARRIED (6 to 2)**

**Motion arising:**

**Moved By** Mayor Helps

**Seconded By** Councillor Isitt

That this matter be forwarded to the daytime Council meeting.

**CARRIED UNANIMOUSLY**

## **F. LAND USE MATTERS**

**F.1 650 Speed Avenue: Temporary Use Permit with Variances Application No. 00016 (Burnside)**

Committee received a report dated April 9, 2020 from the Director of Sustainable Planning and Community Development regarding the proposed Temporary Use Permit with Variances Application No. 00016 for 650 Speed Avenue in order to convert the existing four-storey motel to multiple dwelling to provide approximately 22 rental dwelling units for supportive housing.

**Moved By** Mayor Helps

**Seconded By** Councillor Alto

1. That Council waive the standard practice of holding an opportunity for public comment for this application but direct staff to continue other standard practices related to sign posting and public notification, including a request for written commentary to come back to Council for consideration prior to issuing the Temporary Use Permit.
2. And subject to the required notification and advertising, Council consider issuing the Temporary Use Permit as follows:  
"That Council authorize the issuance of Temporary Use Permit Application No.00016 for 650 Speed Avenue in accordance with plans submitted to the Sustainable Planning and Community Development department, date stamped April 2, 2020, to permit the additional use of multiple dwelling, subject to the following conditions:
  - i. No less than 15 parking spaces shall be provided for residents.
  - ii. The planting beds in the front and rear yards shall be cleaned up and reinstated.
  - iii. The Temporary Use Permit, if issued, expires two years from the date of this resolution."

*Committee discussed the following:*

- *Current procedure bylaw requirements*
- *Allotted time length of the proposed Temporary Use Permit*
- *Support expressed by the Community Land Use Association Committee*

**Amendment:**

**Moved By** Mayor Helps

**Seconded By** Councillor Loveday

**That this matter be forwarded to the April 23 Council meeting.**

**CARRIED UNANIMOUSLY**

**On the main motion as amended:**

1. That Council waive the standard practice of holding an opportunity for public comment for this application but direct staff to continue other standard practices related to sign posting and public notification, including a request for written commentary to come back to Council for consideration prior to issuing the Temporary Use Permit.

2. And subject to the required notification and advertising, Council consider issuing the Temporary Use Permit as follows:  
"That Council authorize the issuance of Temporary Use Permit Application No.00016 for 650 Speed Avenue in accordance with plans submitted to the Sustainable Planning and Community Development department, date stamped April 2, 2020, to permit the additional use of multiple dwelling, subject to the following conditions:
- i. No less than 15 parking spaces shall be provided for residents.
  - ii. The planting beds in the front and rear yards shall be cleaned up and reinstated.
  - iii. The Temporary Use Permit, if issued, expires two years from the date of this resolution."

That this matter be forwarded to the April 23 Council meeting.

**CARRIED UNANIMOUSLY**

*Mayor Helps recalled the vote on the Consent Agenda.*

**B. CONSENT AGENDA**

**Moved By** Councillor Loveday

**Seconded By** Councillor Alto

That the following items be approved without further debate.

**CARRIED UNANIMOUSLY**

**C.1 Minutes from the meeting held April 2, 2020**

**Moved By** Councillor Loveday

**Seconded By** Councillor Alto

That the minutes from the Committee of the Whole meeting held April 2, 2020 be adopted.

**CARRIED UNANIMOUSLY**

**F. LAND USE MATTERS**

**F.2 1023 Tolmie Avenue: Rezoning Application No. 00672 and Development Permit with Variances Application No. 00097 (Hillside/Quadra)**

Committee received a report dated April 9, 2020 from the Director of Sustainable Planning and Community Development regarding the proposed Rezoning Application No. 00672 and Development Permit with Variances Application No. 00097 for 1023 Tolmie Avenue in order to subdivide the property and construct a new small lot house to the south of the existing dwelling.

**Moved By** Mayor Helps

**Seconded By** Councillor Alto



**Rezoning Application No. 00672**

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00672 for 1023 Tolmie Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

**Development Permit with Variances Application No. 00097**

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. 00097, if it is approved, consider the following motion:

That Council authorize the issuance of Development Permit with Variance Application No. 00097 for 1023 Tolmie Avenue, in accordance with:

1. Plans date stamped April 6, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. reduce the front yard setback on the south lot from 6.0m to 4.2m to the building and 3.0m to the deck;
  - ii. reduce the rear yard setback on the south lot from 6.0m to 3.5m;
  - iii. reduce the south side yard setback on the south lot from 2.4m to 1.5m for any portion of a dwelling used for habitable space and which has a habitable window; and
  - iv. reduce the south side yard setback on the north lot from 2.4m to 1.73m for any portion of a dwelling used for habitable space and which has a habitable window.
3. The Development Permit lapsing two years from the date of this resolution.

*Committee discussed specifics relating to the proposal and street classification.*

**CARRIED UNANIMOUSLY****F.3 1820 Government Street: Update on Application for a new Food Primary License with Entertainment Endorsement for January Gin Joint & Eatery (Downtown)**

Committee received an update report dated March 27, 2020 from the Director of Sustainable Planning and Community Development regarding the Application for a New Food Primary License with Entertainment Endorsement for January Gin Joint & Eatery at 1820 Government Street and details about the roles and responsibilities of the City and LCRB in the approvals process.

**Moved By** Mayor Helps

**Seconded By** Councillor Loveday

That Council receive this report for information.

That Council direct staff to provide the following response to the Liquor Licensing Agency:

1. Council, after conducting a review with respect to noise and community impacts, does support the application of the January Gin Joint & Eatery located at 1820 Government Street to have hours of operation from 9:00 am to 12:00 am Sunday through Wednesday and 9:00 am to 1:00 am Thursday

through Saturday, an occupant load of 43 people and an entertainment endorsement.

Providing the following comments on the prescribed considerations:

- a. The impact of noise on the community near the establishment was considered in relation to the request and assumptions are the noise impacts would be comparable in proportion to existing licence capacity in the vicinity.
- b. If the application is approved, the impact on the community is expected to be positive economically as the approval supports this new business and the long-term viability of the establishment.
- c. The views of residents were solicited via a mail out which included 474 letters to neighbouring property owners and occupants within 100 metres of the licensed location and a notice posted at the property. The City received one letter from the Downtown Residents Association opposing the application in response to the request.
- d. Council recommends the hours supported for the establishment be approved.

**Amendment:**

**Moved By** Councillor Thornton-Joe

**Seconded By** Mayor Helps

1. Council, after conducting a review with respect to noise and community impacts, does support the application **as long as it meets the requirements of a food primary as written in the liquor control board policy** of January Gin Joint & Eatery located at 1820 Government Street to have hours of operation from 9:00 am to 12:00 am Sunday through Wednesday and 9:00 am to 1:00 am Thursday through Saturday, an occupant load of 43 people and an entertainment endorsement.

**CARRIED UNANIMOUSLY**

**Amendment:**

**Moved By** Councillor Young

**Seconded By** Councillor Thornton-Joe

1. Council, after conducting a review with respect to noise and community impacts, does support the application, as long as it meets the requirements of a food primary as written in the liquor control board policy, of January Gin Joint & Eatery located at 1820 Government Street to have hours of operation from 9:00 am to 12:00 am **every night** ~~Sunday through Wednesday and 9:00 am to 1:00 am Thursday through Saturday~~, an occupant load of 43 people and an entertainment endorsement.

FOR (2): Councillor Thornton-Joe, Councillor Young

OPPOSED (6): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts

**DEFEATED (2 to 6)**

**On the main motion as amended:**

That Council receive this report for information.

That Council direct staff to provide the following response to the Liquor Licensing Agency:

1. Council, after conducting a review with respect to noise and community impacts, does support the application, as long as it meets the requirements of a food primary as written in the liquor control board policy, of the January Gin Joint & Eatery located at 1820 Government Street to have hours of operation from 9:00 am to 12:00 am Sunday through Wednesday and 9:00 am to 1:00 am Thursday through Saturday, an occupant load of 43 people and an entertainment endorsement.

Providing the following comments on the prescribed considerations:

- a. The impact of noise on the community near the establishment was considered in relation to the request and assumptions are the noise impacts would be comparable in proportion to existing licence capacity in the vicinity.
- b. If the application is approved, the impact on the community is expected to be positive economically as the approval supports this new business and the long-term viability of the establishment.
- c. The views of residents were solicited via a mail out which included 474 letters to neighbouring property owners and occupants within 100 metres of the licensed location and a notice posted at the property. The City received one letter from the Downtown Residents Association opposing the application in response to the request.
- d. Council recommends the hours supported for the establishment be approved.

FOR (7): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Young

OPPOSED (1): Councillor Thornton-Joe

**CARRIED (7 to 1)**

*Committee recessed at 12:02 p.m. and reconvened at 12:55 p.m.*

**G. STAFF REPORTS**

**G.1 COVID-19 Update (Verbal)**

Committee received an update from the City Manager with regards to recent events and initiatives relating to the City's response to the Covid-19 pandemic highlighting several items:

- Emergency Operations Centre
- Neighborhood meetings held electronically
- Local Champions Program
- Shop YYJ initiatives and supporting local businesses
- Arising initiatives to support organizations within the city

*Committee discussed the following:*

- *Road work projects*
- *Reduced traffics volumes*

**G.2 Heritage Advisory Panel and Advisory Design Panel Referrals During the COVID-19 Pandemic**

Committee received a report dated April 17, 2020 from the Director Sustainable Planning and Community Development regarding the proposed recommendations authorizing the Heritage Advisory Panel and the Advisory Design Panel to conduct meetings electronically.

**Moved By** Mayor Helps  
**Seconded By** Councillor Alto

That Council:

1. Authorize meetings of the Heritage Advisory Panel and Advisory Design Panel to be conducted electronically during the period that the provincial declaration of a state of emergency made March 18, 2020, under section 9 (1) of the Emergency Program Act in relation to the COVID-19 pandemic and any extension of the duration of that declaration, is in effect.
2. That recommendations be forwarded to the April 23, 2020 Council Meeting so that the actions can be implemented immediately.

*Committee discussed the following:*

- *Specifics relating to electronic participation*

**CARRIED UNANIMOUSLY**

**G.3 Revenue and Tax Policy Benchmark Monitoring and 2020 Tax Rates**

Committee received a report dated April 15, 2020 from the Deputy Director of Finance regarding updated benchmark measures related to the City's Revenue and Tax Policy and seeking direction on 2020 tax rates.

**Moved By** Mayor Helps  
**Seconded By** Councillor Isitt

That Council:

1. Approve 2020 tax rates in alignment with the Revenue and Tax Policy as follows:

Residential	3.1152
Utility	34.4916
Major Industrial	10.3581
Light Industrial	10.3581
Business	10.3581
Rec/Non Profit	6.8316
2. Direct staff to bring forward Tax Bylaw, 2020 for introductory readings and adoption to the daytime Council meeting on May 7, 2020.

**CARRIED UNANIMOUSLY**

## **I. NEW BUSINESS**

### **I.1 Council Member Motion: 2020 Financial Plan Review - COVID-19**

Committee received a Council Member Motion dated April 21, 2020 from Mayor Helps regarding a proposed amendment to the Financial Plan motion approved April 9, 2020 and decided that this item will be discussed at the May 7, 2020 Committee of the Whole meeting.

### **I.2 Council Member Motion: Re-Opening of Provincial Parks**

Committee received Council Member Motion dated April 21, 2020 from Councillor Young regarding the proposed request to the Province to re-open Provincial parks for day use in order to reduce levels of use in local and regional parks and allow for greater physical distancing.

**Moved By** Councillor Young  
**Seconded By** Councillor Isitt

That Council request the Province to re-open Provincial parks for day use in order to reduce levels

#### **Amendment:**

**Moved By** Councillor Isitt  
**Seconded By** Mayor Helps

That Council request the Province to re-open Provincial parks for day use in order to reduce levels of use in local and regional parks and allow for greater physical distancing **giving particular consideration to provincial parks on Southern Vancouver Island, the Lower Mainland and in proximity to other urban population centres in the province.**

**CARRIED UNANIMOUSLY**

#### **On the main motion as amended**

That Council request the Province to re-open Provincial parks for day use in order to reduce levels of use in local and regional parks and allow for greater physical distancing giving particular consideration to provincial parks on Southern Vancouver Island, the Lower Mainland and in proximity to other urban population centres in the province.

**CARRIED UNANIMOUSLY**

## **J. ADJOURNMENT**

**Moved By** Councillor Alto  
**Seconded By** Councillor Dubow

That the Committee of the Whole Meeting be adjourned at 1:29 p.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR