



MINUTES - COMMITTEE OF THE WHOLE

May 28, 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:** Councillor Isitt in the Chair, Councillor Alto, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Dubow, 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, 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, J. O'Connor - Deputy Director of Finance, K. Moore - Head of Business and Community Relations, C. Mycroft - Manager of Executive Operations, A. Johnston - Planner, N. Sidhu - Assistant Director of Parks, Recreation & Facilities, P. Rantucci - Head of Strategic Real Estate, B. Stark - Manager of Parks, A. James - Head of Strategic Operations, P. Bellefontaine - Acting Director, Engineering & Public Works, J. Day - Senior Cultural Planner, P. Angelblazer - Committee Secretary
- GUESTS:** A. Needoba - Principal and Senior Forester - Urban Planner - Diamond Head Consulting, C. Lefrançois - Urban Planner - Diamond Head Consulting

A. APPROVAL OF AGENDA

Moved By Councillor Potts
Seconded By Councillor Dubow

That the agenda be approved.

Councillor Loveday requested that F.4 Proclamation - National AccessAbility Week be removed from the consent agenda

CARRIED UNANIMOUSLY

B. CONSENT AGENDA

Moved By Councillor Isitt

Seconded By Councillor Dubow

That the following items be approved without further debate

CARRIED UNANIMOUSLY

C.1 Minutes from the meeting held May 7, 2020

Moved By Councillor Isitt

Seconded By Councillor Dubow

That the minutes from the meeting held May 7, 2020 be approved.

CARRIED UNANIMOUSLY

F.5 Proclamation - World Refugee Day

Moved By Councillor Isitt

Seconded By Councillor Dubow

That the *World Refugee Day* Proclamation be forwarded to the June 11, 2020 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

E. LAND USE MATTERS

E.1 1475 Fort Street - Development Permit with Variance Application No. 00120 (Rockland)

Council received a report dated May 14, 2020 from the Director of Sustainable Planning and Community Development presenting Council with an application to construct a four-storey residential rental building with multiple buildings on an existing panhandle lot. The report recommends proceeding to an opportunity for public comment.

Committee discussed the following:

- *Variations to the process which provides for additional consultation*
- *Potential delays to the project should additional consultation be imposed*
- *Height differentials between the proposal and the current surrounding context*
- *Merits of rental-only tenure buildings amidst a housing crisis.*
- *Preservation of bylaw-protected trees on and around the site*

Moved By Councillor Alto
Seconded By Councillor Potts

Development Permit with Variances Application No. 00120 for 1475 Fort Street

That, subject to the preparation and execution of the following legal agreements in a form satisfactory to the City Solicitor:

- a. A Housing Agreement to secure rental tenure of the dwelling units in perpetuity, to the satisfaction of the Director of Sustainable Planning and Community Development
- b. A Section 219 covenant to ensure that the dwelling units are not strata titled, to the satisfaction of the Director of Sustainable Planning and Community Development
- c. A section 219 covenant to secure a Statutory Right-of-Way of 0.72m along Fort Street, to the satisfaction of the Director of Engineering and Public Works.

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. 00120 for 1475 Fort Street, in accordance with:

1. Plans date stamped April 8, 2020
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the vehicle parking from 45 stalls to 26 stalls;
 - ii. reduce the visitor parking from 3 stalls to 2 stalls;
 - iii. increase the building height from 12 metres to 14.39 metres;
 - iv. reduce the front setback from 10.5 metres to 1.81 metres
 - v. reduce the rear setback from 7.2 metres to 3.96 metres
 - vi. reduce the east side yard setback from 7.2 metres to 3.05 metres
 - vii. reduce the west side yard setback from 7.2 metres to 3.86 metres
 - viii. increase the site coverage from 40 percent to 47 percent
 - ix. allow for an accessory structure to be located in the front yard rather than the rear yard
3. The Development Permit lapsing two years from the date of this resolution.”

Amendment:

Moved By Councillor Thornton-Joe

Seconded By Councillor Isitt

Subject to the applicant undertaking a CALUC community meeting that includes mail notices to owners and occupiers within 50 metres of the subject property and subject to staff providing an update report to COTW along with a revised motion reflecting any changes to the proposal.

Amendment to the Amendment:

Moved By Councillor Young

Seconded By Councillor Thornton-Joe

~~**Subject to the applicant undertaking a CALUC community meeting that includes mail notices to owners and occupiers within 50 metres of the subject property and subject to staff providing an update report to COTW along with a revised motion reflecting any changes to the proposal.**~~

That Council request that the applicant undertake a CALUC community meeting that includes mail notice to owners and occupiers within 50 metres of the subject property, and staff provide a further report to Committee of the Whole based on this process along with a revised motion reflecting any changes to the proposal

FOR (3): Councillor Isitt, Councillor Dubow, and Councillor Young

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

DEFEATED (3 to 4)

On the amendment:

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

OPPOSED (1): Councillor Alto

CARRIED (6 to 1)

On the main motion as amended:

Moved By Councillor Alto

Seconded By Councillor Potts

Development Permit with Variances Application No. 00120 for 1475 Fort Street

Subject to the applicant undertaking a CALUC community meeting that includes mail notices to owners and occupiers within 50 metres of the subject property

and subject to staff providing an update report to COTW along with a revised motion reflecting any changes to the proposal.

That, subject to the preparation and execution of the following legal agreements in a form satisfactory to the City Solicitor:

- a. A Housing Agreement to secure rental tenure of the dwelling units in perpetuity while allowing all or a portion of the dwelling units to be leased to a third party housing provider for non-market housing, to the satisfaction of the Director of Sustainable Planning and Community Development
- b. A Section 219 covenant to ensure that the dwelling units are not strata titled, to the satisfaction of the Director of Sustainable Planning and Community Development
- c. A Section 219 covenant to secure a Statutory Right-of-Way of 0.72m along Fort Street, to the satisfaction of the Director of Engineering and Public Works.
- d. An agreement to secure sixteen car share memberships, to the satisfaction of the Director of Engineering and Public Works.

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. 00120 for 1475 Fort Street, in accordance with:

1. Plans date stamped April 8, 2020
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the vehicle parking from 45 stalls to 26 stalls;
 - ii. reduce the visitor parking from 3 stalls to 2 stalls;
 - iii. increase the building height from 12 metres to 14.39 metres;
 - iv. reduce the front setback from 10.5 metres to 1.81 metres
 - v. reduce the rear setback from 7.2 metres to 3.96 metres
 - vi. reduce the east side yard setback from 7.2 metres to 3.05 metres
 - vii. reduce the west side yard setback from 7.2 metres to 3.86 metres
 - viii. increase the site coverage from 40 percent to 47 percent
 - ix. allow for an accessory structure to be located in the front yard rather than the rear yard
3. The Development Permit lapsing two years from the date of this resolution.”

FOR (6): Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, and Councillor Dubow
OPPOSED (1): Councillor Young
CARRIED (6 to 1)

Committee recessed at 10:50 a.m., and reconvened at 10:58 a.m.

F. STAFF REPORTS

F.1 COVID-19 Update (Verbal)

Council received a verbal update from the City Manager on steps that the City is taking on COVID-19 to protect the health and safety of the public and staff during the ongoing pandemic.

Committee discussed the following:

- *Plans to open City Hall and other City facilities for regular business and bookings*
- *CRDs regional taskforce on housing vulnerable populations*
- *Date at which committees and taskforces can reconvene, including through virtual means*

Moved By Councillor Isitt

Seconded By Councillor Thornton-Joe

That the report from the City Manager be received for information.

CARRIED UNANIMOUSLY

F.2 Festival Investment Grant Report

Council received a report dated May 14, 2020 from the Head of Business and Community Relations providing Council with options for alternative use of approved 2020 FIG funding to support not-for-profit arts groups impacted by COVID-19 this festival season. This is in response to Council Member Motions passed at the Committee of the Whole on May 14, 2020 directing staff to report back on options supporting the recovery of the arts and culture sector.

Committee discussed the following:

- *Best uses for previously approved funding for arts and culture*
- *The long-term value of arts and culture to the city*
- *FIG applicants pivoting previously planned events to socially distanced mediums*
- *Consideration for backstage workers payment, not just creative endeavours*
- *Consideration for loss of in-kind support which the City would typically provide*

Moved By Councillor Alto
Seconded By Councillor Isitt

That Council direct staff to:

1. Report back with 2020 Festival Investment Grant recommendations based on organizations' programming intentions outlined in their grant applications
2. Require recipients to observe provincial health orders in their planning and delivery of cultural programming
3. Require recipients to submit final reports detailing how funds were used to pay artists, deliver cultural programming and engage audiences by December 31, 2020.

CARRIED UNANIMOUSLY

F.3 Tree Preservation Bylaw Update

Council received a report dated May 6, 2020 from the Director of Parks, Recreation and Facilities presenting Council with the outcome of the second phase of review of the Tree Preservation Bylaw, and to seek Council approval to prepare a new tree protection bylaw and implementation plan to implement these changes.

Committee discussed the following:

- *How perceived lower requirements will be interpreted by the public*
- *How the proposed direction compares to other municipalities in the region, and nationally*

Committee recessed at 12:04 p.m. and reconvened at 12:58 p.m.

Moved By Councillor Alto
Seconded By Councillor Potts

That Council direct staff to prepare a new Tree Protection Bylaw generally consistent with this report in order to:

Differentiate permit applicant types and requirements according to the complexity and magnitude of projects

- a. Clarify information required from applicants for tree removal permit applications
- b. Define tree retention and replacement requirements to maintain a stable or expanding tree canopy, consisting of new tree replacement ratios, tree planting standards, and tree density targets
- c. Update the requirements for security deposits and update tree permit application fees

- d. Require modification or relocation of proposed building footprints or structures within the zoning setbacks, to retain protected trees
- e. Establish transition provisions to apply the new bylaw in order to minimize impacts to existing applications
- f. Repeal the existing Tree Preservation Bylaw No. 05-106.

CARRIED UNANIMOUSLY

F.4 Proclamation - National AccessAbility Week

Committee received a report dated May 1, 2020 from the City Clerk regarding the proclamation for National Missing Children's Month and Missing Children's Day, May 2020.

Committee discussed the following:

- *Time at which work for the accessibility framework will recommence*

Moved By Councillor Loveday

Seconded By Councillor Isitt

That the National AccessAbility Week Proclamation be forwarded to the May 28, 2020 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

H. NEW BUSINESS

H.1 Council Member Motion - Housing and Supports during Covid Phase 2

Council received a report from Council members Isitt, Potts, Loveday, and Dubow dated May 26, 2020 regarding the proposed housing and supports initiatives during COVID-19 Phase 2.

Committee discussed the following:

- *Budgetary impacts of the motion*
- *Expanding the scope of bookable motels and hotels to include locations across the region*
- *What minimum level of wrap-around support is necessary in order to house vulnerable populations*
- *Access to hygiene services such as showering for vulnerable populations across Victoria.*

Moved By Councillor Alto

Seconded By Councillor Potts

That the meeting be extended until 2:15 p.m.

CARRIED UNANIMOUSLY

Moved By Councillor Isitt

Seconded By Councillor Loveday

1. That Council requests that the Mayor write, on behalf of Council, to the Premier of British Columbia, copying Members of the Legislative Assembly representing constituencies in the Capital Region, reiterating the City of Victoria's request that the Government of British Columbia mobilize sufficient resources to offer housing with appropriate social care and health care to all unhoused people in the Capital Region.
2. That Council directs City of Victoria staff to:
 - a. Resume booking hotel and motel rooms in the Capital Region without delay for people currently sheltering outdoors in the City of Victoria, working with partner organizations to offer housing with appropriate social care and health care services, and with informed consent of people to be housed, drawing from unspent funds from \$300,000 in previously approved Covid-19 response funding.
 - b. Maintain access to hygiene for people currently sheltering outdoors, including handwashing facilities and washrooms in proximity to authorized outdoor sheltering locations on a 24-hour basis, drawing from unspent funds from previously approved Covid-19 response funding.
 - c. Maintain funding for shower facilities at Our Place, drawing from unspent funds from previously approved Covid-19 response funding.

Amendment:

Moved By Councillor Thornton-Joe

Seconded By Councillor Young

1. That Council requests that the Mayor write, on behalf of Council, to the Premier of British Columbia, copying Members of the Legislative Assembly representing constituencies in the Capital Region, reiterating the City of Victoria's request that the Government of British Columbia mobilize sufficient resources to offer housing with appropriate social care and health care to all **current** unhoused people in the Capital Region.

DEFEATED UNANIMOUSLY

Amendment:

Moved By Councillor Thornton-Joe

Seconded By Councillor Isitt

1. That Council requests that the Mayor write, on behalf of Council, to the Premier of British Columbia, copying Members of the Legislative Assembly representing constituencies in the Capital Region, reiterating the City of Victoria's request that the Government of British Columbia mobilize sufficient

resources to offer housing with appropriate social care and health care to all unhoused people in the **Province of British Columbia** ~~Capital Region~~.

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Thornton-Joe

Seconded By Councillor Isitt

2. That Council directs City of Victoria staff to:
 - a. Resume booking hotel and motel rooms in the Capital Region without delay for people currently sheltering outdoors in the City of Victoria, working with partner organizations to offer housing with appropriate social care and health care services **(and all supports and wraparound services that may be required)**, and with informed consent of people to be housed, drawing from unspent funds from \$300,000 in previously approved Covid-19 response funding.

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Alto

Seconded By Councillor Isitt

2. That Council directs City of Victoria staff to:
 - a. Resume booking hotel and motel rooms in the Capital Region without delay for people currently sheltering outdoors in the City of Victoria, working with partner organizations to offer housing with appropriate social care and health care services (and all supports and wraparound services that may be required), and with informed consent of people to be housed, drawing from unspent funds from \$300,000 in previously approved Covid-19 response funding, **and that the city seek reimbursement from the Province for these expenditures**

CARRIED UNANIMOUSLY

On the main motion as amended:

Councillor Young requested that the motions be voted on separately

Moved By Councillor Isitt

Seconded By Councillor Loveday

1. That Council requests that the Mayor write, on behalf of Council, to the Premier of British Columbia, copying Members of the Legislative Assembly

representing constituencies in the Capital Region, reiterating the City of Victoria's request that the Government of British Columbia mobilize sufficient resources to offer housing with appropriate social care and health care to all unhoused people in the Province of British Columbia.

CARRIED UNANIMOUSLY

Moved By Councillor Isitt

Seconded By Councillor Loveday

2. That Council directs City of Victoria staff to:

- a. Resume booking hotel and motel rooms in the Capital Region without delay for people currently sheltering outdoors in the City of Victoria, working with partner organizations to offer housing with appropriate social care and health care services (and all supports and wraparound services that may be required), and with informed consent of people to be housed, drawing from unspent funds from \$300,000 in previously approved Covid-19 response funding, and that the city seek reimbursement from the Province for these expenditures.
- b. Maintain access to hygiene for people currently sheltering outdoors, including handwashing facilities and washrooms in proximity to authorized outdoor sheltering locations on a 24-hour basis, drawing from unspent funds from previously approved Covid-19 response funding.
- c. Maintain funding for shower facilities at Our Place, drawing from unspent funds from previously approved Covid-19 response funding.

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

OPPOSED (1): Councillor Young

CARRIED (6 to 1)

H.2 Council Member Motion - Advocacy for Paid Sick Leave for All

Council received a report dated May 25, 2020 from Councillors Loveday and Isitt requesting Council support for advocacy efforts to implement paid sick leave nationally or provincially.

Moved By Councillor Loveday

Seconded By Councillor Isitt

WHEREAS British Columbia has entered Phase 2 of the province's Restart Plan allowing for the reopening of a broad range of businesses and services;

AND WHEREAS paid sick leave is an essential measure to protect public health and prevent disease transmission as the economy begins to reopen and contacts increase;

AND WHEREAS paid sick leave provides substantial benefits to the public, firms, and workers;

AND WHEREAS municipalities have fundamental powers to regulate, prohibit or impose requirements to protect public health;

AND WHEREAS the public health emergency is most effectively combatted with all levels of government working together;

THEREFORE BE IT RESOLVED THAT Victoria City Council request that the province implement amendments to the Employment Standards Act to introduce a minimum of 21 paid sick leave days for the duration of the Provincial State of Emergency with a legacy of at least 10 days of paid sick leave for workers in British Columbia in perpetuity.

AND BE IT FURTHER RESOLVED THAT Victoria City Council requests that the federal government increase the EI Premium Reduction Program for employers that offer paid sick leave or introduce a refundable corporate income tax credit to support firms in meeting their paid sick leave obligations for the duration of the current crisis.

AND BE IT FURTHER RESOLVED THAT Victoria City Council requests that, in the event that the federal government is unwilling to offer financial support for firms offering paid sick leave, the province implement a partially offsetting credit to the Employer's Health Tax or WorkSafeBC premiums for the duration of the current crisis.

CARRIED UNANIMOUSLY

I. ADJOURNMENT OF THE COMMITTEE OF THE WHOLE

Moved By Councillor Alto

Seconded By Councillor Dubow

That items H.1 and H.2. are forwarded to the May 28, 2020 Council to follow Committee of the Whole.

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 Potts

Seconded By Councillor Dubow

That the Committee of the Whole Meeting be adjourned at 2:06 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR