MINUTES - COMMITTEE OF THE WHOLE

June 11, 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
Due to the COVID19 Pandemic, public access to City Hall is not permitted. This meeting may be viewed on the City's webcast at www.victoria.ca

PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Thornton-Joe, Councillor Dubow, Councillor Young

PRESENT VIA ELECTRONIC PARTICIPATION: Councillor Isitt, Councillor Loveday, Councillor Potts,

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, M. Betanzo - Senior Planner, AK Ferguson - Committee Secretary, J. Paul - Assistant Director of Engineering, J. O'Reilly, Senior Planner

A. APPROVAL OF AGENDA

Moved By Councillor Alto
Seconded By Councillor Dubow

That the agenda be approved.

Amendment:

Moved By Councillor Alto
Seconded By Councillor Dubow

That the Agenda of June 11, 2020, Committee of the Whole meeting be amended as follows:

Consent Agenda:

- C.1 - Minutes from the meeting held May 14, 2020

- I.5 - Proclamation - World Refrigeration Day
- I.6 - Proclamation - International Medical Cannabis Day
- I.7 - Proclamation - Longest Day of Smiles

CARRIED UNANIMOUSLY

On the main motion as amended:

CARRIED UNANIMOUSLY

B. CONSENT AGENDA

Moved By Councillor Alto
Seconded By Councillor Dubow

That the following items be approved without further debate.

CARRIED UNANIMOUSLY

C.1 Minutes from the meeting held May 14, 2020

Moved By Councillor Alto
Seconded By Councillor Dubow

That the minutes from the Committee of the Whole meeting held May 14, 2020 be adopted.

CARRIED UNANIMOUSLY

I.5 Proclamation - World Refrigeration Day

Committee received a report dated June 2, 2020 from the City Clerk on the World Refrigeration Day Proclamation scheduled for June 26, 2020.

Moved By Councillor Alto
Seconded By Councillor Dubow

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

CARRIED UNANIMOUSLY

I.6 Proclamation - International Medical Cannabis Day

Committee received a report dated June 5, 2020 from the City Clerk on the International Medical Cannabis Day Proclamation scheduled for June 11, 2020.

Moved By Councillor Alto
Seconded By Councillor Dubow

That the *International Medical Cannabis Day* Proclamation be forwarded to the June 11, 2020 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

I.7 Proclamation - Longest Day of Smiles

Committee received a report dated June 5, 2020 from the City Clerk on the Longest Day of Smiles Proclamation scheduled for June 20, 2020.

Moved By Councillor Alto
Seconded By Councillor Dubow

That the *Longest Day of Smiles* Proclamation be forwarded to the June 11, 2020 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

D. UNFINISHED BUSINESS

D.1 Greater Victoria Harbour Authority Member Representative Appointment

Committee received a report dated May 13, 2020 from the City Clerk regarding the extension of Councillor Alto's term to the end of 2022 in order for it to align with the terms of the GVHA organization.

Committee discussed:

- *Ensuring that term requests are in line with needs on both sides.*

Moved By Mayor Helps
Seconded By Councillor Alto

That Council request that the mayor write to the GVHA indicating that Council's proposed appointee for 2021, Councillor Dubow will remain as Council's appointee.

CARRIED UNANIMOUSLY

E. LAND USE MATTERS

E.1 1314 and 1318 Wharf Street - Rezoning Application No. 00701 and Heritage Alteration Permit with Variances No. 00236 (Downtown)

Committee received a report dated May 14, 2020 from the Director of Sustainable Planning and Community Development regarding the proposed rezoning and heritage alteration permit for the building located at 1314 and 1315 Wharf Street to allow for the construction of a new five storey mixed-use building, which incorporates the rehabilitated exterior walls of the two heritage-designated former warehouse buildings.

Committee discussed:

- *How retaining the facade is viewed as an amenity.*
- *Concerns with the windows being directly on the property line.*

- *Whether the proposed addition of pathway can be closed off from the rest of the pathway.*
- *Concerns with the northern building facade not being exposed and enclosed in glass.*
- *Whether the north building would require the windows in the south building to be enclosed.*

Moved By Mayor Helps
Seconded By Councillor Potts

Rezoning Application No. 00701

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00701 for 1314 and 1318 Wharf 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. Plan revisions to include frontage works consistent with the City's Subdivision and Development Servicing Standards and minor plan corrections to the satisfaction of the Director of Sustainable Planning and Community Development.
2. Preparation of the following agreements, registered on title by the applicant, to the satisfaction of City staff:
   a. Statutory Right-of-Way for public access over the area dedicated to the Harbour Pathway and the internal alley between the two heritage buildings, to the satisfaction of City staff;
   b. Housing Agreement to secure 47 residential rental units as rental in perpetuity, to the satisfaction of the City Solicitor;
   c. Section 219 Covenant to secure off-site tree replacement at a four to one ratio with a cash in lieu contribution with values set per the Tree Preservation Bylaw (Bylaw No. 05-106) for public realm improvements, and a cash in lieu contribution for off-site short term bicycle parking; and
   d. A legal agreement to ensure that building amendments would be made along the north property line to comply with building code requirements should a building be proposed for the property located at 1324 Wharf Street.
3. That Council authorize the Mayor and City Clerk to execute encroachment agreements, to be executed at the time of the building permit approval, if the other necessary approvals are granted, in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works for:
   a. building encroachments: and
   b. anchor-pinning in the City Right-Of-Way.

Heritage Alteration Permit with Variances No. 00236

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. 00701, if it is approved, consider the following motion:

"That Council authorize the issuance of Heritage Alteration Permit with Variances Application No. 00236 for 1314 and 1318 Wharf Street, in accordance with:

1. Plans date stamped October 22, 2019.
2. The Conservation Plan for the Caire and Grancini Warehouse at 1314 Wharf Street, date stamped October 22, 2019.
3. The Conservation Plan for the Fraser Warehouse at 1316-1318 Wharf Street, date stamped October 22, 2019.
4. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
    a. Reduce the required short term bicycle parking spaces from 10 to 0; and
    b. Increase the maximum permitted height from 8 metres to 19.25 metres.
5. Final plans to be generally in accordance with the plans identified above, to the satisfaction of the Director of Sustainable Planning and Community Development.
6. The applicant provide details regarding their intended process for commissioning a story wall for the north elevation of the building, including an artist selection process, scope and content, and an explanation for how their project will consider the Indigenous cultural heritage of the waterfront public realm, to the satisfaction of the Director of Sustainable Planning and Community Development.
7. The applicant providing a lighting plan for the heritage buildings, to the satisfaction of the Director of Sustainable Planning and Community Development.
8. Heritage Alteration Permit lapsing two years from the date of this resolution."

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

DEFEATED (3 to 5)

Moved By Councillor Thornton-Joe
Seconded By Councillor Isitt

That Council refer the application back to staff with the direction that the application adhere more to the heritage and old town guidelines.

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

CARRIED (5 to 3)

Committee recessed at 11:02 a.m. and went into the closed portion of the meeting at 11:08 a.m.

F. CLOSED MEETING

Moved By Councillor Dubow
Seconded By Councillor Thornton-Joe

MOTION TO CLOSE THE JUNE 11, 2020 COMMITTEE OF THE WHOLE 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)(f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment

CARRIED UNANIMOUSLY

H. CLOSED - STAFF REPORTS

H.1 Law Enforcement - Community Charter Section 90(1)(f)

Committee discussed a law enforcement item.

The discussion was recorded and kept confidential.

Committee returned to the open portion of the meeting at 12:03 p.m.

I. STAFF REPORTS

I.1 Victoria Police Triannual Update - Period 1

Committee received a memorandum dated June 11, 2020 from Chief Cst. Del Manak providing a link to their new online Quarterly Report and an update on new emerging trends.

Committee discussed:

- *The collection of data during police stops and how that data is used.*
- *Whether the newly acquired armored vehicle has been used.*
- *Reasoning for arrests being made at the encampment on Pandora.*
- *Whether use of force reports are publicly available.*
- *Whether internal police policies are public.*
- *Whether Victoria police require further training to support marginalized communities.*

Committee recessed at 1:20 p.m. and returned at 1:38 p.m.

Moved By Mayor Helps
Seconded By Councillor Isitt

That Committee receive the report for information.

CARRIED UNANIMOUSLY

Councillor Loveday withdrew from the meeting at 2:04 p.m. do to a non-pecuniary conflict of interest as his partner represented some of the Fairfield Hotel tenants.

E. LAND USE MATTERS

E.2 1601-1609 Douglas Street (Fairfield Hotel) Housing Grant (Downtown)

Committee received a report dated May 29, 2020 from the Director of Sustainable Planning and Community Development regarding the reallocation of a housing grant provided to Pacifica housing in 2017, in order to move tenants from the building due to termination of the lease with the building owner.

Committee discussed:

- *Reasoning the housing grant was used for rent subsidies.*
- *The length of time that rental supplements would be in place for.*

Moved By Mayor Helps
Seconded By Councillor Alto

That Council:

1. Instruct the Director of Sustainable Planning and Community Development to notify Pacifica that:
   a. Pacifica is required to repay its dispersed housing grant of $250,000, pro-rated to the amount remaining on September 15, 2019 ($162,500), in accordance with the Grant Agreement dated December 17, 2017;
   b. No further funds will be provided under the existing Housing Grant Agreement due to Pacifica terminating operations of the Fairfield Hotel;
   c. Any funds remaining in Pacifica's accounts will be converted to an extraordinary circumstances grant, and no further funds will be provided for the Fairfield Hotel.
2. Instruct the City Solicitor to:
   a. Prepare a new extraordinary circumstances grant agreement from the 2020 contingency budget in an amount equivalent to the housing grant returned to the City ($162,500), to allow Pacifica to spend the balance remaining ($162,500 less operating funds spent since September 2019) to:
      i. Operate the hotel until such time as all tenants requesting to be relocated have moved from the building;
      ii. rehouse any tenant requesting to move from the Fairfield Hotel;
   b. Include in this agreement the following provisions:
      i. This shall be a one-time only grant for extraordinary circumstances;

ii. This grant agreement covers a conversion of funds remaining from those dispersed in December 2017 and no cash payment shall be issued to Pacifica;
iii. Any further requests for funding should be directed to appropriate funding bodies such as BC Housing;
iv. The grant is provided to cover such costs as:
    1. Operational costs at the Fairfield Hotel until such time as Pacifica ceases operation at the building;
    2. Relocation costs, including moving costs, furnishing, household goods and food for tenants currently residing at the Fairfield Hotel;
    3. Temporary rental supplements for tenants moving to new self contained housing units;
v. A project budget shall be provided;
vi. Any funding deficits will not be covered by the City under any circumstances;
vii. A final report will be required, including the provision of audited financial statements, no later than June 15, 2021;
viii. Any grant funds indicated on these financial statements as not spent or earmarked for rental supplements by June 15, 2021 shall be repaid to the City by September 15, 2021;

3. Direct staff to release all funds held in trust for the Fairfield Hotel back into the Victoria Housing Fund for use in other affordable housing projects.

FOR (5): Mayor Helps, Councillor Alto, Councillor Potts, Councillor Thornton-Joe, and Councillor Young
OPPOSED (2): Councillor Isitt, and Councillor Dubow

CARRIED (5 to 2)

Councillor Loveday returned to the meeting at 2:45 pm.

Moved By Councillor Dubow
Seconded By Councillor Alto

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

CARRIED UNANIMOUSLY

E.3 CALUC Community Meetings during COVID-19 Pandemic

Committee received a report dated May 28, 2020 from the Director of Sustainable Planning and Community Development regarding alternate means of gathering public input on Rezoning and Official Community Plan Amendment Applications to satisfy the current requirement of a Community Meeting.

Committee discussed:

- *Whether the City would be assuming risk for in person CALUC meetings if they would be mandated by the City.*

Moved By Mayor Helps
Seconded By Councillor Alto

That Council direct staff to bring forward amendments to the Land Use Procedures Bylaw and any necessary Council resolutions to enable posting of development application plans on the Development Tracker while maintaining current notification requirements, as a substitute for the current Community Association Land Use Committee Community Meeting in response to the COVID-19 pandemic.

FOR (7): Mayor Helps, Councillor Alto, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Dubow, and Councillor Young
OPPOSED (1): Councillor Isitt

CARRIED (7 to 1)

I. STAFF REPORTS

I.2 COVID-19 Update (Verbal)

Committee received a verbal update from the City Manager regarding the Phase 1 operations as City Hall.

Committee discussed:

- *whether city hall would open in July for people to pay property taxes.*
- *whether the Emergency Operations Centre is still meeting*

Moved By Councillor Thornton-Joe
Seconded By Councillor Young

That Council receive the verbal report from the City Manager.

CARRIED UNANIMOUSLY

I.3 Parks and Recreation COVID-19 Recovery Plan

Committee received a report dated June 5, 2020 from the Director of Parks, Recreation and Facilities regarding a proposed plan for the re-opening of parks and recreations services during the COVID-19 pandemic.

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That Council approve the Parks and Recreation COVID-19 Recovery Plan (Attachment A), with implementation commencing on June 12, 2020.

CARRIED UNANIMOUSLY

I.4 Proposed Adjustments to Parking Fees

Committee received a report dated June 4, 2020 from the Deputy City Manager and Chief Financial Officer regarding the extension of reduced parking rates.

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That Council:

1. Extend the reduced parking fees as follows:
    a. Reduced rates in all parkades:
        i. Daily rate - $1 per hour with the 1st hour free
        ii. Monthly rate - $85
        iii. Daily rate maximum of $5 in all parkades excluding the Yates Street Parkade, which would have a maximum of $9 per day
    b. Reduced on-street metered rates:
        i. In the 90 minute zone- $2 per hour, and reinstate the time limit to 90 minutes
        ii. All other zones- $1 per hour, with no time limits
    c. Reduced parking lot rates - $1 per hour with a $5 daily maximum
    d. Suspend enforcement of unmetered time-limited zones, except for 30 minute zones
2. Direct staff to report back as soon as parking capacity becomes a challenge with proposed policy changes for Council's consideration.

Amendment:
Moved By Mayor Helps
Seconded By Councillor Alto

That Council:

1. Extend the reduced parking fees as follows:
    1. Reduced rates in all parkades:
        1. Daily rate - $1 per hour with the 1st hour free
        2. Monthly rate - $85
        3. Daily rate maximum of $5 in all parkades excluding the Yates Street Parkade **and Centennial Square Parkade,** which would have a maximum of $9 per day
    2. Reduced on-street metered rates:
        1. In the 90 minute zone- $2 per hour, and reinstate the time limit to 90 minutes
        2. All other zones- $1 per hour, with no time limits
    3. Reduced parking lot rates - $1 per hour with a $5 daily maximum
    4. Suspend enforcement of unmetered time-limited zones, except for 30 minute zones
2. Direct staff to report back as soon as parking capacity becomes a challenge with proposed policy changes for Council's consideration.

CARRIED UNANIMOUSLY

On the main motion as amended:

CARRIED UNANIMOUSLY

K. NEW BUSINESS

K.1 Council Member Motion - Late Items for the Agendas

Committee received a Council Member Motion dated June 11, 2020 from Councillor Thornton-Joe and Councillor Alto regarding a formal process for adding late Council Member Motions to agendas.

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That Council direct staff to bring forward amendments to the Council Procedures Bylaw so that:

1. Council member motions must be submitted by the Friday of publishing by 11am to be included in the following week's agenda.
2. Any late motions submitted after this time will be put into a new section of the agenda called "Late Items".
3. At the beginning of COTW meeting Council will vote on each late item to decide whether it will be included in the meeting. To have motion added will require a 2/3 vote of members present at the meeting.
4. If the meeting goes past 2pm, all late items will be moved to the following weeks meeting unless a 2/3 majority vote of council members present supported it being addressed after 2pm at that meeting.

Amendment:
Moved By Councillor Young
Seconded By Mayor Helps

That Council direct staff to bring forward amendments to the Council Procedures Bylaw so that:

1. Council member motions must be submitted by the Friday of publishing by 11am to be included in the following week's agenda.
2. Any late motions submitted after this time will be put into a new section of the agenda called "Late Items".
3. At the beginning of COTW meeting Council will vote on each late item to decide whether it will be included in the meeting. To have motion added will require a 2/3 vote of members present at the meeting.
4. ~~If the meeting goes past 2pm, all late items will be moved to the following weeks meeting unless a 2/3 majority vote of council members present supported it being addressed after 2pm at that meeting.~~

CARRIED UNANIMOUSLY

Amendment:
Moved By Mayor Helps
Seconded By Councillor Dubow

That Council direct staff to bring forward amendments to the Council Procedures Bylaw so that:

1. Council member motions must be submitted by the ~~Friday~~ **Monday of publishing** by 11am to be included in the ~~following~~ **current** week's agenda.
2. Any late motions submitted after this time will be put into a new section of the agenda called "Late Items".
3. At the beginning of COTW meeting Council will vote on each late item to decide whether it will be included in the meeting. To have motion added will require a 2/3 vote of members present at the meeting.

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

CARRIED (6 to 2)

Amendment:
Moved By Mayor Helps
Seconded By Councillor Isitt

that Council direct staff to bring forward amendments to the Council Procedures Bylaw so that:

1. Council member motions must be submitted by the Monday by 11am to be included in the current week's agenda.
2. Any late motions submitted after this time will be put into a new section of the agenda called "Late Items".
3. At the beginning of COTW meeting Council will vote on each late item to decide whether it will be included in the meeting. To have motion added will require a ~~2/3 vote~~ **majority** of members present at the meeting.

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

CARRIED (5 to 3)

Moved By Mayor Helps
Seconded By Councillor Dubow

That the meeting be extended to 3:45 p.m.

CARRIED UNANIMOUSLY

On the main motion as amended

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

CARRIED (6 to 2)

Moved By Councillor Loveday
Seconded By Mayor Helps

That this matter be reviewed as part of the governance review.

CARRIED UNANIMOUSLY

K.2 Council Member Motion - Welcoming Cities Task Force

Committee received a Council Member Motion dated June 9, 2020 from Mayor Helps and Councillor Dubow regarding the reallocation of money from the Mayor and Council travel budget for this year to the Welcoming Cities Task Force and to extend the application phase.

Moved By Mayor Helps
Seconded By Councillor Dubow

1. That Council allocated $40,000 from the Mayor and Council travel budget to the Welcoming Cities Initiative.
2. That Council direct staff to extend the application phase for three more weeks and promote the opportunity to submit applications.

CARRIED UNANIMOUSLY

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the following Items be added to the Council meeting of June 11, 2020:

- I.3 – Parks and Recreation COVID-19 Recovery Plan
- I.4 – Proposed Adjustments to Parking Fees
- K.2 – Council Member Motion – Welcoming Cities Task Force

CARRIED UNANIMOUSLY

L. ADJOURNMENT OF COMMITTEE OF THE WHOLE

Moved By Councillor Dubow
Seconded By Councillor Alto

That the Committee of the Whole Meeting be adjourned at 3:45 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR