



REVISED AGENDA - VICTORIA CITY COUNCIL

Thursday, November 5, 2020

COUNCIL CHAMBERS - 1 CENTENNIAL SQUARE, VICTORIA BC

To be held immediately following the Committee of the Whole Meeting

The City of Victoria is located on the homelands of the Songhees and Esquimalt People

Due to the COVID-19 Pandemic, public access to City Hall is not permitted. This meeting may be viewed on the City's webcast at www.victoria.ca

Pages

A. CONVENE COUNCIL MEETING

B. APPROVAL OF AGENDA

C. READING OF MINUTES

C.1. Minutes from the daytime meeting held September 10, 2020 1

C.2. Minutes from the daytime meeting held October 1, 2020 13

*C.3. Minutes from the evening meeting held October 8, 2020 26

Addendum

*C.4. Minutes from the evening meeting held October 22, 2020 34

Addendum

D. PROCLAMATIONS

D.1. "Respiratory Therapy Week" - October 25 to 31, 2020 48

E. REPORTS OF COMMITTEE

E.1. Committee of the Whole

E.1.a. Report from the October 22, 2020 COTW Meeting 49

[Link to the October 22, 2020 COTW Agenda](#)

E.1.a.a. 2021 Downtown Victoria Business Association (DVBA)
Budget Presentation

- E.1.a.b. 1623-1625 Bank Street - Report on the Potential Heritage Designation (South Jubilee) (Update report to follow)
- E.1.a.c. 901 Gordon Street - Rezoning Application No.00743 (Downtown)
- E.1.a.d. 1150 Douglas Street - Rezoning Application No.00748 (Downtown)
- E.1.a.e. Initiating a City of Victoria Governance Review

- *E.1.b. Report from the November 5, 2020 COTW Meeting

50

[Link to the November 5, 2020 COTW Agenda](#)

- *E.1.b.a. By-Election Ministerial Order

F. BYLAWS

- F.1. Bylaw for Rental Property Standards of Maintenance Bylaw

51

A report recommending:

- Rescind 3rd reading of:
 - Rental Property Standards of Maintenance Bylaw No. 20-091
- Amend the bylaw
- 3rd reading as amended of:
 - Rental Property Standards of Maintenance Bylaw No. 20-091

The bylaw proposes to establish minimum standards of maintenance for rental units and residential properties in Victoria for the health, safety and protection of tenants and existing rental stock; the protection and enhancement of the well-being of the community; and better regulation of residential rental businesses.

G. CORRESPONDENCE

- G.1. Letter from the Corporation of the District of Saanich

82

A letter dated October 8, 2020 from the Corporation of the District of Saanich regarding Federal Funding for Affordable Housing.

*H. CLOSED MEETING

MOTION TO CLOSE THE NOVEMBER 5, 2020 COUNCIL 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)(c) labour relations or other employee relations;

Section 90(1)(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;

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;

Section 90(1)(g) litigation or potential litigation affecting the municipality; and

Section 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

I. APPROVAL OF CLOSED AGENDA

J. READING OF CLOSED MINUTES

K. UNFINISHED BUSINESS

L. CORRESPONDENCE

M. NEW BUSINESS

M.1. Land/Legal Advice - Community Charter Sections 90(1)(e) and (i)

*M.2. Law Enforcement/ Potential Litigation/ Legal Advice - Community Charter Sections 90(1) (f), (g), and (i)

Addendum

*M.3. Legal Advice - Community Charter Section 90(1)(i)

*M.4. Legal Advice - Community Charter Section 90(1)(i)

M.5. Employee Relations - Community Charter Section 90(1)(c)

N. CONSIDERATION TO RISE & REPORT

***O. REPORTS OF COMMITTEE**

***O.1. Report from the November 5, 2020 COTW Meeting**

86

Link to the November 5, 2020 COTW Agenda

***O.1.a. Council Member Motion: Parks Sheltering Update**

P. ADJOURNMENT



MINUTES - VICTORIA CITY COUNCIL

September 10, 2020, 12:00 P.M.

COUNCIL CHAMBERS - 1 CENTENNIAL SQUARE, VICTORIA BC

To be held immediately following the Committee of the Whole Meeting

The City of Victoria is located on the homelands of the Songhees and Esquimalt People

Due to the COVID-19 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 Isitt, Councillor Potts, Councillor Thornton-Joe, Councillor Dubow, Councillor Young

ABSENT: Councillor Loveday

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Director of Finance, C. Coates - City Clerk, T. Zworski - City Solicitor, B. Eisenhauer - Head of Engagement, J. Jensen - Head of Human Resources, K. Hoese - Director of Sustainable Planning and Community Development, C. Havelka - Deputy City Clerk, L. Van Den Dolder - Assistant City Solicitor, C. Mycroft - Manager of Executive Operations, N. Sidhu - Assistant Director of Parks, Recreation & Facilities, P. Bellefontaine - Director of Engineering & Public Works, P. Martin - Council Secretary

A. CONVENE COUNCIL MEETING

B. APPROVAL OF AGENDA

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the agenda be approved.

Amendment:

Moved By Councillor Potts

Seconded By Councillor Thornton-Joe

That the agenda be amended to add D.2, Report from the September 10, 2020 COTW Meeting.

CARRIED UNANIMOUSLY

On the main motion as amended:

CARRIED UNANIMOUSLY

C. READING OF MINUTES

Moved By Councillor Thornton-Joe
Seconded By Councillor Potts

That the following minutes be adopted:

1. Minutes from the daytime meeting held August 6, 2020
2. Minutes from the special Council meeting held August 27, 2020

CARRIED UNANIMOUSLY

D. REPORTS OF COMMITTEES

D.1 Report from the September 3, 2020 COTW Meeting

D.1.a 2800 Bridge Street - Development Permit with Variance Application No. 00139 (Burnside)

Moved By Councillor Alto
Seconded By Councillor Potts

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. 00139 for 2800 Bridge Street, in accordance with:

1. Plans date stamped June 18, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - a. increase the height of a raw materials receiving and storage facility (silo) from 15m to 31.83m.
3. Registration of a legal agreement on the property's title to restrict the illumination levels and hours of operation (to midnight) of the light installation on the north elevation of the raw materials receiving and storage facility (silo), to the satisfaction of the Director of Community Planning and Sustainable Development.
4. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY

D.1.b Victoria Housing Reserve Fund Application Update: 11 Chown Place (Burnside)

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That Council revise the Victoria Housing Reserve Fund (VHRF) grant approved on January 9, 2020 for a 58-unit housing project at 11 Chown Place by rescinding Section 3 of the original motion and replacing it with a revised Section 3 to require that the grant is subject to:

3. The execution of a Housing Agreement, in the form satisfactory to the City Solicitor, to secure 35 new (one bedroom) units to be dedicated for seniors (55+) for a period of 60 years as follows:
 - a. 11 units for very low income level;
 - b. 13 units for low income level;
 - c. 11 units for median income level.

CARRIED UNANIMOUSLY

D.1.c Victoria Police Q2 Report

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That Council receive this report for information.

CARRIED UNANIMOUSLY

D.1.d Council Member Motion: Newspaper Boxes in Downtown

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That this motion be postponed indefinitely:

“That Council request that staff ask the companies to remove newspaper boxes from city-owned property and if they do not, that staff remove the boxes off of public property.”

CARRIED UNANIMOUSLY

D.1.e 1802 Cook Street and 1056 North Park Street -Temporary Use Permit Application No. 00015 (North Park)

Moved By Councillor Alto

Seconded By Councillor Dubow

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 Temporary Use Permit Application No. 00015 for 1802 Cook Street & 1056 North Park Street, in accordance with:

- i. Plans date stamped February 19, 2020
- ii. Development meeting all Zoning Regulation Bylaw requirements
- iii. A street ambassador provided by the service operator during operating hours that patrols the immediate area every hour to prevent congregation and negative behaviours from clients of the harm reduction service
- iv. The Temporary Use Permit lapsing three years from the date of this resolution.”

CARRIED UNANIMOUSLY

**D.1.f 43, 45 and 55 Gorge Road East and 2827, 2829, and 2831 Irma Street
- Update on Rezoning Application No. 00720 (Burnside)**

Moved By Councillor Potts

Seconded By Councillor Alto

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00720 for 43, 45 and 55 Gorge Road East and 2827, 2829 and 2831 Irma Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and that a Public Hearing date be set once the following conditions are met:

1. Preparation and execution of the appropriate legal agreements executed by the applicant in order to secure the following:
 - i. a housing agreement to ensure the residential rental units remain rental in perpetuity;
 - ii. statutory right-of-ways of 4.82m on Gorge Street and 1.38m on Irma Street be registered on title to the satisfaction of the Director of Engineering and Public Works;
 - iii. construction of a public plaza on the corner of Gorge Road East and Irma Street to the satisfaction of the Director of Community Planning and Sustainable Development and Director of Engineering and Public Works;
 - iv. purchase of two car share vehicles with assigned parking spaces on-site, 121 car share memberships for the life of the building along with \$100 usage credit for each membership and 6 commercial parking spaces assigned to residential visitors after business hours and on weekends to the satisfaction of the Director of Community Planning and Sustainable Development; and
 - v. preparation of the appropriate legal agreement to ensure the appropriate construction methodology would not impact the health of the Garry Oak trees to be retained.
2. The applicant confirms that all the current tenants have reviewed the Tenant Assistance Plan and had an opportunity to identify their individual needs and that the applicant update the Tenant Assistance Plan accordingly to the satisfaction of the Director of Community Planning and Sustainable Development.
3. An amenity contribution of \$17,500.00 towards the Local Amenities Reserve Fund for the installation of traffic calming devices along Irma and Lotus Streets to the satisfaction of the Director of Engineering and Public Works is secured in the zone.

CARRIED UNANIMOUSLY

**D.1.g Tenant Assistance Policy - Renters Advisory Committee
Amendment for Moving Costs**

Moved By Councillor Dubow

Seconded By Councillor Alto

That Council direct staff to:

1. Amend the Tenant Assistance Policy Item 4.2 as follows:

4.2 Moving Expenses and Assistance

One of two options should be provided to displaced tenants, at the discretion of the landlord:

- i. An insured moving company may be hired by the applicant, with all arrangements and costs covered within Greater Victoria; or
- ii. Flat rate compensation (based on unit size) provided to the tenant at the rate of:
\$500 for bachelor and one-bedroom households
\$750 for two-bedroom households
\$1,000 for three or more bedroom households.

When a tenant is exercising the Right of First Refusal (Section 4.4), moving expenses should be provided for both the move out and return to the building.

Tenants may request moving compensation different than that proposed by the Landlord per item 6.0: Tenants Requiring Additional Assistance.

2. Review the flat rate compensation amounts at regular intervals to ensure that they are adjusted for inflation and reflective of the market rates for moving costs.

CARRIED UNANIMOUSLY

D.1.h Motion Arising from the Report: City Response on Sheltering During the Pandemic

Moved By Councillor Isitt

Seconded By Councillor Dubow

Request that BC Housing use of the Save on Foods Memorial Centre until December 31, 2020 for temporary housing with supports.

CARRIED UNANIMOUSLY

D.1.i Council Member Motion: Approving Attendance at UBCM 2020

Moved By Councillor Thornton-Joe

Seconded By Councillor Potts

That Council approve the attendance and associated registration expenditure of \$367.50 each for Councillors Alto, Dubow, Isitt, Loveday, Potts and Young and Mayor Helps to attend the Union of BC Municipalities convention taking place virtually from September 22-24, 2020

CARRIED UNANIMOUSLY

D.2 Report from the September 10, 2020 COTW Meeting

D.2.a Postponed Council Member Motion: Additional Policing Resources to Support Public Safety

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That Council allocate up to \$94,528 from the Financial Stability Reserve* to provide additional policing resources in the City of Victoria for the remainder of 2020, and that Council receive monthly reports on the deployment and its success.

*The proposed revenue source is the financial stability reserve, as the 2020 Contingency was used for COVID related expenses. Some of these expenses may be recoverable through federal-provincial funding for municipalities.

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)

D.2.b Appointment - Bylaw Officer

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That Council approve the appointment of Samuel Tschritter:

1. As a Bylaw Officer pursuant to section 2(a) of the Inspection Bylaw (06-061); and
2. As a Business Licence Inspector for the City of Victoria.

CARRIED UNANIMOUSLY

E. BYLAWS

E.1 Bylaw for Amendment to the Officers Bylaw

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the following bylaw **be given first, second, and third readings:**

1. Officers Bylaw (Amendment No. 2) Bylaw No. 20-101

CARRIED UNANIMOUSLY

E.2 Bylaw for Amendment to the Parks Regulation Bylaw

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the following bylaw **be given first and second readings:**

1. Parks Regulation Bylaw, Amendment Bylaw (No. 10) No. 20-102

Amendment:

Moved By Mayor Helps

Seconded By Councillor Thornton-Joe

To amend section 2(a) by renumbering the proposed paragraphs (xvi) and (xvii) as new paragraphs (xvii) and (xviii) and inserting the following as a new paragraph (Xvi): "Centennial Square".

Council discussed the following:

- *The importance of including Centennial Square in the list of prohibited parks for sheltering, to support the distributed model and the Downtown neighbourhood.*
- *That Centennial Square has access to washrooms and security which makes it a more supportable location for sheltering than other parks.*

Amendment to the amendment:

Moved By Councillor Young

Seconded By Councillor Thornton-Joe

To amend section 2(a) by renumbering the proposed paragraphs (xvi) and (xvii) as new paragraphs (xvii) and (xviii) and inserting the following as a new paragraph (Xvi): "~~Centennial Square~~ **Areas within the Business Improvement Area Boundary**".

DEFEATED UNANIMOUSLY

On the amendment:

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

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

DEFEATED (3 to 4)

Council recessed from 12:39 p.m. until 1:13 p.m.

Amendment:

Moved By Councillor Thornton-Joe

Seconded By Councillor Young

To amend section 2(b) of the bylaw by deleting 16B (1) and renumbering the remaining subsections of the proposed subsection 16(B).

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

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

DEFEATED (3 to 4)

Amendment:

Moved By Councillor Thornton-Joe

Seconded By Councillor Young

That the bylaw be amended to increase the distance from schools from 50 meters to 100 meters.

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

OPPOSED (5): Mayor Helps, Councillor Alto, Councillor Isitt, Councillor Potts, and Councillor Dubow

DEFEATED (2 to 5)

Amendment:

Moved By Councillor Thornton-Joe

Seconded By Councillor Young

That the bylaw be amended by increasing the distance from playgrounds from 4 meters to 8 meters.

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

OPPOSED (3): Councillor Alto, Councillor Loveday, and Councillor Potts

CARRIED (5 to 3)

Council recessed from 1:42 p.m. until 1:45 p.m.

Amendment:

Moved By Councillor Thornton-Joe

Seconded By Councillor Young

Amend section 2(b) by renumbering paragraphs (b) to (e) in the proposed section 16B(2) as paragraphs (c) to (f) and inserting a new paragraph (b) as follows:

"(b) within 8 meters of a playground"

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

OPPOSED (2): Councillor Alto, and Councillor Potts

CARRIED (5 to 2)

On the main motion as amended:

That the following bylaw **be given first and second readings, as amended below:**

1. Parks Regulation Bylaw, Amendment Bylaw (No. 10) No. 20-102

*Amend section 2(b) by renumbering paragraphs (b) to (e) in the proposed section 16B(2) as paragraphs (c) to (f) and inserting a new paragraph (b) as follows:
"(b) within 8 meters of a playground"*

FOR (5): Mayor Helps, Councillor Alto, Councillor Isitt, Councillor Potts, and Councillor Dubow

OPPOSED (2): Councillor Thornton-Joe, and Councillor Young

CARRIED (5 to 2)

Motion arising:

Moved By Councillor Young

Seconded By Councillor Thornton-Joe

That staff be requested to report on the impacts (including the impacts on shelter spaces displaced to other locations) of a blanket prohibition of sheltering within the boundaries of the Business Improvement Area, or within an alternative boundary encompassing areas essential to the economic vitality of the City.

Amendment:

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the motion be amended as follows:

That staff be requested to report **within four weeks** on the impacts (including the impacts on shelter spaces displaced to other locations) of a blanket prohibition of sheltering within the boundaries of the Business Improvement Area, or within an alternative boundary encompassing areas essential to the economic vitality of the City.

CARRIED UNANIMOUSLY

On the main motion as amended:

That staff be requested to report within four weeks on the impacts (including the impacts on shelter spaces displaced to other locations) of a blanket prohibition of sheltering within the boundaries of the Business Improvement Area, or within an alternative boundary encompassing areas essential to the economic vitality of the City.

FOR (4): Mayor Helps, Councillor Alto, Councillor Thornton-Joe, and Councillor Young
OPPOSED (3): Councillor Isitt, Councillor Potts, and Councillor Dubow

CARRIED (4 to 3)

Moved By Councillor Potts
Seconded By Councillor Alto

That the following bylaw **be given third reading:**

1. Parks Regulation Bylaw, Amendment Bylaw (No. 10) No. 20-102

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

CARRIED (5 to 2)

E.3 Bylaw for 3197 and 3199 Fifth Street and 1027, 1035, 1045, 1055, 1065, and 1075 Tolmie Avenue: Repeal of Housing Agreement Bylaw No. 14-044 and Discharge of Notice

Moved By Councillor Alto
Seconded By Councillor Potts

That the following bylaw **be adopted:**

1. Housing Agreement Bylaw No. 20-093 Repeal Bylaw (2020)

CARRIED UNANIMOUSLY

F. CLOSED MEETING AT 2:01 p.m.

Moved By Councillor Potts
Seconded By Councillor Dubow

MOTION TO CLOSE THE SEPTEMBER 10, 2020 COUNCIL 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)(c) labour relations or other employee relations;

Section 90(1)(g) litigation or potential litigation affecting the municipality; and

Section 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED UNANIMOUSLY

G. APPROVAL OF CLOSED AGENDA

Moved By Councillor Potts
Seconded By Councillor Alto

That the closed agenda be approved.

Amendment:

Moved By Councillor Alto
Seconded By Councillor Potts

That the agenda be amended to add the minutes to the consent agenda.

CARRIED UNANIMOUSLY

On the main motion as amended:
CARRIED UNANIMOUSLY

H. CONSENT AGENDA

Moved By Councillor Alto
Seconded By Councillor Potts

That the following item be approved without further debate.

CARRIED UNANIMOUSLY

READING OF CLOSED MINUTES

Moved By Councillor Alto
Seconded By Councillor Potts

That the following minutes be adopted:

1. Minutes from the closed meeting held August 6, 2020
2. Minutes from the closed Committee of the Whole meeting held August 6, 2020
3. Minutes from the special closed meeting held August 27, 2020

CARRIED UNANIMOUSLY

J. REPORTS OF COMMITTEES

J.1 Report from the September 3, 2020 Closed Committee of the Whole meeting

J.1.a Land/Municipal Service/Intergovernmental Negotiations

Council discussed a Land/Municipal Service/Intergovernmental Negotiations matter.

The conversation and motion were recorded and kept confidential.

K. UNFINISHED BUSINESS

K.1 Legal Advice/Litigation

Council discussed a Legal Advice/Litigation matter.

The conversation and motion were recorded and kept confidential.

M. NEW BUSINESS

M.1 Legal Advice

Council discussed a Legal Advice matter.

The conversation and motion were recorded and kept confidential.

Staff were excused at 3:07 p.m., the City Clerk, City Solicitor, Deputy City Manager, and City Manager remained in the meeting.

M.2 Legal Advice/Litigation

Council discussed a Legal Advice/Litigation matter.

The motion was recorded and kept confidential.

M.3 Employee Relations

Council discussed an employee relations matter.

O. ADJOURNMENT

Moved By Councillor Alto
Seconded By Councillor Potts

That the Closed Council Meeting be adjourned at 3:22 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



MINUTES - VICTORIA CITY COUNCIL

October 1, 2020, 1:57 P.M.

COUNCIL CHAMBERS - 1 CENTENNIAL SQUARE, VICTORIA BC

To be held immediately following the Committee of the Whole Meeting

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 Potts, Councillor Thornton-Joe, Councillor Young

ABSENT: Councillor Dubow

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Director of Finance, C. Coates - City Clerk, T. Zworski - City Solicitor, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhower - Head of Engagement, J. Jensen - Head of Human Resources, K. Hoese - Director of Sustainable Planning and Community Development, C. Havelka - Deputy City Clerk, L. Van Den Dolder - Assistant City Solicitor, J. O'Connor - Deputy Director of Finance, C. Mycroft - Manager of Executive Operations, A. James - Head of Strategic Operations, P. Bellefontaine - Director of Engineering & Public Works, C. Moffat - Assistant City Solicitor, P. Bruce - Fire Chief, P. Rantucci - Head of Strategic Real Estate, M. Heiser - Committee Secretary

A. CONVENE COUNCIL MEETING

B. APPROVAL OF AGENDA

Moved By Councillor Alto
Seconded By Councillor Potts

That the agenda be approved.

Amendment:

Moved By Councillor Loveday
Seconded By Councillor Alto

That the following items be added to the October 1, 2020 Council Agenda:

D.4 "Fire Prevention Week" – October 4 to 10, 2020

F.1.b Report from the October 1, 2020 COTW Agenda

CARRIED UNANIMOUSLY

**Main motion as amended:
CARRIED UNANIMOUSLY**

C. READING OF MINUTES

Moved By Councillor Alto
Seconded By Councillor Potts

That the following minutes be adopted:

1. Minutes from the Special Council Meeting held September 14, 2020
2. Minutes from the daytime meeting held September 17, 2020

CARRIED UNANIMOUSLY

D. PROCLAMATIONS

D.1 "International Day of Older Persons" - October 1, 2020

Moved By Councillor Potts
Seconded By Councillor Thornton-Joe

That the following proclamation be endorsed:
"International Day of Older Persons" - October 1, 2020

CARRIED UNANIMOUSLY

D.2 "Wrongful Conviction Day" - October 2, 2020

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the following proclamation be endorsed:
"Wrongful Conviction Day" - October 2, 2020

CARRIED UNANIMOUSLY

D.3 "Small Business Month" - October 2020

Moved By Councillor Alto
Seconded By Councillor Loveday

That the following proclamation be endorsed:
"Small Business Month" - October 2020

CARRIED UNANIMOUSLY

D.4 "Fire Prevention Week" – October 4 to 10, 2020

Moved By Councillor Loveday
Seconded By Councillor Thornton-Joe

That the following proclamation be endorsed:
" Fire Prevention Week" – October 4 to 10, 2020

CARRIED UNANIMOUSLY

E. UNFINISHED BUSINESS

E.1 Letter from the Minister of Tourism, Arts, and Culture

Council received a letter of response dated September 18, 2020, from the Minister of Tourism, Arts, and Culture regarding the recent proposal from the Tourism Industry Association of BC for stimulus funding.

Moved By Councillor Loveday
Seconded By Councillor Alto

That Council receive the letter from the Minister of Tourism, Arts, and Culture dated September 18, 2020 for information.

CARRIED UNANIMOUSLY

F. REPORTS OF COMMITTEES

F.1 Committee of the Whole

F.1.a Report from the September 17, 2020 COTW Meeting

**F.1.a.a 777 Douglas Street: Development Permit Application
No.000561 (Downtown)**

Moved By Councillor Alto
Seconded By Councillor Potts

That Council authorize the issuance of development permit application No.000561 for 777 Douglas Street, in accordance with:

1. Plans date stamped July 3, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements.
3. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

**F.1.a.b 2639 Fifth Street: Development Variance Permit No. 00244
(Hillside/Quadra)**

Moved By Councillor Alto
Seconded By Councillor Potts

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 Variance Permit Application No. 00244 for 2639 Fifth Street, in accordance with:

1. Plans date stamped June 8, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the residential vehicle parking requirement from 61 stalls to 50 stalls.
3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

F.1.a.c Advocacy to Expand the Extreme Weather Response to Non-winter Extreme Weather Events

Moved By Councillor Loveday

Seconded By Councillor Potts

That Council request the Mayor write to the Minister of Housing and Municipal Affairs and BC Housing, advocating for the Extreme Weather Response to be expanded to open shelters and provide other necessary services during non-winter extreme weather events including when poor air quality presents a health risk.

CARRIED UNANIMOUSLY

F.1.a.d 848 Yates Street: Development Permit Application (DDP No. 00529) (Downtown)

Moved By Councillor Isitt

Seconded By Councillor Young

That Council decline Development Permit No. 00529 for 848 Yates Street and proposed modifications to the through-block walkway and terms of the statutory right-of-way.

FOR (4): Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Young

OPPOSED (3): Mayor Helps, Councillor Alto, Councillor Thornton-Joe

CARRIED (4 to 3)

F.1.a.e Village and Corridor Planning: Summary of Early Engagement, Next Steps and Required Consultation

Moved By Councillor Isitt

Seconded By Councillor Alto

That Council:

1. Receive the Village and Corridor Planning Early Engagement Summary Report.
2. Direct staff to develop policy recommendations to inform potential Official Community Plan (OCP) amendment bylaws following consultation, and in accordance with feedback received. This may include amendments to the following sections of the OCP:
 - a. Section 6: Land Management and Development and related maps and policies;
 - b. Section 21: Neighbourhood Directions;
 - c. Appendix A: Development Permit Areas, considering new or updated development permit areas and guidelines.
3. Consider consultation under Section 475(2)(b) of the Local Government Act and direct staff to refer the proposed Official Community Plan Amendment Bylaw to the Esquimalt Nation, Songhees Nation, the Greater Victoria School District, the Capital Regional District Board, the Province, and the District of Saanich; and that no referrals are necessary to Island Health, the federal government, the Township of Esquimalt, and the District of Oak Bay.
4. Consider consultation under Section 475(2)(b) of the Local Government Act and direct staff to undertake consultation with those affected through a combination of printed materials and digital engagement tools including:
 - a. Workshops with stakeholders and Local Area Planning Working Group members;
 - b. An online open house process presenting policy options and concepts;
 - c. A mailing to residents, businesses and owners within the Hillside-Quadra, North Park and Fernwood neighbourhoods;
 - d. Referral to the Advisory Design Panel;
 - e. A second Open House process presenting proposed Neighbourhood Plans, OCP and Zoning Bylaw Amendments.

Amendment:

Moved By Mayor Helps

Seconded By Councillor Alto

5. **Direct staff to build into the consultation going forward information about child care coverage in the neighborhoods and solicit ideas to address the shortages.**

CARRIED UNANIMOUSLY

Main motion as amended:

That Council:

1. Receive the Village and Corridor Planning Early Engagement Summary Report.
2. Direct staff to develop policy recommendations to inform potential Official Community Plan (OCP) amendment bylaws following consultation, and in accordance with feedback received. This may include amendments to the following sections of the OCP:
 - a. Section 6: Land Management and Development and related maps and policies;
 - b. Section 21: Neighbourhood Directions;
 - c. Appendix A: Development Permit Areas, considering new or updated development permit areas and guidelines.
3. Consider consultation under Section 475(2)(b) of the Local Government Act and direct staff to refer the proposed Official Community Plan Amendment Bylaw to the Esquimalt Nation, Songhees Nation, the Greater Victoria School District, the Capital Regional District Board, the Province, and the District of Saanich; and that no referrals are necessary to Island Health, the federal government, the Township of Esquimalt, and the District of Oak Bay.
4. Consider consultation under Section 475(2)(b) of the Local Government Act and direct staff to undertake consultation with those affected through a combination of printed materials and digital engagement tools including:
 - a. Workshops with stakeholders and Local Area Planning Working Group members;
 - b. An online open house process presenting policy options and concepts;
 - c. A mailing to residents, businesses and owners within the Hillside-Quadra, North Park and Fernwood neighbourhoods;
 - d. Referral to the Advisory Design Panel;
 - e. A second Open House process presenting proposed Neighbourhood Plans, OCP and Zoning Bylaw Amendments.
5. Direct staff to build into the consultation going forward information about child care coverage in the neighborhoods and solicit ideas to address the shortages.

CARRIED UNANIMOUSLY

F.1.a.f Council Member Motion: Selkirk Water Floating Swimming Platform

Moved By Councillor Isitt

Seconded By Councillor Potts

That Council directs staff to write to Transport Canada, indicating that the City of Victoria supports the ongoing use of the floating swimming platform in the Selkirk Water for recreational use and

enjoyment by the public, and believes this use is compatible with other uses of the Selkirk Water, including navigation. That Council direct staff to report back on the suitability of the existing location and recommendations, with view towards minimizing the impact on the marine ecology.

CARRIED UNANIMOUSLY

F.1.a.g 1314 and 1318 Wharf Street: Update Report on Rezoning Application No. 00701 and Heritage Alteration Permit with Variances Application No. 00236 (Northern Junk) (Downtown)

Moved By Councillor Alto
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 and building access consistent with the City's Subdivision and Development Servicing Standards, revised long term bike parking spaces to meet the requirements set out in Schedule C of the Zoning Regulation Bylaw and minor plan corrections, to the satisfaction of the Director of Sustainable Planning and Community Development and Director of Engineering & Public Works.
2. That Council authorize the placement of Pad Mounted Transformer (PMT) on public property and work with the applicant to ensure the addition of the PMT is incorporated as an enhancement to the public realm with all associated expenses being born by the applicant to the satisfaction of the Director of Sustainable Planning and Community Development.
3. 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 offsite 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.
4. 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 August 10, 2020.
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 21 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. That Council authorize the placement of Pad Mounted Transformer (PMT) on public property and work with the applicant to ensure the addition of the PMT is incorporated as an enhancement to the public realm to the satisfaction of the Director of Sustainable Planning and Community Development.

9. Heritage Alteration Permit lapsing two years from the date of this resolution”

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

OPPOSED (1): Councillor Isitt,

CARRIED (6 to 1)

F.2.a Report from the October 1, 2020 COTW Meeting

F.2.a.a. By-Election Report Back

Moved By Councillor Isitt

Seconded By Councillor Loveday

That Council:

1. Appoint Chris Coates as Chief Election Officer.
2. Appoint Sonia Santarossa, Christine Havelka and Monika Fedyczkowska as Deputy Chief Election Officers.
3. Authorize the Chief Election Officer to send a formal request to the Ministry of Municipal Affairs for a Ministerial Order to facilitate a by-election during the pandemic including legislative changes to respond to enhanced mail ballot voting, reduced touch points and other pandemic related matters that may be required.
4. Approve a budget addition of up to \$350,000 from the Financial Stability Reserve for the by-election.

CARRIED UNANIMOUSLY

G. BYLAWS

G.1 Bylaw for 2021-2022 Permissive Tax Exemptions

Moved By Councillor Alto

Seconded By Councillor Isitt

That the following bylaw **be adopted**:

1. Tax Exemption (Permissive) Bylaw, 2021-2022 No. 20-085

CARRIED UNANIMOUSLY

H. CLOSED MEETING

Motion to go into a closed Council meeting at 2:13 p.m.:

Moved By Councillor Young

Seconded By Councillor Loveday

MOTION TO CLOSE THE OCTOBER 1, 2020 COUNCIL 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)(n) the consideration of whether a council meeting should be closed under a provision of this subsection or subsection (2).

CARRIED UNANIMOUSLY

H.1 Consideration of a Closed meeting – Community Charter Section 90(1)(n)

Council considered a part of a council meeting that may be closed to the public.

The conversation was recorded and kept confidential.

The open Council meeting reconvened at 2:23 p.m.

Motion to go into a closed Council meeting at 2:26 p.m.:

MOTION TO CLOSE THE OCTOBER 1, 2020 COUNCIL 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)(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;*
- *Section 90(1)(c) labour relations or other employee relations;*
- *Section 90(1)(g) litigation or potential litigation affecting the municipality;*
- *Section 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.*

Section 90(2) A part of a council meeting may be closed to the public if the subject matter being considered relates to one or more of the following:

- *Section 90(2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.*

CARRIED UNANIMOUSLY

I. APPROVAL OF CLOSED AGENDA

Moved By Councillor Alto

Seconded By Councillor Potts

That the closed agenda be approved.

Amendment:

Moved By Councillor Alto

Seconded By Councillor Potts

That the agenda of the October 1, 2020 Closed Council meeting be amended as follows:

Consent Agenda:

B.1 Minutes from the closed Committee of the Whole meeting held September 3, 2020

B.2 Minutes from the closed Council meeting held September 3, 2020

B.3 Minutes from the closed Committee of the Whole meeting held September 17, 2020

B.4 Minutes from the closed Council meeting held September 17, 2020

CARRIED UNANIMOUSLY

On the main motion as amended:

CARRIED UNANIMOUSLY

J. CONSENT AGENDA

Moved By Councillor Alto

Seconded By Councillor Potts

That the following items be approved without further debate.

CARRIED UNANIMOUSLY

J.1 Minutes from the closed Committee of the Whole meeting held September 3, 2020

Moved By Councillor Alto

Seconded By Councillor Potts

That the minutes from the closed Committee of the Whole meeting held September 3, 2020 be adopted.

CARRIED UNANIMOUSLY

J.2 Minutes from the closed Council meeting held September 3, 2020

Moved By Councillor Alto

Seconded By Councillor Potts

That the minutes from the closed Council meeting held September 3, 2020 be adopted.

CARRIED UNANIMOUSLY

J.3 Minutes from the closed Committee of the Whole meeting held September 17, 2020

Moved By Councillor Alto
Seconded By Councillor Potts

That the minutes from the closed Committee of the Whole meeting held September 17, 2020 be adopted.

CARRIED UNANIMOUSLY

J.4 Minutes from the closed Council meeting held September 17, 2020

Moved By Councillor Alto
Seconded By Councillor Potts

That the minutes from the closed Council meeting held September 17, 2020 be adopted.

CARRIED UNANIMOUSLY

Councillor Isitt withdrew from the meeting at 2:28 p.m.

M. NEW BUSINESS

M.3 Intergovernmental Relations – Community Charter Section 90(2)(b)

Council discussed an intergovernmental relations matter.

The motion was recorded and kept confidential.

M.1 Appointment – Community Charter Section 90(1)(a)

Council discussed an appointment matter.

The motion was recorded and kept confidential.

M.2 Intergovernmental Relations – Community Charter Section 90(2)(b)

Council discussed an intergovernmental relations matter.

The motion was recorded and kept confidential.

M.4 Intergovernmental Relations – Community Charter Section 90(2)(b)

Council discussed an intergovernmental relations matter.

The conversation was recorded and kept confidential.

Councillor Potts withdrew from the meeting at 3:28 p.m.

M.6 Legal Advice – Community Charter Section 90(1)(i)

Council discussed a legal matter.

The conversation was recorded and kept confidential.

Councillor Potts returned to the meeting at 3:30 p.m.

Councillor Isitt returned to the meeting at 3:31 p.m.

M.7 Legal Advice – Community Charter Section 90(1)(i)

Council discussed a legal matter.

Councillor Loveday withdrew from the meeting at 3:50 p.m. and returned at 3:51 p.m.

The motion was recorded and kept confidential.

Council recessed at 3:54 p.m. reconvened at 3:58 p.m.

M.5 Litigation – Community Charter Section 90(1)(g)

Council discussed a litigation matter.

The conversation was recorded and kept confidential.

All staff except the City Manager withdrew from the meeting at 4:35 p.m.

M.8 Employee Relations – Community Charter Section 90(1)(c)

Council discussed an employee relations matter.

0. ADJOURNMENT

Moved By Councillor Alto

Seconded By Councillor Isitt

That the Closed Council Meeting be adjourned at 4:45 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



MINUTES - VICTORIA CITY COUNCIL

October 8, 2020, 6:30 P.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 COVID-19 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 Dubow, Councillor Thornton-Joe, Councillor Young

PRESENT
ELECTRONICALLY: Councillor Loveday, Councillor Potts

PRESENT
ELECTRONICALLY
FOR A PORTION OF
THE MEETING: Councillor Isitt

STAFF PRESENT: J. Jenkyns - City Manager, C. Coates - City Clerk, T. Soulliere - Director of Parks, Recreation & Facilities, T. Zworski - City Solicitor, K. Hoese - Director of Sustainable Planning and Community Development, C. Havelka - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, P. Bellefontaine - Director of Engineering & Public Works, P. Martin - Council Secretary

A. APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the agenda be approved as amended.

CARRIED UNANIMOUSLY

B. Poetry Reading

The City's Poet Laureate, John Barton read a poem titled "Folded on the steps of the museum of broken relationships".

Councillor Isitt joined the meeting electronically at 6:36 p.m.

D. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Alto

Seconded By Councillor Dubow

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

D.1 Mehdi Najari: Homeless Encampments

Outlined for Council concerns relating to the homeless encampments.

D.2 Sean Kahil: Camping

Outlined for Council concerns relating to the camping in Central Park.

D.3 William Armstrong: Unaffordable Moorage Rate and User Fee Increases During a Pandemic

Outlined for Council concerns with the increasing moorage rates for live aboard vessels in the Victoria Inner Harbour.

D.4 Alison Dunatov: Presentation of Petition Requesting No 24/7 Camping

Outlined why Council should add Pemberton Park to the list of parks in which overnight sheltering is not permitted.

F. PUBLIC AND STATUTORY HEARINGS

F.1 2920 Prior Street: Rezoning Application No. 00708, Development Permit with Variances Applications No. 00147 and No. 00151, and Development Variance Permit Application No. 00245

Zoning Regulation Bylaw, Amendment Bylaw (No. 1232) No. 20-086:

To rezone a portion the land known as 2920 Prior Street from the R1-B Zone, Single Family Dwelling District, to a new R1-B-GS6 Zone, Single Family Dwelling with Garden Suite (Prior Street) District, to permit an existing single family dwelling and a garden suite, and to rezone a portion from the R1-B Zone, Single Family Dwelling District, to the R1-S2 Zone, Restricted Small Lot (Two Storey) District to permit a small lot house.

Development Permit with Variance Application (DPV No. 00147)

The Council of the City of Victoria will also consider issuing a development permit for the land known as 2920 Prior Street, in Development Permit Area 15A: Intensive Residential Small Lot, for the purposes of establishment of objectives for the form and character of intensive residential development, as well as landscaping.

Development Permit with Variance Application (DPV No. 00151)

The Council of the City of Victoria will also consider issuing a development permit for the land known as 2920 Prior Street, in Development Permit Area 15E: Intensive Residential Garden Suites for the purposes of approving a garden suite as well as landscaping.

Development Variance Permit Application (DVP No. 00245)

The Council of the City of Victoria will also consider issuing a development permit for the land known as 2920 Prior Street, for the purpose of varying certain requirements of the Zoning Regulation Bylaw for the existing dwelling in the new zone R1-B-GS6 Zone, Single Family Dwelling, with Garden Suite (Prior Street) District.

F.1.a Public Hearing & Consideration of Approval

Michael Angrove (Senior Planner): *Advised that the application is to retain the existing house and permit a garden suite, and to subdivide the property for a new small lot.*

Mayor Helps opened the public hearing at 7:03 p.m.

Rick Humphries, Peter Johannknecht, and Bianca Bodley (Applicants): Provided information regarding the application.

Laurence Coogan (Prior Street): Expressed concerns with the application due to the over densification of the lot as well as potential parking issues.

Joanne Newell (Resident): Expressed concerns with the application due to the proposed setbacks, increased densification, and potential parking issues.

Marion Harper (Prior Street): Expressed concerns with the application due to potential parking issues and the over densification.

Council recessed from 7:31 p.m. until 7:36 p.m. to provide an opportunity for members of the public to call to speak live.

No additional persons called in to speak to the proposed application.

Councillor Isitt joined the meeting in person at 7:36 p.m.

Mayor Helps closed the public hearing at 7:43 p.m.

Moved By Mayor Helps
Seconded By Councillor Alto

That the following bylaw **be given third reading**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1232) No. 20-086

Council discussed the following:

- *Whether the covenant should be finalized prior to adoption of the bylaw.*
- *Whether densification is appropriate in this space.*

Motion to refer:

Moved By Councillor Isitt

Seconded By Councillor Young

That the matter be referred to staff to work with the applicant to address concerns raised by the neighbours and report back to Committee of the Whole.

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

OPPOSED (5): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Loveday, and Councillor Potts

DEFEATED (3 to 5)

On the motion to give 3rd reading:

FOR (5): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Loveday, and Councillor Potts

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

CARRIED (5 to 3)

Moved By Mayor Helps

Seconded By Councillor Alto

That subject to the rezoning bylaw being adopted, that Council authorize the issuance of Development Permit with Variance Application No. 00147 for 2920 Prior Street, in accordance with:

1. Plans date stamped June 1, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance to R1-S2, Restricted Small Lot (Two Storey) Dwelling:
 - i. Decrease the side yard setback for habitable room window from 2.40m to 1.5m.
3. The Development Permit lapsing two years from the date of this resolution.

FOR (5): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Loveday, and Councillor Potts

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

CARRIED (5 to 3)

Moved By Councillor Alto

Seconded By Mayor Helps

That subject to the rezoning bylaw being adopted, that Council authorize the issuance of Development Variance Permit Application No. 00245 for 2920 Prior Street, in accordance with:

1. Plans date stamped June 1, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances for the existing house:
 - i. Decrease the minimum side yard setback (south) from 2.40m to 0.92m (for the deck only)
 - ii. Decrease the minimum side yard setback for a habitable room window (north) from 2.40m to 1.88m.
3. The Development Permit lapsing two years from the date of this resolution.

FOR (5): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Loveday, and Councillor Potts

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

CARRIED (5 to 3)

Moved By Councillor Alto
Seconded By Mayor Helps

That subject to the rezoning bylaw being adopted, that Council authorize the issuance of Development Permit with Variance Application No. 00151 for 2920 Prior Street, in accordance with:

1. Plans date stamped June 1, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance to Schedule M – Garden Suite
 - i. Increase the maximum height from 3.50m to 4.15m.
3. The Development Permit lapsing two years from the date of this resolution.

FOR (5): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Loveday, and Councillor Potts

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

CARRIED (5 to 3)

Approval of the bylaw to occur at a future meeting, pending receipt of the executed covenants.

Councillor Dubow withdrew from the meeting at 8:16 p.m. due to a non-pecuniary conflict of interest with the following item, as he knows the owner of the neighbouring business that is facing an eviction.

F.2 1881 Fort Street: Rezoning Application No. 00713

Zoning Regulation Bylaw, Amendment Bylaw (No. 1213) No. 20-009:

To rezone the land known as 1881 Fort Street from the C-1 Zone, Limited Commercial District, to the C1-4 Zone, Fort Street Commercial (Cannabis) District, to permit a storefront cannabis retailer.

F.2.a Public Hearing & Consideration of Approval:

Michael Angrove (Senior Planner): *Advised that the application is to permit the use of a Storefront Cannabis Retailer.*

Mayor Helps opened the public hearing at 8:18 p.m.

Peter and Darren Saunders (Applicants): Provided information regarding the application.

Mohamed Aziz (Resident): Expressed concerns with the application as it will have a negative impact on their neighbouring business.

Council recessed from 8:24 p.m. until 8:29 p.m. to provide an opportunity for members of the public to call to speak live.

No additional persons called in to speak to the proposed application.

Council discussed the following:

- *That the application is a site specific rezoning.*

Motion to adjourn:

Moved By Mayor Helps

Seconded By Councillor Isitt

That this hearing be adjourned to the evening council meeting of November 12, 2020 to request that staff get more information from the land owner with respect to any negative implications on the Wrap and Roll restaurant for Council's consideration of the rezoning application for the cannabis dispensary.

Amendment:

Moved By Councillor Isitt

Seconded By Mayor Helps

That the motion to adjourn be amended as follows:

That this hearing be adjourned to the evening council meeting of November 12, 2020 to request that staff ~~get more information from the land owner with respect to any negative implications on the Wrap and Roll restaurant for Council's consideration of the rezoning application for the cannabis dispensary~~ seek information from the land owner on potential implications of this rezoning on other lease holders at this location.

FOR (6): Mayor Helps, Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe
OPPOSED (1): Councillor Young

CARRIED (6 to 1)

On the motion to adjourn as amended:

That this hearing be adjourned to the evening council meeting of November 12, 2020 to request that staff seek information from the land owner on potential implications of this rezoning on other lease holders at this location.

FOR (4): Mayor Helps, Councillor Isitt, Councillor Loveday, and Councillor Potts
OPPOSED (3): Councillor Alto, Councillor Thornton-Joe, and Councillor Young

CARRIED (4 to 3)

Councillor Dubow returned to the meeting at 8:48 p.m.

F.3 2615-2629 Douglas Street: Heritage Designation Application No. 00187

Heritage Designation Bylaw No. 20-052

Under the provisions of the *Local Government Act*, the City of Victoria intends to designate the 1971 exterior of the building located at 2615, 2621, 2623, 2625, 2627 and 2629 Douglas Street, legally described as: PID: 003-149-021, Lot 2, Section 4, Victoria District, Plan 23740, as protected heritage property, under Heritage Designation Bylaw No. 20-052 (2615-2629 Douglas Street).

F.3.a Public Hearing & Consideration of Approval

Michael Angrove (Senior Planner): *Advised that the application is to designate the property located at 2615-2629 Douglas Street as a Municipal Heritage Site.*

Mayor Helps opened the public hearing at 8:49 p.m.

Council recessed from 8:50 p.m. until 8:56 p.m. to provide an opportunity for members of the public to call to speak live.

No persons called in to speak to the proposed bylaw.

Mayor Helps closed the public hearing at 8:56 p.m.

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That the following bylaw **be given third reading:**

1. *Heritage Designation (2615-2629 Douglas Street) Bylaw No. 20-052*

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That the following bylaw **be adopted**:

1. *Heritage Designation (2615-2629 Douglas Street) Bylaw No. 20-052*

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That the following bylaw **be adopted**:

1. *Tax Exemption (2615, 2621, 2623, 2625, 2627, and 2629 Douglas Street) Bylaw No. 20-079*

CARRIED UNANIMOUSLY

O. ADJOURNMENT

Moved By Councillor Alto

Seconded By Councillor Dubow

That the Council meeting adjourn.

TIME: 8:58 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



MINUTES - VICTORIA CITY COUNCIL

October 22, 2020, 6:30 P.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 COVID-19 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 Dubow, Councillor Isitt, Councillor Young

PRESENT ELECTRONICALLY: Councillor Loveday, Councillor Thornton-Joe

PRESENT ELECTRONICALLY FOR A PORTION OF THE MEETING: Councillor Potts

STAFF PRESENT: J. Jenkyns - City Manager, C. Coates - City Clerk, T. Soulliere - Director of Parks, Recreation & Facilities, T. Zworski - City Solicitor, K. Hoese - Director of Sustainable Planning and Community Development, A. Meyer - Assistant Director of Development Services, C. Havelka - Deputy City Clerk, A. Johnston - Planner, M. Angrove - Planner, P. Bellefontaine - Director of Engineering & Public Works, C. Tunis - Planner, P. Martin - Council Secretary

B. APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Moved By Councillor Dubow
Seconded By Councillor Alto

That the agenda be approved as amended.

Amendment:

Moved By Councillor Alto
Seconded By Councillor Dubow

That a Closed portion of the meeting be added to the agenda for Intergovernmental Relations.

CARRIED UNANIMOUSLY

**On the main motion as amended:
CARRIED UNANIMOUSLY**

D. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Dubow
Seconded By Councillor Alto

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

D.1 Aaron Childs: Sheltering in Central Park

Outlined why Council should follow the example of the City of Vancouver and immediately act to house people sheltering in Central Park, as was done by Vancouver for Strathcona Park.

D.2 Jon A. Sigurdson: Pacifica Housing Not Moving All of Us

Outlined concerns to Council regarding Pacifica Housing.

D.5 Heather Rock: Tent Encampments

Outlined why Council should work with the Provincial Government, support agencies, and non-profits to move un-sheltered people indoors immediately.

D.3 Laura Lee: Homelessness - An Emergency Response and Four Stage Solution

Outlined why Council should call upon the emergency response resources of the Canadian Reserve and/or the national Disaster Assistance Response Team to initiate a four stage solution to provide a path from homelessness to independent, healthy living.

F. PUBLIC AND STATUTORY HEARINGS

Councillor Potts withdrew from the meeting at 6:59 p.m. due to a pecuniary conflict of interest with the following item, as she lives in close proximity to the property.

F.1 330-336 Michigan Street: Development Permit with Variances Application No. 00122

Development Permit with Variances Application:

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 330, 332, 334 & 336 Michigan Street, in Development Permit Area 16: General Form and Character, for purposes of demolishing the three existing three-storey multi-unit residential buildings and constructing two new four-storey multi-unit residential buildings along Michigan Street.

F.1.a Opportunity for Public Comment & Consideration of Approval

Councillor Isitt withdrew from the meeting at 7:00 p.m. due to a non-pecuniary conflict of interest with the current item, as his father lives in close proximity to the application.

Michael Angrove (Senior Planner): Advised that the application is to redevelop the site for affordable housing units.

Mayor Helps opened the opportunity for public comment at 7:01 p.m.

David Screech, Rob Whetter, Chris Windjack, and Kimberly Lemon (Applicants): Provided information regarding the application.

Marika Albert (Resident): Expressed support for the application due to the need for affordable housing in Victoria.

Council recessed from 7:21 p.m. until 7:26 p.m. to provide an opportunity for members of the public to call to speak live.

No additional persons called in to speak to the proposed application.

Mayor Helps closed the opportunity for public comment at 7:26 p.m.

Moved By Councillor Alto
Seconded By Councillor Dubow

That Council authorize the issuance of Development Permit with Variance Application No. 00122 for 330-336 Michigan Street, in accordance with:

1. Plans date stamped January 21, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. increase the site coverage from 40% to 43.5%
 - ii. reduce the open site space from 60% to 55.5%
 - iii. reduce the setback from the street boundary (Michigan Street) from 10.5m to 5.5m
 - iv. reduce the rear yard setback from 7.38m to 5.78m
 - v. reduce the east side yard setback from 7.38m to 6.0m
 - vi. reduce the west side yard setback from 7.38m to 6.39m to the building face and 5.82m to the balcony.
3. Registration on the property's title of a Statutory Right-of-Way of 2.44m off Superior Street, to the satisfaction of the Director of Engineering.
4. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

Moved By Councillor Alto
Seconded By Councillor Dubow

That the following bylaw **be adopted**:

1. Housing Agreement (330, 332, 334, & 336 Michigan Street) Bylaw (2020) No. 20-084

CARRIED UNANIMOUSLY

Councillor Potts returned to the meeting at 7:29 p.m.

F.2 1802 Cook Street and 1056 North Park Street: Temporary Use Permit Application No. 00015

Temporary Use Permit Application No. 00015

The Council of the City of Victoria will consider issuing a Temporary Use Permit for the land known as 1802-1806 Cook Street & 1056 North Park Street, in Development Permit Area 5: Large Urban Villages, for the purposes of temporarily permitting the distribution of cannabis as an ancillary use to a harm reduction service.

F.2.a Opportunity for Public Comment & Consideration of Approval

Michael Angrove (Senior Planner): *Advised that the application is to allow for a Health Service use with the provision of cannabis on-site.*

Mayor Helps opened the opportunity for public comment at 7:27 p.m.

Mark Wilson (Applicant): Provided information regarding the application.

Council recessed from 7:41 p.m. until 7:46 p.m. to provide an opportunity for members of the public to call to speak live.

No persons called in to speak to the proposed application.

Council discussed the following:

- *Measures the applicant will take to ensure the service does not affect neighbouring businesses.*

Mayor Helps closed the opportunity for public comment at 7:42 p.m.

Moved By Councillor Alto

Seconded By Councillor Potts

That Council authorize the issuance of Temporary Use Permit Application No. 00015 for 1802 Cook Street & 1056 North Park Street, in accordance with:

1. Plans date stamped February 19, 2020
2. Development meeting all Zoning Regulation Bylaw requirements
3. A street ambassador provided by the service operator during operating hours that patrols the immediate area every hour to prevent congregation and negative behaviours from clients of the harm reduction service
4. The Temporary Use Permit lapsing three years from the date of this resolution.

Council discussed the following:

- *The importance of the inclusion of the on-site health service.*
- *Concerns with the lack of support by neighbouring businesses.*

Amendment:

Moved By Mayor Helps

Seconded By Councillor Dubow

That point four of the motion be amended as follows:

4. The Temporary Use Permit lapsing **one year ~~three years~~** from the date of this resolution.

Council discussed the following:

- *What the renewal process timeline would be for the applicant.*

Amendment to the amendment:

Moved By Councillor Dubow

Seconded By Mayor Helps

That the amendment be amended as follows:

4. The Temporary Use Permit lapsing **18 months ~~one year~~ ~~three years~~** from the date of this resolution.

Council discussed the following:

- *The importance of the right length of time to provide meaningful experience for a review.*
- *That the 18 month amendment would allow a potential renewal to be considered by this Council.*

CARRIED UNANIMOUSLY

On the amendment, as amended:

That Council authorize the issuance of Temporary Use Permit Application No. 00015 for 1802 Cook Street & 1056 North Park Street, in accordance with:

1. Plans date stamped February 19, 2020
2. Development meeting all Zoning Regulation Bylaw requirements
3. A street ambassador provided by the service operator during operating hours that patrols the immediate area every hour to prevent congregation and negative behaviours from clients of the harm reduction service
4. The Temporary Use Permit lapsing **18 months** from the date of this resolution.

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

OPPOSED (2): Councillor Dubow, and Councillor Loveday

CARRIED (5 to 2)

On the main motion as amended:

That Council authorize the issuance of Temporary Use Permit Application No. 00015 for 1802 Cook Street & 1056 North Park Street, in accordance with:

1. Plans date stamped February 19, 2020
2. Development meeting all Zoning Regulation Bylaw requirements
3. A street ambassador provided by the service operator during operating hours that patrols the immediate area every hour to prevent congregation and negative behaviours from clients of the harm reduction service
4. The Temporary Use Permit lapsing 18 months from the date of this resolution.

CARRIED UNANIMOUSLY

Council recessed from 8:16 p.m. until 8:18 p.m.

F.3 Next Generation House Conversion Regulations

Zoning Regulation Bylaw, Amendment Bylaw (No. 1231) No. 20-077:

To amend the Zoning Regulation Bylaw:

- (a) to amend the Zoning Regulation Bylaw by amending Schedule C – Off-Street Parking with new off-street parking provisions for house conversions; and
- (b) to replace Schedule G – House Conversions with new house conversion regulations.

F.3.a Public Hearing & Consideration of Approval:

Mayor Helps opened the public hearing at 8:19 p.m.

Chloe Tunis (Planner): *Advised that the application is to amend the Zoning Regulation Bylaw to add a new off-street parking provisions for house conversions to Schedule C – Off-Street Parking, and replace Schedule G – House Conversion Regulations with new house conversion regulations in order to yield additional opportunities for house conversions in the City.*

Council recessed from 8:25 p.m. until 8:30 p.m. to provide an opportunity for members of the public to call to speak live.

No persons called in to speak to the proposed bylaw.

Mayor Helps closed the public hearing at 8:30 p.m.

Councillor Isitt returned to the meeting at 8:30 p.m.

Moved By Mayor Helps
Seconded By Councillor Alto

That the following bylaw **be given third reading:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1231) No. 20-077

Council discussed the following:

- *The importance of these new regulations to create more housing.*
- *That house conversions are the most sensitive type of infill.*

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

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

Moved By Councillor Alto

Seconded By Councillor Dubow

That the following bylaw **be adopted:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1231) No. 20-077

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

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

F.4 334 Dallas Road: Rezoning Application No. 00674 and Development Permit with Variances Application No. 00101

Zoning Regulation Bylaw Amendment Bylaw (No. 1229) No. 20-068:

To rezone the land known as 334 Dallas Road from the R-2 Zone, Two Family Dwelling District, to the R-98 Zone, Dallas Road Multiple Dwelling District, to permit the construction of a three-unit multiple family dwelling.

Development Permit Application with Variances:

The Council of the City of Victoria will also consider issuing a development permit with variances for the land known as 334 Dallas Road, in Development Permit Area 16, for the purposes of approving the exterior design and finishes and landscaping for the development of the land for a three unit multiple family dwelling.

F.4.a Public Hearing & Consideration of Approval

Chloe Tunis (Planner): *Advised that the application is for a new triplex building.*

Mayor Helps opened the public hearing at 8:41 p.m.

Ron McNeil (Applicant): Provided information regarding the application.

Council recessed from 8:49 p.m. until 8:54 p.m. to provide an opportunity for members of the public to call to speak live.

No persons called in to speak to the proposed bylaw.

Mayor Helps closed the public hearing at 8:54 p.m.

Moved By Councillor Young

Seconded By Councillor Alto

That the following bylaw **be given third reading:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1229) No. 20-068

CARRIED UNANIMOUSLY

Moved By Councillor Alto

Seconded By Councillor Young

That the following bylaw **be adopted:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1229) No. 20-068
2. Housing Agreement (334 Dallas Road) Bylaw (2020) No. 20-069

CARRIED UNANIMOUSLY

Moved By Councillor Alto

Seconded By Councillor Potts

That Council authorize the issuance of Development Permit with Variance Application No. 00101 for 334 Dallas Road, in accordance with:

1. Plans date stamped August 26, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. increase the maximum height for a dwelling to 7.92 m
 - ii. increase the maximum height for an accessory building to 3.96 m
 - iii. reduce the vehicular parking requirements from 4 stalls to 3 stalls
 - iv. reduce the rear yard open site space from 33% to 13%.
3. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

F.5 736 Princess Avenue: Rezoning Application No. 00602 and Development Permit with Variances Application No. 00065

Zoning Regulation Bylaw, Amendment Bylaw (No. 1238) No. 20-106:

To rezone the land known as 736 Princess Avenue from the M-1 Zone, Limited Light Industrial District to the P-CR Zone, Princess Commercial Residential District, to permit a six-storey, mixed-use building consisting of commercial and residential uses, including 28 affordable rental dwelling units of supportive transitional housing.

Development Permit Application:

The Council of the City of Victoria will also consider issuing a development permit for the land known as 736 Princess Avenue, in Development Permit Area 7A: Corridors – Douglas Street and Blanshard Street for the purposes of approving the exterior design and finishes for the six-storey, mixed-use building as well as landscaping.

F.5.a Public Hearing & Consideration of Approval

Alec Johnston (Senior Planner): *Advised that the application is to increase the density and construct a six-storey, mixed-use building consisting of commercial and residential uses.*

Mayor Helps opened the public hearing at 9:04 p.m.

Stephanie Hartwig, Hank Matias, Larry Cecco, Eddie Williams, and Mani Toor (Applicants): Provided information regarding the application.

Doug Thompson (Princess Avenue): Expressed concerns with the application due to the non-conforming building and potential negative impact it will have on the neighbourhood, including issues with parking.

Council recessed from 9:24 p.m. until 9:31 p.m. to provide an opportunity for members of the public to call to speak live.

No additional persons called in to speak to the proposed application.

Mayor Helps closed the public hearing at 9:32 p.m.

Moved By Mayor Helps
Seconded By Councillor Isitt

That the following bylaw **be given third reading:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1238) No. 20-106

CARRIED UNANIMOUSLY

Moved By Councillor Isitt
Seconded By Councillor Dubow

That the following bylaw **be adopted:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1238) No. 20-106
2. Housing Agreement (736 Princess Avenue) Bylaw (2020) No. 20-107

CARRIED UNANIMOUSLY

Moved By Councillor Alto
Seconded By Councillor Isitt

That Council authorize the issuance of Development Permit with Variance Application No. 00065 for 736 Princess Avenue, in accordance with:

1. Plans date stamped June 18, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the required number of residential parking spaces from 14 to 0;
 - ii. reduce the required number of commercial parking spaces from 17 to 8;
 - iii. reduce the required number of visitor parking spaces from 3 to 0;
 - iv. reduce the required number of long-term residential bicycle parking spaces from 28 to 7;
 - v. reduce the required number of short-term residential bicycle parking spaces from six to 0;
3. The applicant identifies the location of the PMT station on the site plan, to the satisfaction of the Director of Sustainable Planning and Community Development.
4. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

F.6 801 Bank Street: Development Variance Permit Application No. 00248

Development Variance Permit Application:

The City of Victoria will be considering the issuance of a Development Variance Permit for the land known as 801 Bank Street for the purpose of varying certain requirements of the *Zoning Regulation Bylaw* namely: allowing siting within a side yard, increasing the maximum height and increasing the maximum floor area for two temporary modular classrooms, a gym tent and associated power station.

F.6.a Opportunity for Public Comment & Consideration of Approval

Alec Johnston (Senior Planner): *Advised that the application is to place two temporary modular classroom buildings and one temporary gym building during the COVID-19 pandemic.*

Mayor Helps opened the opportunity for public comment at 9:40 p.m.

Chad Holtum (Applicant): Provided information regarding the application.

John Myles (Richardson Street): Expressed concerns with the application and requested that agreements be made to ensure the temporary permits are removed at the end of the pandemic.

Shirley Edwards (Nordell Avenue): Expressed concerns with the application due to the number of temporary buildings.

Caleb Small (Gonzales Resident): Expressed concerns with the application due to the consistent expansion of the school that will negatively affect his home.

Peter Nadler (Brighton Avenue): Expressed concerns with the application due to the relocation of modular buildings as well as concerns on the intent of the application.

Shelly Aubrey-Young (Resident): Expressed support for the application due to the need for safe classroom spaces during the pandemic.

Deepa Singhal: Expressed support for the application due to the need for safe classroom spaces during the pandemic.

Rod Windjack (Madison Street): Expressed concerns with the application as the addition of portables do not fit in with the COVID-19 safety plan set out by the province as well as concerns with the increased traffic that has accompanied the school's growth.

Janine Grace (Madison Street): Expressed concerns with the application as the temporary modular buildings are unnecessary to fit the province's COVID-19 safety plan.

Lynn Phillips (Resident): Expressed concerns with the application due to the potential intention behind moving the modular buildings and requested that agreements be put in place to address the temporary nature of the buildings.

Rob Simon (Madison Street): Expressed concerns with the application due to the lack of support by the neighbourhood and lack of follow through with traffic calming measures.

Martha Riley (Resident): Expressed concerns with the application due to the continuous expansion in the neighbourhood.

Jodie Carrow (Puncture Square): Expressed support for the application due to the need for safe classroom spaces during the pandemic.

Maureen Candy (Resident): Expressed support for the application due to the need for safe classroom spaces during the pandemic.

Eva Driving (Beach Drive): Expressed support for the application due to the need for safe classroom spaces during the pandemic.

Ashley Sangha (Resident): Expressed support for the application due to the need for safe classroom spaces during the pandemic.

Clyde Wallace (Resident): Expressed support for the application due to the need for safe classroom spaces during the pandemic.

Sarah Kay (Resident): Expressed support for the application due to the need for safe classroom spaces during the pandemic.

Chris Vincent (Laurent Place): Expressed support for the application due to the need for safe classroom spaces during the pandemic.

Motion to extend meeting:

Moved By Mayor Helps

Seconded By Councillor Isitt

That the meeting be extended until 11:30 p.m.

CARRIED UNANIMOUSLY

Kim Northcott (Resident): Expressed support for the application due to the need for safe classroom spaces during the pandemic.

Council recessed from 11:05 p.m. until 11:12 p.m. to provide an opportunity for members of the public to call to speak live.

No additional persons called in to speak to the proposed application.

Council discussed the following:

- *What Council is legally allowed to consider in relation to this application.*
- *Comparisons between the current and past applications.*

Mayor Helps closed the opportunity for public comment at 11:19 p.m.

Moved By Mayor Helps

Seconded By Councillor Young

That Council authorize the issuance of Development Variance Permit Application No. 00248 for 801 Bank Street, in accordance with:

1. Plans date stamped September 10, 2020.
2. Development meeting all Zoning Regulation Bylaw, Schedule F, Accessory Building Regulations requirements, except for the following variances:

Modular Classroom (1 storey):

- i. Locate the building in the side yard instead of rear yard
- ii. Increase the maximum combined floor area from 37m² to 75.8m²
- iii. Increase the maximum height from 3.50m to 3.88m

Modular Classroom (2 storey):

- i. Locate a building in the side yard instead of rear yard
- ii. Increase the maximum combined floor area from 37m² to 404.4m²
- iii. Increase the maximum height from 3.50m to 7.15m

Pre-fabricated Gym:

- i. Locate the building in the side yard instead of rear yard
- ii. Increase the maximum combined floor area from 37m² to 226.6m²
- iii. Increase the maximum height from 3.50m to 6.38m

Temporary Power Panel:

- i. Locate the building in the side yard instead of rear yard

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

Council discussed the following:

- *The supportability of the application due to the temporary nature of the modular buildings.*
- *The lack of support by the neighbourhood.*

Motion to extend meeting:

Moved By Councillor Alto

Seconded By Councillor Potts

That the meeting be extended until 11:35 p.m.

CARRIED UNANIMOUSLY

Council discussed the following:

- *The importance of providing the school's students and teachers options to physically distant during the pandemic.*
- *The hope for a repair in the relationship between the school and the neighbourhood.*

On the motion:

CARRIED UNANIMOUSLY

O. CLOSED MEETING

Moved By Mayor Helps

Seconded By Councillor Dubow

MOTION TO CLOSE THE OCTOBER 22, 2020 COUNCIL 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(2) A part of a council meeting may be closed to the public if the subject matter being considered relates to one or more of the following:

Section 90(2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

CARRIED UNANIMOUSLY

All staff, except the City Manager, were excused from the meeting at 11:35 p.m.

P. NEW BUSINESS

P.1 Intergovernmental Relations - Community Charter Section 90(2)(b)

Council discussed an Intergovernmental Relations matter.

The discussion was kept confidential.

Q. ADJOURNMENT

Moved By Councillor Thornton-Joe
Seconded By Councillor Potts

That the Council meeting adjourn.
TIME: 11:45 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



CITY OF VICTORIA

PROCLAMATION

“RESPIRATORY THERAPY WEEK”

WHEREAS *Working across Canada’s healthcare system, respiratory therapists provide essential care to patients of all ages. They are highly trained health professionals dedicated providing the best possible cardio-respiratory care by staying at the forefront of all available research and technology. They use their expertise in the assessment and management of respiratory diseases, in patient and family education, and in the resuscitation and stabilization of critically ill or injured patients. Respiratory therapists work in hospitals, in clinics and in the community to help members of your community breathe easier; and*

WHEREAS *Working across Canada’s healthcare system, respiratory therapists provide essential care to patients of all ages. They are highly trained health professionals dedicated providing the best possible cardio-respiratory care by staying at the forefront of all available research and technology. They use their expertise in the assessment and management of respiratory diseases, in patient and family education, and in the resuscitation and stabilization of critically ill or injured patients. Respiratory therapists work in hospitals, in clinics and in the community to help members of your community breathe easier; and*

WHEREAS *Respiratory therapists have also played important roles behind the front lines of the pandemic. They have been instrumental in preparing at every level: advising government, mobilizing supplies, designing pandemic ventilators and adjusting protocols to best function under the parameters of this new, highly contagious infection. And, they have continued to provide essential care to a wide range of patients across our health care system who have not been afflicted by COVID-19; and*

NOW, THEREFORE I do hereby proclaim the week of October 25th – 31st, 2020 as **“RESPIRATORY THERAPY WEEK”** on the **HOMELANDS** of the Lekwungen speaking **SONGHEES AND ESQUIMALT PEOPLE** in the **CITY OF VICTORIA, CAPITAL CITY** of the **PROVINCE** of **BRITISH COLUMBIA**.

IN WITNESS WHEREOF, I hereunto set my hand this 8th day of October Two Thousand and Twenty.

LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA

Sponsored by:
Andrew West
Canadian Society of Respiratory Therapists

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD OCTOBER 22, 2020

For the Council meeting of November 5, 2020, the Committee recommends the following:

D.1 2021 Downtown Victoria Business Association (DVBA) Budget Presentation

That Council approve the Downtown Victoria Business Association budget for 2021, as presented.

E.1 1623-1625 Bank Street - Report on the Potential Heritage Designation (South Jubilee) (Update report to follow)

That Council receive the report for information.

F.1 901 Gordon Street - Rezoning Application No. 00743 (Downtown)

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00743 for 901 Gordon Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.
2. That Council authorize the street-level projecting canopies over the City right-of-way on Gordon Street, Courtney Street and Broughton Street, provided that the applicant enters into an Encroachment Agreement prior to a Public Hearing in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.

F.2 1150 Douglas Street - Rezoning Application No. 00748 (Downtown)

That Council decline Rezoning Application No. 00748 for the property location at 1150 Douglas Street.

I.1 Initiating a City of Victoria Governance Review

That Council direct staff to schedule a Council workshop and a separate workshop for staff and a workshop for residents and stakeholders to provide input to further inform the scope and priorities of a Governance Review and the selection of a consultant;
And That Council direct staff to report back with a proposed work plan and engagement strategy for the Governance Review aligned to the scope outlined in this report and informed by input received at the workshops outlined previously;
And That Council directs staff to report back with a budget estimate for the Governance Review and include that estimate in the 2021 budget for Council's consideration;
And That Council appoints up to 3 councillors as a sub-committee to guide the Governance Review process.
That Council direct staff to include in their report back best practices regarding embedding equity and anti-racism mandate into the governance review.

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD NOVEMBER 5, 2020

For the Council meeting of November 5, 2020, the Committee recommends the following:

E.1.b.a By-Election Ministerial Order

That Council authorize the provisions of the Ministerial Order applicable to the December 12, 2020 by-election:

1. As an exception to section 110 of the Act, and despite paragraphs 14, 15, 16 and 17 of the “City of Victoria Election Procedure Bylaw No. 02-013” as amended, or an applicable provision of any other bylaw, Council may, for mail ballot voting in the City of Victoria by-election:
 - a. permit voting by all eligible electors under the Act to be done by mail ballot and, in relation to this, may permit elector registration to be done in conjunction with this voting;
 - b. permit a secrecy sleeve to be used instead of a secrecy envelope in accordance with this Order and if a secrecy sleeve is permitted any requirement under the Act and the “City of Victoria Election Procedure Bylaw No. 02-13” as amended pertaining to a secrecy envelope must be read as pertaining to a secrecy sleeve for the purposes of this Order;
 - c. permit the City of Victoria’s Chief Election Officer to establish time limits in relation to voting by mail ballot at their sole discretion; and
 - d. permit the City of Victoria’s Chief Election Officer to establish procedures for voting, processing and securing mail ballots at their sole discretion including, but not limited to, establishing times for opening certification envelopes, placing mail ballots in the vote tabulating machine, and securing the memory card of the vote tabulating machine.
1. Despite paragraphs 11 (1), (3)(a)(ii) and (b), (4) (c) of the “City of Victoria Election Procedure Bylaw No. 02-013” as amended, or an applicable provision of any other bylaw, Council may, for the City of Victoria by-election, permit advance voting opportunities under sections 106 and 107 of the Act and general voting under sections 105 and 106 to be conducted without a secrecy sleeve.
2. As an exception to section 125 (1) (b) and (c) of the Act, and despite paragraph 11 (3) (ii) of the “City of Victoria Election Procedure Bylaw No. 02-013” as amended, or an applicable provision of any other bylaw, Council may, for the City of Victoria by-election, permit the elector, as directed by the election official responsible, to make an oral declaration that the elector is entitled to vote in the by-election when obtaining a ballot for voting, in which case the election official responsible must make a record that the elector made an oral declaration.
3. As an exception to section 109 (1) of the Act, and despite paragraph 9 (1) of the “City of Victoria Election Procedure Bylaw No. 02-013” as amended, or an applicable provision of any other bylaw, Council may, for the City of Victoria by-election, permit the City of Victoria’s Chief Election Officer to establish special voting opportunities or to determine that no special voting opportunities will be held at their sole discretion.



Council Report

For the Meeting of November 5, 2020

To: Council **Date:** October 22, 2020
From: Karen Hoesé, Director of Sustainable Planning and Community Development
Subject: **Proposed Rental Property Standards of Maintenance Bylaw Update**

RECOMMENDATION

That Council:

1. Rescind third reading of the *Rental Property Standards of Maintenance Bylaw*, No. 20-091 (the "Bylaw");
2. Amend the Bylaw as follows:
 - a. in section 12, strike out subsection (5) and replace with the following:

“(5) All rooms containing sanitary facilities within a residential property shall:
(a) have a door that can be securely closed at any entrance, and
(b) be maintained in good order, free of mould and in a clean condition.”,
 - b. in section 13 (1), strike out “washer, dryer and double laundry sink”, and replace with “washer and dryer”, and
 - c. in section 13 (3), strike out “a double laundry sink and”.
3. Give third reading to the Bylaw as amended.

EXECUTIVE SUMMARY

This report brings forward public feedback received on the proposed *Rental Property Standards of Maintenance Bylaw* (Bylaw) and proposes amendments to the Bylaw based on the results of the feedback. Section 59 (2) of the *Community Charter* requires that before adopting a bylaw regulating business, Council give notice of its intention to do so and provide an opportunity for persons who consider they are affected by the Bylaw to make representations to Council. Several notifications were made to the public through newspaper advertisements, the City website and social media. Feedback was received by email and has been consolidated in Attachment B for Council's consideration. As a result of the public feedback, staff are recommending for Council's consideration that amendments are made with respect to two items in the Bylaw.

PURPOSE

The purpose of this report is to present Council with the results of the opportunity for public feedback on the Bylaw, and to bring forward proposed amendments to the Bylaw as a result of that feedback.

BACKGROUND

On September 17, 2020, Council passed the following motions in regard to the Bylaw and the implementation plan:

1. Direct staff to bring forward the *Rental Property Standards of Maintenance Bylaw* for consideration of introductory readings;
2. Approve written submissions from persons who consider they are affected by the proposed Bylaw as the public representations method under section 59 (2) of the *Community Charter*, and provide notice by way of newspaper, website, and social media advertising;
3. Provide early approval for the Tenant Ambassador to allow the position to start at the beginning of January 2021 to:
 - a. Precede the commencement date of the Bylaw (January 31, 2021)
 - b. Oversee the implementation and operation of the Bylaw;
4. Launch an eighteen-month feedback and monitoring period after the Bylaw comes into force to monitor the Bylaw's operation and to collect experiential input from the public;
5. Direct staff to return to Council in eighteen months following bylaw commencement to report on the Bylaw's effectiveness and determine if any updates are needed based on data and feedback.

Pursuant to sections 59 (2) and (3) of the *Community Charter*, persons who consider that they may be affected by the proposed Bylaw have been provided an opportunity to make representations to Council, through written submission between September 23, 2020 and October 7, 2020. Several notifications of the proposed Bylaw have been made to the public, including newspaper advertisements, the City website and social media. At Council direction, staff have consolidated and considered the feedback received (Attachment B) and have proposed the following changes to the Bylaw for Council's consideration in response to the feedback.

ISSUES & ANALYSIS

For Council's information, the Bylaw showing the proposed amendments in tracked changes is included as Attachment A.

I. Bylaw Content – Proposed Changes

Section 12 – Adding requirement that bathrooms have a door

At the Committee of the Whole meeting on September 10, 2020, a member of Council raised the concern that there may be rental units in Victoria where the bathroom does not have a door. The *BC Building Code* does not require that bathrooms have a door. Therefore, it is recommended that this requirement be added to the Bylaw in order to enhance the liveability of rental units.

Section 13 – Removing requirement for a double sink

The Bylaw requires that laundry facilities include double sinks, however, staff understand that this is not considered a necessary component of a modern laundry facility and that it may be challenging to include in all laundry rooms, for a variety of reasons including space limitations. Therefore, staff propose that this requirement be removed.

II. Additional Feedback – No Changes Proposed

Jurisdiction

Some feedback received raised concerns regarding the potential duplication of provincial legislation. As previously reported, the management of tenant-landlord relationships falls under provincial jurisdiction. While the Province has developed guidance on maintenance standards, such standards have not been established provincially. Instead, authority has been given to municipalities to adopt a maintenance bylaw, which can serve as a locally enforceable regulation.

On September 17, 2020, Council gave the Bylaw initial readings which, if adopted, will allow for the City to implement local standards, and to provide information and referral to tenants, but does not include municipal enforcement provisions. Instead, the Bylaw will allow the Residential Tenancy Branch (RTB) to enforce its *Residential Tenancy Act* (RTA) while maintaining the responsibilities of tenants and landlords as established by the RTA, as well as the process for resolving potential disputes.

Additional Feedback Received

While additional feedback was received, it is not recommended that further amendments to the Bylaw be made. Many of the questions and concerns received would require clarifications on interpretation or the scope of the *RPSOM Bylaw*, or are already covered by the draft *RPSOM Bylaw*, other City bylaws or provincial legislation. Table 1 below illustrates how many of the concerns received are relevant to existing legislation.

Table 1: Additional Feedback Received

| Bylaw Section | Concerns Received | Response |
|----------------------|--|--|
| <i>Mould</i> | Concern that tenants may be responsible for mould. | The <i>RTA</i> establishes tenant and landlord responsibilities, which when needed specific scenarios can be considered through arbitration. As per <i>RTA</i> Section 32 (2): Tenants are responsible for maintaining reasonable health, cleanliness and sanitary standards throughout the residential unit and property. |
| | Concern that landlord responsibilities for addressing mould and assisting tenants in addressing mould should be increased. | The draft <i>RPSOM Bylaw</i> includes a provision for the landlord to address the mould in a timely manner. The RTB is responsible for enforcement of the Bylaw, and tenants may enter an arbitration process to consider specific scenarios and reimbursement of associated costs. |

| Bylaw Section | Concerns Received | Response |
|------------------------------|--|---|
| <i>Repairs</i> | Concern that tenants may not have the expertise to directly hire contractors to undertake repairs, and this may impact small landlords who carry out repairs on their own who are not certified. | The draft <i>RPSOM Bylaw</i> does not require tenants to directly hire contractors under the Bylaw. However, the <i>RTA</i> allows tenants to make requests for repairs in writing to the landlord. If there is no response after two attempts and a reasonable amount of time has passed, the tenant may arrange to have the repairs done at a reasonable cost. While the repairs are underway, a landlord may decide to take over the repairs and pay for work done up to that point; or allow the repairs to continue and reimburse the tenant for the full cost. |
| <i>Pest Control</i> | Concern that tenants may cause pest infestations or issues. | The <i>RTA</i> establishes tenant and landlord responsibilities, which when needed specific scenarios can be considered through arbitration. As per <i>RTA</i> Section 32 (2): Tenants are responsible for maintaining reasonable health, cleanliness and sanitary standards throughout the residential unit and property. |
| | During the September 10, 2020, Committee of the Whole meeting, Council asked whether bed bugs would be included under this section of the draft <i>RPSOM bylaw</i> . | Bed bugs are considered a pest and would be included in the draft <i>RPSOM Bylaw</i> . |
| <i>Utilities</i> | Concern regarding tenants failing to pay utilities. Proposal that the City notify the owner of unpaid utilities. | The owner is responsible for City utilities on their property. The tenant, property manager or the owner can receive the utility bill, but the owner is always responsible for any outstanding amounts. There are several options for owners to effectively manage utilities, including receiving the bill directly, contacting the City's Utilities to monitor outstanding amounts or requesting access to utility bills online using 'My City Online', with agreement from tenants. Additionally, the RTB has an established process for eviction should tenants fail to pay utilities or rent in full. |
| <i>Floors</i> | During the September 10, 2020, Committee of the Whole meeting, Council asked whether flooring is addressed by the draft <i>RPSOM Bylaw</i> or other legislation. | Section 22 of the Bylaw addresses flooring, and requires that floors are clean, smooth, level, safe and that there must be "smooth moisture resistant floor finishes" in bathrooms. In addition, the <i>Building Code</i> requires finished flooring. |
| <i>Snow and Ice Clearing</i> | Concern that landlords do not clear snow and ice. | Section 107 of the <i>Streets and Traffic Bylaw</i> regulates the clearing of snow and ice along the sidewalk by occupants and owners. The RTB has established policy guidelines which outlines the responsibilities of tenants and landlords for clearing snow and ice on residential properties. |

NEXT STEPS

If the amended Bylaw is adopted by Council, it will take effect as of January 31, 2021. As per Council direction from September 17, 2020, staff will move forward with the tenant-centred enforcement approach with the support of the Tenant Ambassador; launch a monitoring and feedback period; and will report back on bylaw effectiveness at an eighteen-month review following bylaw commencement.

OPTIONS & IMPACTS

Option 1 (Recommended): Rescind third reading, amend the Bylaw as recommended, and give third reading to the amended Bylaw.

This option will ensure the *RPSOM Bylaw* achieves its intended purpose of establishing a minimum standard for residential rental buildings and its potential to improve living conditions for many Victoria residents.

Option 2 (Not Recommended): Adopt the Bylaw unamended.

This approach is not recommended because it includes outdated requirements and misses an opportunity to improve liveability for renters.

2019-2022 Strategic Plan

The recommendations in this report align with Strategic Objective Three: Affordable Housing, by supporting existing tenancies and improving the quality of rental housing stock in the City of Victoria through the implementation of the Market Rental Revitalization Study.

Impacts to Financial Plan

The option recommended in this report will not require additional resources.

Official Community Plan Consistency Statement

This initiative is consistent with several *Official Community Plan* (OCP) objectives and goals. Most broadly, the OCP states: “Housing is a basic human need. All people deserve access to housing that is safe, stable and affordable and that supports personal and public health.”

Specifically, the *RPSOM Bylaw* meets the following goals and objectives:

Section 13: Housing and Homelessness Goals

- 13 (a) - All residents have access to appropriate, secure, affordable housing.
- 13 (b) - A wide range of housing types, tenures and prices gives residents choices.

Section 13: Housing and Homelessness Objectives

- 13 (b) - That housing affordability is enabled for housing types across the housing spectrum, particularly for people in core housing need.
- 13 (c) - That the existing supply of rental housing is expanded through regeneration.

- 13 (d) - That a wide range of housing choice is available within neighbourhoods to support a diverse, inclusive and multigenerational community.

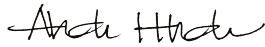
CONCLUSIONS

Amending the Bylaw as recommended will remove outdated standards and establish a higher minimum standard for rental housing in Victoria.

Respectfully submitted,



Hollie McKeil
Housing Planner
Community Planning Division



Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date: October 28, 2020

List of Attachments

- A. Rental Property Standards of Maintenance Bylaw with Amendments
- B. Feedback

NO. 20-091

RENTAL PROPERTY STANDARDS OF MAINTENANCE BYLAW**A BYLAW OF THE CITY OF VICTORIA**

The purpose of this Bylaw is to establish minimum standards of maintenance for rental units and residential properties in Victoria for the health, safety and protection of tenants and existing rental stock; the protection and enhancement of the well-being of the community; and better regulation of residential rental businesses.

Contents**PART 1 – INTERPRETATION AND APPLICATION**

- 1 Title
- 2 Definitions
- 3 Application

PART 2 – MAINTENANCE STANDARDS

- 4 Owner's Duties and Obligations
- 5 Plumbing and Water
- 6 Gas and Electrical Appliances and Systems
- 7 Heating Systems
- 8 Electrical Systems and Lighting
- 9 Maintenance of Services and Utilities
- 10 Appliances and Other Facilities
- 11 Cooking Facilities
- 12 Sanitary Facilities
- 13 Laundry Facilities
- 14 Garbage, Debris Storage and Disposal
- 15 Structural Integrity
- 16 Foundations
- 17 Exterior Walls
- 18 Doors, Windows and Ventilation
- 19 Roofing
- 20 Stairs, Balconies, Porches and Landings
- 21 Basements
- 22 Floors
- 23 Walls and Ceilings
- 24 Maintenance of Fire Safety Systems and Exits
- 25 Elevators
- 26 Parking or Storage Garages
- 27 Pest Control
- 28 Mould
- 29 Repairs

PART 3 – MISCELLANEOUS

30 Severability

31 Commencement

Under its statutory powers, including section 8(3)(g) and (h) and section 8(6) of the *Community Charter* and section 32(1)(a) of the *Residential Tenancy Act*, the Council of the Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

PART 1 – INTERPRETATION AND APPLICATION

Title

1. This Bylaw may be cited as the “Rental Property Standards of Maintenance Bylaw”.

Definitions

2. (1) In this Bylaw, the following words and terms have the meanings set out in the *Residential Tenancy Act*: landlord, rental unit, residential property, tenancy agreement, tenant.

- (2) In this Bylaw:

“bathroom”

means a room consisting of not less than one toilet, one wash basin and one bathtub or shower;

“Building Code”

means the British Columbia Building Code, as amended from time to time;

“community kitchen”

means a room not part of a dwelling unit or housekeeping unit and designed or intended for the use of the preparation of food;

“dwelling unit”

means one or more habitable rooms designed, occupied or intended for use, including occupancy, by one or more persons as an independent and separate residence in which a facility for cooking, sleeping facilities and a bathroom are provided for the exclusive use of such person or persons;

“facility for cooking”

includes any equipment, device or appliance used to heat or cook food, or any combination thereof, and includes the arrangement of service lines which provide the energy source being used or intended to be used to service such facility;

“good order”

means suitable for intended use and functioning as intended and designed;

“housekeeping unit”

means one or more habitable rooms containing therein facilities for cooking and a sink but no other sanitary facilities;

“person”

includes a corporation, partnership or party, and the personal or other legal representatives of a person to whom the context can apply according to law;

“sanitary facilities”

includes any toilet and toilet tank, urinal, bathtub, shower or hand basin;

“sleeping unit”

means one or more habitable rooms equipped to be used for sleeping and sitting purposes only.

Application

3. This Bylaw applies to all rental units and residential properties that are regulated by the *Residential Tenancy Act*.

PART 2 – MAINTENANCE STANDARDS

Owner's Duties and Obligations

4. An owner of residential property shall maintain it in accordance with the standards prescribed in this Bylaw, and shall not use, permit the use of, rent or offer to rent any rental unit that does not conform to the minimum maintenance standards prescribed in this Bylaw.

Plumbing and Water

5. (1) All plumbing, including plumbing fixtures, drains, vents, water pipes, toilets and toilet tanks, and connecting lines to the water and sewer system, in the residential property shall be maintained in good order.
- (2) Every hand basin, bathtub, shower, and sink in the rental units shall have an adequate supply of hot and cold running water and every toilet and toilet sink in the residential property shall have an adequate supply of running water.

- (3) Hot water supplied to the rental units must be at a minimum temperature of 45°C (113°F) and a maximum of 60°C (140°F).
- (4) Water provided to a rental unit must be fit to drink.
- (5) A person providing a rental unit in a residential property for rent must, within a reasonable period of time, repair or replace any structures or surfaces within the residential property that are damaged by water due to plumbing leaks, water ingress, or any other cause.

Gas and Electrical Appliances and Systems

- 6. (1) All gas and electrical systems and appliances in a residential property shall be maintained in good order.
- (2) All systems of appliance venting in a residential property shall be maintained in good order.

Heating Systems

- 7. (1) Every rental unit shall be provided with adequate heating facilities that are maintained in good order.
- (2) Heating facilities provided in a rental unit shall be capable of maintaining a minimum indoor air temperature in the rental unit of at least 21°C (70 °F).
- (3) The heating equipment shall be turned on in order to maintain the required temperature defined in subsection (2) upon the request of any occupant of a rental unit.
- (4) Portable room heaters or cooking facilities must not be used as a primary source of heat in a rental unit.

Electrical Systems and Lighting

- 8. (1) Electrical wiring and lighting equipment, including circuits, fuses, circuit breakers, electrical equipment and electrical heating systems, shall be maintained in good order in a residential property.
- (2) Adequate levels of artificial lighting shall be maintained in good order in each room of a rental unit, and in all common areas of a residential property.

Maintenance of Services and Utilities

- 9. (1) No person providing a rental unit in a residential property, or anyone acting on that person's behalf, shall disconnect or cause to be disconnected any service or utility providing light, heat, air conditioning, refrigeration, water or cooking facilities for any rental unit occupied by a tenant, except for such reasonable period of time as may be required for the purpose of repairing, replacing, or altering the service or utility, and then only during the reasonable minimum time that the action is necessary.

- (2) Any person disconnecting or causing to be disconnected any service or utility pursuant to subsection (1) for the purposes of routine maintenance must provide notice of the disconnection and its estimated duration to all affected tenants no less than 24 hours prior.
- (3) Any person responsible for any service or utility rates shall be deemed to have caused the disconnection, shutting off, removal or discontinuance of the service or utility if the person fails to pay the rates and, as a result of the non-payment, the service or utility is no longer provided, and that same person is responsible for reinstating the service or utility and for any fees associated with doing so.

Appliances and Other Facilities

- 10. A person providing a rental unit in a residential property for rent must ensure that all appliances and other facilities and services supplied by the landlord are maintained in good order.

Cooking Facilities

- 11. (1) No one shall prepare food or permit the preparation of food in a sleeping unit.
- (2) All sleeping units shall have access to a community kitchen within the residential property that is:
 - (a) equipped with a facility for cooking, mechanical refrigeration in the proportion of 0.0566 cubic meters (2 cubic feet) for each occupant, and a sink installed in a counter having a backsplash and drain board made of materials impervious to water;
 - (b) accessible from a common entrance; and
 - (c) maintained in good order and in a clean condition.
- (3) All housekeeping units and dwelling units shall have a kitchen area that is:
 - (a) equipped with a facility for cooking, mechanical refrigeration, and a sink installed in a counter having a backsplash and drain board made of materials impervious to water; and
 - (b) maintained in good order and in a clean condition.

Sanitary Facilities

- 12. (1) For sleeping units and housekeeping units:
 - (a) every unit shall have access to a hand basin, toilet, and bathtub or shower that are in good order within the residential property;

- (b) at least one hand basin and one toilet shall be provided and maintained in good order for every 5 sleeping units or housekeeping units in a residential property;
 - (c) at least one bathtub or shower shall be provided and maintained in good order for every 10 sleeping units or residential units in a residential property; and
 - (d) the hand basins, toilets, bathtubs and showers provided pursuant to paragraphs (b) and (c) shall be provided in a room or rooms that are accessible from a common area within the building.
- (2) At least one bathtub or shower, toilet, and hand basin shall be provided and maintained in good order within each dwelling unit.
 - (3) The floors and enclosures around showers in a residential property shall be finished with a smooth finish that is impervious to moisture.
 - (4) All walls and ceilings in rooms containing sanitary facilities within a residential property shall be finished with a smooth, washable surface.
 - (5) All rooms containing sanitary facilities within a residential property shall:
 - (a) have a door that can be securely closed at any entrance, and
 - (b) be maintained in good order, free of mould and in a clean condition.

Laundry Facilities

- 13. (1) Subject to subsection (4), every residential property containing one or more sleeping units or housekeeping units shall provide and maintain for the use of tenants a minimum of one washer and dryer contained within a laundry room.
- (2) Every laundry room within a residential property shall be maintained in a clean and sanitary condition and all sinks provided in a laundry room shall be connected to hot and cold running water and properly connected to the drainage system.
- (3) Subject to subsection (4), every dwelling unit shall contain a laundry room equipped with provisions for a washer and dryer to be installed.
- (4) A laundry room need not be provided in a dwelling unit or a residential property if the owner provides evidence demonstrating that:
 - (a) it is not possible to provide a laundry room without evicting a tenant; or
 - (b) it is not possible to provide a laundry room without undertaking significant and costly plumbing upgrades.

Garbage, Debris Storage and Disposal

14. For every residential property:

- (1) all garbage and refuse shall be stored in proper receptacles and removed in accordance with the requirements of all applicable City bylaws;
- (2) garbage bags containing garbage shall be stored only within an enclosed garage or in a covered garbage receptacle;
- (3) a garbage storage facility or a sufficient number of suitable receptacles shall be provided that are readily accessible to all occupants and sufficient to contain all garbage, debris and waste;
- (4) every receptacle for garbage shall be water tight, provided with a tight-fitting cover, rodent and pest proof and maintained in a clean and tidy state;
- (5) every garbage chute, garbage disposal room, garbage storage area, garbage container or receptacle shall be washed and cleaned as often as is necessary to maintain a clean and odour free condition; and
- (6) the site dedicated to the temporary storage and disposal of garbage and refuse shall be kept in a litter-free and odour-free condition, and maintained in a manner that will not attract rodents or pests, create a health or other hazard, or obstruct an emergency route.

Structural Integrity

15. Every building that is part of the residential property, and its structural components, including roofs, stairs, railings, porches, deck joists, rafters, beams, columns, foundations, floors, walls and ceilings, shall be maintained in good order.

Foundations

16. In every residential property, foundation walls and other supporting members shall be maintained in good order.

Exterior Walls

17. For every residential property:

- (1) exterior walls and their components shall provide adequate protection from the weather and shall be maintained
 - (a) in good order,
 - (b) free from loose or unsecured objects and materials, and
 - (c) in a manner to prevent or retard deterioration due to weather or infestations;

- (2) canopies, marquees, awnings, screens, fire escapes, pipes, ducts, air conditioners and all other similar equipment, attachments, extensions and their supporting members shall be maintained in good order, safely and properly anchored and protected against deterioration and decay;
- (3) exterior wall facings, projections, cornices and decorative features shall be maintained in good order and safely and properly anchored; and
- (4) mechanical ventilating systems and their supporting members shall be maintained in good order.

Doors, Windows and Ventilation

- 18. (1) Openings in exterior walls of a residential property, other than doors and windows, shall be effectively protected to prevent the entry of rodents, insects or pests.
- (2) All exterior doors and windows in a rental unit shall be maintained in good order, weather tight, and capable of being securely closed and locked.
- (3) All doors to the rental unit shall be maintained in good order, weather tight, and capable of being securely closed and locked by the tenant.
- (4) All doors within a rental unit shall be maintained in good order.
- (5) Every rental unit shall be provided with a means of ventilation.
- (6) All systems of ventilation within a rental unit, mechanical or natural, shall be maintained in good order.
- (7) All rooms within a residential property with sanitary facilities shall be provided with a window or ventilation system which shall be maintained in good order.
- (8) Unless a satisfactory alternative means of ventilation is provided, every habitable room in a rental unit must have at least one window that can be easily opened.

Roofing

- 19. The roof, including the flashing, fascia, soffit, and cornice, shall be maintained in a weather-tight condition so as to prevent leakage of water into the rental units and common areas of a residential property.

Stairs, Balconies, Porches and Landings

- 20. Stairways, balconies, porches, and landings within every residential property shall be maintained
 - (1) in a safe and clean condition;
 - (2) in good order, and

- (3) free from holes, cracks, excessive wear and warping, and hazardous obstructions.

Basements

21. Within every residential property:

- (1) basement floor drains shall be maintained in good order; and
- (2) floors in a basement shall be kept dry and free from major cracks, breaks or similar conditions that would create an accident hazard or allow the entrance of water into the basement.

Floors

22. Within every residential property:

- (1) floors shall be maintained in a clean condition, reasonably smooth and level and free of loose, warped or decayed boards, depressions, protrusions, mould, deterioration or other defects which may create health, fire or accident hazards;
- (2) where floors are covered, the covering shall be maintained in a safe condition; and
- (3) shower room, toilet room and bathroom floors shall be covered with smooth moisture resistant floor finishes, and in such condition as to permit easy cleaning.

Walls and Ceilings

23. Interior walls and ceilings of a residential property shall be maintained in a clean, mould-free condition, in good order and free from holes, or loose or broken plaster that may create health, fire or accident hazards.

Maintenance of Fire Safety Systems and Exits

24. Within every residential property:

- (1) walls, floors and roof construction, including fire protective closures, sprinkler systems, fire alarm and detection systems and other means of fire protection, shall be maintained in good order;
- (2) each rental unit shall have a working smoke detector in accordance with the British Columbia Fire Code Building Code, the Building Code, and City bylaws;
- (3) each means of egress shall be maintained in good order and shall be free of obstructions;
- (4) hallways, stairwells, and exterior areas shall be adequately illuminated to allow for safe passage at all times; and

- (5) securely fastened handrails shall be provided throughout the residential property in accordance with the Building Code.

Elevators

- 25. (1) Every elevator in a residential property shall be maintained in a safe, clean, and operational condition at all times.
- (2) An elevator in a residential property must not be out of service for more than one month unless the closure cannot reasonably be avoided.
- (3) If an elevator is scheduled for service that will require it to be unavailable for use for more than 2 hours, the owner of the residential property must provide notice to all tenants at least two days prior to the scheduled service.
- (4) If an elevator is to be out of service or remains inoperative for more than one month, until the elevator returns to operation, the owner of the residential property must provide information to all tenants on the efforts that are being made to repair or replace the elevator and the expected date of the elevator's return to operation
 - (a) within no less than 35 days of the elevator being out of service, and
 - (b) thereafter, on a weekly basis.
- (5) If the only elevator in the residential property is scheduled to be out of service or remains inoperative for more than 2 hours due to breakdown, in addition to the other requirements of this section, the owner of the residential property must:
 - (a) notify each tenant in writing as soon as possible of the closure, asking tenants to make their needs as a result of the closure known,
 - (b) if the elevator remains unavailable, develop a plan in coordination with tenants for accommodating the needs of tenants who require use of the elevator, and within 48 hours of the closure communicate that plan to tenants and implement it, and
 - (c) while the elevator remains unavailable, provide all tenants with regular updates on the efforts that are being made to repair or replace the elevator, the expected time of the elevator's return to operation, and any changes to the plan referred to in paragraph (b).
- (6) Notwithstanding subsections (1) and (2), if an elevator breaks down and the elevator is not required by the Building Code, the owner of the residential property may leave the elevator out of service and cease complying with the requirements of subsections (4) and (5), provided that the owner provides tenants requiring use of an elevator with:
 - (a) notification in writing as soon as possible, and

- (b) reasonable accommodations, which may include financial assistance with moving expenses, compensation, or other arrangements for the benefit of such tenants.

Parking or Storage Garages

- 26. No machinery, boats, vehicles, trailers or parts of the aforementioned items that are in a wrecked, discarded, dismantled, inoperative or abandoned condition, or rubbish or discarded furniture shall be kept or allowed to remain in a parking garage or parking area of a residential property.

Pest Control

- 27. (1) A person providing a rental unit in a residential property for rent must take all reasonable steps to avoid infestation of the residential property or any rental unit with rodents and pests, and, if such infestation has occurred, must take reasonable steps to eliminate the infestation.
- (2) A tenant occupying a rental unit must cooperate with the landlord in keeping the residential property free of rodent and pest infestation and take any reasonable measures to eliminate the infestation, including adequate sanitation measures, timely removal of waste, and where applicable, the movement and treatment of personal belongings.
- (3) When taking steps to eliminate the infestation, landlords must accommodate reasonable alternative treatment options for the infestation based on the needs of the tenant.

Mould

- 28. (1) A person providing a rental unit in a residential property for rent must take all reasonable steps to prevent mould in the residential property.
- (2) If a tenant reports mould to the landlord, the landlord must respond in a timely way and take all reasonable steps to eliminate the mould from all structures and surfaces of a residential property.

Repairs

- 29. When undertaking any repairs on a residential property, a person providing a rental unit in residential property for rent must utilize a professional with the certification and training suitable for performing the repairs, if the tenant has so requested.

PART 3 – MISCELLANEOUS

Severability

- 30. If any provision or part of this Bylaw is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, it shall be severed from the Bylaw and the balance of the Bylaw, or its

application in the circumstances, shall not be affected and shall continue to be in full force and effect.

Commencement

31. This Bylaw comes into force on January 31, 2021.

READ A FIRST TIME the day of 2020

READ A SECOND TIME the _____ day of _____ 2020

READ A THIRD TIME the _____ day of _____ 2020

ADOPTED on the _____ day of _____ 2020

CITY CLERK

MAYOR

Pamela Martin

From: Personal Information
Sent: September 25, 2020 7:00 PM
To: Legislative Services email
Subject: RPSOM bylaw

Hello,

The by-law needs to include standards for snow and ice clearing.

Our landlord/property managers did not remove snow or ice after last winter storm until every tenant in the building complained, and still did the least they could in the most unpleasant way.

I fell twice, and would have been unable to go to work 2 days after the storm, had I parked at home.

By comparison, the other houses on the street were cleared by noon the day after the storm.

Aside from me, every other tenant in the building has mobility problems, and they were house-bound at the mercy of the landlords. Nor could they get deliveries, because the driveway was impassable.

Thank you.

Kind regards,

Personal Information

Victoria, BC
V8S 3N7

Pamela Martin

From: Personal Information
Sent: September 25, 2020 2:07 PM
To: Legislative Services email
Subject: Rental Property Standards of Maintenance Bylaw

Hello,

I would like to give my feedback specifically about Section 28 on Mould.

In the fall of 2018 I was living in an apartment **Personal Information** in James Bay. My partner and I discovered mould growing on our furniture and belongings. We contacted the landlord about it. She dismissed the mould as just being 'mildew' and basically took no responsibility or action. We requested that an inspector come and see if there was mould and she ignored our request. We did not have the money to do this ourselves.

The process for dealing with this through the provincial Residential Tenancy Board was so discouraging that we just moved out and threw out at least 60% of our possessions because of mould damage. We felt as though there was nothing we could do unless we were willing to live in a mouldy apartment and put our health at risk to fight to stay in a mouldy apartment with a slumlord. A no win situation to say the least.

Section 28 on Mould needs to be more substantial. There needs to be more assistance to renters to have their suites inspected for mould. There needs to be bigger consequences for landlords profiting off of unsafe housing.

Housing should be a human right.
Housing should not be for profit.
Slumlords need to face consequences.

Thanks for your time,

Personal Information

Pamela Martin

From: Personal Information
Sent: September 29, 2020 10:22 AM
To: Legislative Services email
Subject: Proposed Rental Property Standards of Maintenance bylaw

I am very happy to see Victoria council take on this issue. Personal Information a neglected old house (I believe it is registered(?) as an apartment building) which has several rooms for rent. The house is in disrepair. It needs a new roof, and I often find pieces of torn shingles blown onto my property after a wind storm. Exterior wood shingles are missing, exterior wood trim falling off. Also, there is no proper garbage receptacle so the plastic garbage bags are often torn open (raccoons?) and the garbage is spread by animals and wind, onto my property. I have spoken to one of the tenants in the place and they have told me that the owner promised a washer and dryer but there is no washing machine.

Landlords should be accountable for providing to tenants a safe place that is in good repair. I hope this new bylaw will encourage them to comply.

Personal
Information

Victoria V8R 1M2

Pamela Martin

From: Personal Information >
Sent: September 30, 2020 10:33 AM
To: Legislative Services email
Subject: Re RPSM

To The Mayor , Councillors and staff,

Your proposed new bylaws for rental units is a necessary law based on what we anecdotally have heard about . Most of what you are attempting to correct is in the Bylaws of the BC tenancy Act. That's a "reinvent the wheel" approach isn't it??

Nevertheless.....your proposed bylaw wording MUST have protection for the multiple landlords in Victoria that DO maintain their units. There must be the addition of wording that the responsibility of the tenant regarding plumbing, wiring, abusive use of the unit or causing infestations of rodents or bugs through their actions or lack thereof is NOT tolerated, and is NOT to fall as a financial burden onto the landlord.

Either, you must provide the means for a swift recourse for the landlord to circumvent the BC Tenancy Act to get destructive Tenants out of units they are abusing; or be willing to compensate said landlords the costs of remediating units where it is the action of the tenants that have caused the "breach" of your bylaws, including, any rents, or costs the tenants have not paid.

As an aside, It would also be of benefit if your City Utilities Dept. would send out a notice to the registered owner (landlord) if there has been even one non payment of the account by the tenant (if they are required under their rental agreement) for services.

We have an Order in excess of \$1000.00 against our former tenant, (that is uncollectible because she has moved in with her boyfriend and is untraceable) , who did not pay on her Utilities. As the registered owner, we were never notified until our new tenant got the outstanding bill of the previous tenant and the amount was then put on our property tax account. How many good landlords have been "stiffed" for this because you don't have a regulation in place to have it mandatory that the registered owner of a location gets a copy of the outstanding bill if not paid within the proper time frame.

That would make your plan a FAIR bylaw by only going after bad landlords and bad tenants within our cities borders.....and letting the good ones not be snagged up in the problems that will come out of two entities (city and province) trying to make Victoria (and all of BC) livable for renters.

Sincerely

Personal Information

Sent from my iPad

Pamela Martin

From: Personal Information
Sent: October 1, 2020 1:50 PM
To: Legislative Services email

Maintenance Standards Legislation

I am a landlord with four suites.

I actually do much more for our tenants than we are required to, so this legislation is really just a baseline for us.

We want our tenants to stay, and we create a comfortable environment, within the suites, and landscaping. Our tenants say they will provide references for US if a future tenant would like to know what kind of owners we are!

Unfortunately, not all landlords are like us.

My point in writing to you, Mayor and Council, is to say these standards are already in the RTA, although not quite the same detail.

I do not think it appropriate to have municipal legislation overlaying provincial legislation.

If you go this route, what are the mechanisms for dealing with problem landlords?

How will tenants bring infractions to the city's attention?

How will the city deal with the complaints?

Will there be fines, or prison for repeat offenders?

The City of Victoria needs to back away from this legislation as there already is provincial legislation in place, and a dispute resolution system in place.

Thank you.

Personal Information

- a character house that is beautifully maintained.

Personal Information

Victoria BC V8P 4E7

Pamela Martin

From: Personal Information
Sent: October 1, 2020 10:43 AM
To: Legislative Services email
Subject: Landlord bylaw is unfair to landlords

To Mayor and Council:

The Housing Strategy bylaw is unfair to landlords.
For example, the landlord is responsible to remove any
mold or garbage from their rental property. If tenants
leave garbage around or leave wet towels piled against
the walls, they should be responsible to clean after themselves.

I hope this bylaw is not passed or it will deter future
rental investment.

Sincerely,
Personal Information
Victoria, BC

Pamela Martin

From: Personal Information
Sent: October 1, 2020 10:30 AM
To: Legislative Services email
Subject: Maintenance of Rental Accommodations

While we generally support the concept that rental accommodations do need to be well maintained, we question why landlords are responsible for tenant-caused destruction, abandonment of possessions, and deliberate dereliction of tenants' responsibility for these matters.

Also, we do believe that given the minimal amount of rent increases that are permitted under the Landlord Tenant Branch of the BC Government to be levied by landlords it becomes untenable to maintain units to the extent required UNLESS some financial assistance is provided to landlords via property tax relief, grants etc. which can then enable landlords to implement and maintain this vast list of requirements.

I would appreciate your response to my suggestions.

Sincere

Personal Information

Pamela Martin

From: Personal Information
Sent: October 2, 2020 7:32 AM
To: Legislative Services email
Subject: Criticism of and concerns with the new City of Victoria bylaws being proposed
Attachments: RPSOM Bylaw Draft (1).pdf

Hello,

I am a landlord, Personal Information with properties in Victoria.

I see issues with section 29 where the tenant can trigger the hiring of a "professional who is certified" in a particular trade to deal with a repair issue. Tenants are not experts and the Landlord needs the discretion to pick and choose the correct professionals.

You can't let tenants dictate what needs to be done to a building as there could be malicious intent by the tenant (especially now with lots of rents being unpaid and Landlords left holding the bag), and it could be economically unjustified and impractical to do what the tenant wants.

If the tenant asks for something unreasonable or that doesn't need to be done or to just rack up the Landlord's bills out of some sense of retribution, is the City of Victoria willing to arbitrate and to be responsible for that hassle? You are opening this up for lots of litigation. This is simply a bad bylaw proposal.

This may affect some of us small landlords (with one or two properties) who have handymen or trades that we have used in the past that are not certified as a plumber or electrician, etc.

I also have some issues with the provisions in section 27 pest control, tenants quite often are the reason that there are rodent issues, so enforcing this may be an issue.

Again, with section 28, tenants are quite often the reason there is a mould issue.

With the west coast weather if the tenants don't wipe the condensation off of the windows and it runs down and gets on the window sills it starts to grow mould if it's not wiped up. Enforcement will be an issue.

Personal Information

Dear Victoria Mayor and Council

I am writing in support of the proposed bylaw for 'Standard of Maintenance' for tenants in the Victoria area.

I understand this proposed bylaw has had a reading, but not yet adopted. I am writing in support of its adoption.

I have direct experiences of this need, as well as my fellow tenants.

Prior to the purchase of this apartment building in November 2019, and subsequent new building ownership and maintenance December of 2019, we, the tenants, at 805 Cook Street- Carmella Apartments, experienced proper standards of cleanliness, of building maintenance performed 1x weekly in our lobby, hallways and stairwells, as well, a clean common laundry area, surfaces and floor. The exterior of the building was swept, the grounds, plants watered, and groomed and the garbage area routinely organized. The car parking lot kept lit for safety.

Calls for repairs were kindly responded to and promptly.

In 2019, the family estate sale was made. We were told the new owner, Mr Kalla, was the Landlord to multiple properties in Victoria. The building then became a registered Limited Company and the tenants discovered he was a developer. Since December of 2019, the common laundry area is filthy. The floors have not been washed since December 2019. The soot and grime on the windowsills and suspended burnt out fluorescent lights, has me repelled. (and the other renters) Sometimes we have experienced an absence of carpet vacuuming for up to 8 weeks. Calls for serious repairs go unresponded for days or, are met with terseness, bordering on menacing, to what can only be described as 'Mr Kalla's hired goon'-who is called Maintenance.

March 2019, a notice regarding Covid-19 was posted on both exits and laundry room door, dated March 20th that "measures being taken to reduce the transmission of the virus...the health and safety of our tenants and employees are our top priorities." Quote.

"We have asked our maintenance staff to take extra steps to sanitize high touch surfaces, including door handles, railings etc in common areas..." quote.

None of this has ever occurred, and still has not occurred within our building. In fact, for an added touch, a solution was smeared, clouding the glass doors and left there for 4 months, including the front door.

I have even more serious concerns for sewage gas backing up from unattended toilets in empty units. (one below me) Also air locks in the water pipes, causing bacteria in our water and foul taste. I have experienced 9 weeks of random and severe intestinal discomfort, finally prompting me to seek bacterial testing for the previous mentioned.

So intrusive was the initial walk through, (7 of his staff members,) 4 units became vacant in the first two months. (by January 1st 2020) He has refused to have them re-rented, despite repeated enquiries. (I certainly hope he doesn't get the bonus to have tax write-offs for unoccupied units or Provincial Covid-related Subsidies) Last week, the number has increased to 6 empty units. The 6th tenant leaving under duress, due to harassment of neglect, 2 months of maintenance requests unanswered- abandonment; for a bathroom faucet to refunction, and leaking toilet water on his bathroom floor. Eventually his faucet gushed brown sludge.

Today Fire Inspection was called by resident, regarding Safety. Both stairwells have been unlit for approximately 2 weeks, as well as multiple hallway lights burnt out and emergency exit lights not illuminated and covered parking lot unlit.

It is, that in the business world, Limited Companies can be created for tax purposes, but I don't believe that business owners should be able to hide behind limited companies, reneging on responsibilities and common decency, Health and Safety towards the renters, nor removing or withdrawing previous standards of services.

To state that is a business loss, by keeping renters who are paying a lower rate, due to long term occupancy, (read income strife) does not wash with me.

805 Cook Street Ltd has forgone more than \$4000.00 month for ten months, by refusing to re-occupy units to other lawful, quiet, and respectful tenants. It will now be approximately \$6000.00 loss per month at his/the company's discretion.

Please vote to adopt, this proposed bylaw, 'Standard of Maintenance'.

Written With assistance,

Personal Information

805 Cook St

For my safety, please respect the confidentiality of my name.

Pamela Martin

From: Personal Information
Sent: October 6, 2020 1:54 PM
To: Legislative Services email
Subject: Rental Property Standards of Maintenance Bylaw

Dear Victoria City Council and support services.

Having been a renter and rental property owner, I have seen and personally experienced the good, bad and ugly of both sides of this symbiotic relationship. Renters and rental property owners need each other to survive. Neither party can ignore the needs of the other without undermining the whole structure.

I understand that more than half of the citizens/families living in Victoria rent their residences/homes. I also understand that rental owners manage and operate their rentals through a wide variety of processes; from direct owner/operators of single, self contained units to corporate owners of self or professionally managed businesses that may control anywhere from a couple units to thousands of units.

The public sector may have the political and legal power to decide upon and control every aspect of each person's housing but certainly does not have the economic ability to provide housing to everyone who does not own their own home/residence and definitely not to the standard that would please all renters.

The BC Government Pension Plans may have 15-20 billion dollars worth of real estate, some portion of which is residential housing but a quick check with BC Assessment will show that this huge investment in rental ownership is a minor portion of the cost for the government to take over rental ownership of the province's total rental assets (trillions). Thus, we will never have government ownership of all rental property.

Thus governments can only control the rental process through legislation of private rental ownerships.

The City of Victoria's newly created **Rental Property Standards of Maintenance Bylaw** is a small subset of the ongoing political effort to control its citizens housing/accommodation through imposing ever more bureaucratic and stringent rules and regulations on those who create and operate rental facilities for public use. The history of the BC and municipal government's active intervention in the property rental market extends back 30-40 years.

Such legislation quickly becomes the minimum standard for all participants in any such business relationship. It also presumes that there will be an enforcement process of significant complexity to ensure the bylaw is monitored and enforced; a new administrative burden upon renters, rental property owners and all taxpayers. There is no free lunch when it comes to such intervention in an operating marketplace.

My first impression upon reading the new bylaw is that it is focused almost exclusively upon the responsibilities of the rental property owners; one side of the property rental business. From an administrative viewpoint, this is totally sensible since they are known and have financial assets, unlike many renters.

In many cases the rental property owner has invested in real estate to provide retirement income which has had minimal downside risk, unlike the stock markets. Few rental property investors are what one would classify as 'one percenters'. They invested in real estate based on recent past history of risk/reward and return on investment. Their intentions are to not become a burden and also provide value for service (i.e. good accommodation at a reasonable price).

Since they are not wealthy, any losses must be recovered through future revenues if they wish to maintain their investment.

I would propose that this perspective is also shared by most renters.

The issue really is how do we maintain balance. People who rent, like people who own rental properties are like any group; they fit a 'bell curve' (i.e. there are always a few bad ones and a few exceptional ones). The few bad ones need to be identified and removed from the process (or at least insured against to share the risk). Historically, the bad would be excluded from the process (i.e. their rental properties would be empty or no one would rent their property to them). Government involvement has increasingly eroded any past natural free market balance.

One aspect of the rental process that has become more important in recent years is the imbalance in potential cost between the renter and the property owner. Legislation and property inflation has deeply skewed the ability of one party to harm the other in a rental relationship. The owner will probably have a 1/2 million dollar asset under the control of the renter and has little hope of recovering any losses if the renter chooses to run up debts against the owner or damage the owner's property. The renter's losses may be socially but seldom financially significant due to any negative actions by the rental property owner.

It is not uncommon for unscrupulous tenants to 'extort' money from owners by refusing to leave unless paid significant sums of money. Legislation has made this action very feasible and to challenge it puts the owner in an adversarial role with the government, not the tenant; a difficult position for any rental property owner.

The worst scenario for everyone would be for the private sector to decide that building rental properties is not financially viable (that it would be equivalent to buying shares in oil companies). To some extent, this occurred 25-50 years ago; thus we now have today's shortage of rental units in some real estate markets.

The taxpayer/citizens would then have to find the money to fill what has become a difficult, yet extremely vital social service (adequate and affordable housing). For example, the 'deinstitutionalization' process that began 40 years ago and is now filling

our parks with tents and homeless people. No one expected that to happen due to actions taken back then.

The question is not whether one likes rental property owners ('Landlord' no longer describes them) but that the business relationship between renters and rental property owners that has existed for thousands of years must be rebalanced. Unless society does so, the rental market will continue to become ever more dysfunctional. It really is all about how to best manage a society's largest asset to best best serve the needs of its many stakeholders.

This bylaw is a tiny part of the whole imbalance. True, it is insignificant on its own but is another nail in the coffin of affordable housing. Why bother; all solutions start with a minor change of intent and process.

Personal Information



The Corporation of the District of Saanich | Mayor's Office

770 Vernon Avenue Victoria BC V8X 2W7 | T 250-475-5510 | F 250-475-5440 | www.saanich.ca

October 8, 2020

Mayor & Council
City of Victoria
1 Centennial Square
Victoria, BC V8W 1P6

VIA EMAIL: mayor@victoria.ca

Dear Mayor Helps & Council:

Re: Federal Funding for Affordable Housing

On October 5, 2020, Saanich Council considered a Report to Council and resolved as follows:

"That:

- 1. The Mayor write on behalf of Council to the Prime Minister and the Federal Minister of Families, Children, and Social Development about Saanich's desire to see British Columbia receive its fair share of federally supported affordable housing;*
- 2. The Mayor write on behalf of Council to the other mayors and councils of municipalities in the Capital Regional District (CRD) encouraging them to express their desire to see British Columbia get its fair share of federally supported affordable housing; and*
- 3. The Mayor request a meeting with local Members of Parliament and the Federal Minister responsible for housing to discuss Saanich's concerns about the equity of federal funding for affordable housing."*

On behalf of Saanich Council, I encourage your kind support in this matter in order to create significant positive change to the current housing and homelessness crises being experienced in British Columbia.

A copy of the report and draft excerpt from the October 5, 2020 meeting minutes are attached for information.

Sincerely,

A handwritten signature in black ink, appearing to read "F. Haynes", written over a horizontal line.

Fred Haynes
Mayor
Attachments

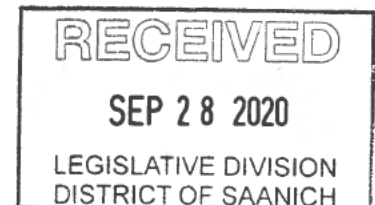
cc: Saanich Council
Paul Thorkelsson, CAO



The Corporation of the District of Saanich

Report

To: Mayor and Council
From: Fred Haynes, Mayor, and Zac de Vries, Councillor
Date: September 10, 2020
Subject: Federal Funding for Affordable Housing



RECOMMENDATION

- 1) That the Mayor write on behalf of Council to the Prime Minister and appropriate Federal Ministers about Saanich's desire to see British Columbia receive its fair share of federally supported affordable housing.
- 2) That the Mayor write on behalf of Council to the other mayors and councils of municipalities in the Capital Regional District (CRD) encouraging them to express their desire to see British Columbia get its fair share of federally supported affordable housing.
- 3) That the Mayor request a meeting with local Members of Parliament and the Federal Minister responsible for housing to discuss Saanich's concerns about the equity of federal funding for affordable housing.

PURPOSE

The purpose of this report is to highlight the fact that British Columbia has not received an equitable share of the federal funding available for affordable housing and to propose an action of advocacy.

DISCUSSION

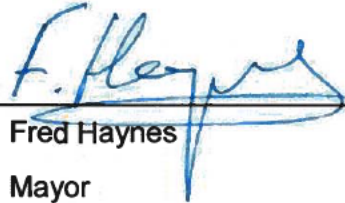
British Columbia has received just 0.5% of the available federal funding for affordable housing. The National Co-Investment Fund finalized \$7.3M for two projects in British Columbia compared to \$1.39B for 12 projects in Ontario. What is clear is that the housing crisis in British Columbia is not getting as much attention from the federal government as the housing crisis in Ontario.

Our community is still being impacted by the housing crisis, homelessness is still an issue in our community, and the 66 units that have been finalized for funding from the federal government in British Columbia is but a drop in the bucket. We need a more meaningful partnership from the

government to address housing issues across British Columbia and here in Saanich. The most pragmatic thing we can do to address the Federal governments shortchanging of British Columbia is to advocate for fairness.

A handwritten signature in black ink, appearing to read "Zac de Vries", written over a horizontal line.

Zac de Vries
Councillor

A handwritten signature in blue ink, appearing to read "F. Haynes", written over a horizontal line.

Fred Haynes
Mayor

2140-30
Affordable
Housing

FEDERAL FUNDING FOR AFFORDABLE HOUSING

Report of Councillor de Vries and Mayor Haynes dated September 10, 2020 recommending to Council that:

1. The Mayor write on behalf of Council to the Prime Minister and appropriate Federal Ministers about Saanich's desire to see British Columbia receive its fair share of federally supported affordable housing;
2. The Mayor write on behalf of Council to the other mayors and councils of municipalities in the Capital Regional District (CRD) encouraging them to express their desire to see British Columbia get its fair share of federally supported affordable housing; and
3. The Mayor request a meeting with local Members of Parliament and the Federal Minister responsible for housing to discuss Saanich's concerns about the equity of federal funding for affordable housing.

MOVED by Councillor de Vries and Seconded by Councillor Taylor: "That

- 1. The Mayor write on behalf of Council to the Prime Minister and the Federal Minister of Families, Children and Social Development about Saanich's desire to see British Columbia receive its fair share of federally supported affordable housing;**
- 2. The Mayor write on behalf of Council to the other mayors and councils of municipalities in the Capital Regional District (CRD) encouraging them to express their desire to see British Columbia get its fair share of federally supported affordable housing; and**
- 3. The Mayor request a meeting with local Members of Parliament and the Federal Minister responsible for housing to discuss Saanich's concerns about the equity of federal funding for affordable housing."**

CARRIED

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD NOVEMBER 5, 2020

For the Council meeting of November 5, 2020, the Committee recommends the following:

E.1.b.b Council Member Motion: Parks Sheltering Update

That Staff be directed to work with community organization to find a location outside but adjacent to Beacon Hill Park for a Community Care Tent.

That staff report to Council if there are any challenges with the operations of the Community Care Tent.

That Council direct staff to report back on November 12 on the implication of introducing a setback requirement from private property boundaries for shelters erected in accordance with sections 16 A and 16 B of the Parks Regulation bylaw, based on the following potential setbacks:

4 metres, 6 metres