



MINUTES - COMMITTEE OF THE WHOLE

November 19, 2020, 9:00 A.M.

COUNCIL CHAMBERS, CITY HALL, 1 CENTENNIAL SQUARE

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

PRESENT: Councillor Isitt in the Chair, Councillor Alto, Councillor Potts, Councillor Thornton-Joe, Councillor Young

PRESENT ELECTRONICALLY: Councillor Loveday

PRESENT ELECTRONICALLY FOR A PORTION OF THE MEETING: Councillor Dubow

ABSENT: Mayor Helps

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Director of Finance, C. Coates - City Clerk, P. Bruce - Fire Chief, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhauer - Head of Engagement, J. Jensen - Head of Human Resources, K. Hoese - Director of Sustainable Planning and Community Development, A. Meyer - Assistant Director of Development Services, C. Havelka - Deputy City Clerk, L. Van Den Dolder - Assistant City Solicitor, J. O'Connor - Deputy Director of Finance, K. Moore - Head of Business and Community Relations, C. Mycroft - Manager of Executive Operations, M. Sandhu - Head of Service Innovation & Improvement, S. Webb - Manager of Transportation, A. James - Head of Strategic Operations, P. Bellefontaine - Director of Engineering & Public Works, C. Woodhouse - Sustainable Waste Management Specialist, K. Signer - Climate Action Outreach Coordinator, R. Webb - Community Energy Specialist, S. Young - Climate & Environmental Sustainability Specialist, C. Moffat - Assistant City Solicitor, J. Ho - Community Energy Specialist, R. Upadhyay - Corporate Energy Specialist, L. Westinghouse - Manager Accounting, P. Mcfarlane - Manager of Real Estate Development, C. Tunis - Planner, L. Berndt - Manager of Energy and Climate Action, M. Heiser - Committee Secretary

GUESTS: B. Szabo - BDO, N. Chenowith - BDO

A. APPROVAL OF AGENDA

Moved By Councillor Alto

Seconded By Councillor Potts
That the agenda be approved.

CARRIED UNANIMOUSLY

D. Presentations

D.1 2020 External Audit Plan

Committee received a report dated November 6, 2020 from the Deputy City Manager/CFO and a presentation from BDO regarding the audit plan from the City's external auditor (BDO Canada LLP) for the 2020 financial statement audit.

Committee discussed the following:

- *Budget adjustments due to Covid-19 implications*
- *Remote auditing processes*

Motion to go into a closed Committee of the Whole meeting at 9:31 a.m.

Moved By Councillor Isitt

Seconded By Councillor Thornton-Joe

MOTION TO CLOSE THE NOVEMBER 19, 2020 COMMITTEE OF THE WHOLE MEETING TO THE PUBLIC

That Council convene a closed meeting that excludes the public under Section 90 of the Community Charter for the reason that the following agenda items deal with matters specified in Sections 90(1) and/or (2) of the Community Charter, namely:

Section 90(1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

- *Section 90(1)(c) labour relations or other employee relations*

CARRIED UNANIMOUSLY

All staff except the City Manager, City Clerk, and the BDO guests withdrew from the closed portion of meeting.

Employee Relations – Community Charter Section 90(1)(c)

Committee discussed an employee relations matter.

The open Committee of the Whole meeting reconvened at 9:45 a.m. and all staff returned to the meeting.

Moved By Councillor Thornton-Joe

Seconded By Councillor Potts

That Council receive this report for information.

CARRIED UNANIMOUSLY

Councillor Dubow joined the meeting at 10:05 a.m.

F. LAND USE MATTERS

F.1 580-582 Niagara Street: Update to Rezoning Application No. 00721 (James Bay)

Committee received an update report dated October 22, 2020 from the Director of Sustainable Planning and Community Development regarding the Rezoning Application No. 00721 for 580-582 Niagara Street in order to seek Council's direction with regard to a proposed change to the term of the Housing Agreement.

Moved By Councillor Young

Seconded By Councillor Thornton-Joe

That Council amend condition 'b' in the June 18, 2020 Council resolution for the Rezoning Application No. 00721 for 580-582 Niagara Street, as follows:
That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No.00721 for 580- 582 Niagara Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation and Execution on the property's title to secure:
 - a. a statutory right-of-way, to the satisfaction of the Director of Engineering;
 - b. a Housing Agreement to secure two of the four units as rental ~~in~~ **perpetuity for a period of 10 years.**

Committee discussed the following:

- *Viability of the project*
- *Current bylaw action*
- *Rental term proposals*

Amendment:

Moved By Councillor Thornton-Joe

Seconded By Councillor Isitt

That Council amend condition 'b' in the June 18, 2020 Council resolution for the Rezoning Application No. 00721 for 580-582 Niagara Street, as follows:
That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No.00721 for 580- 582 Niagara Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation and Execution on the property's title to secure:
 - a. a statutory right-of-way, to the satisfaction of the Director of Engineering;

- b. a Housing Agreement to secure two of the four units as rental ~~in perpetuity~~ for a period of 10 years **and to ensure that strata bylaws cannot prevent rental of the units.**

CARRIED UNANIMOUSLY

On the main motion as amended:

That Council amend condition 'b' in the June 18, 2020 Council resolution for the Rezoning Application No. 00721 for 580-582 Niagara Street, as follows: That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No.00721 for 580- 582 Niagara Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation and Execution on the property's title to secure:
 - a. a statutory right-of-way, to the satisfaction of the Director of Engineering;
 - b. a Housing Agreement to secure two of the four units as rental ~~in perpetuity~~ for a period of 10 years and to ensure that strata bylaws cannot prevent rental of the units.

Amendment:

Moved By Councillor Loveday
Seconded By Councillor Dubow

That Council amend condition 'b' in the June 18, 2020 Council resolution for the Rezoning Application No. 00721 for 580-582 Niagara Street, as follows: That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No.00721 for 580- 582 Niagara 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:

2. Preparation and Execution on the property's title to secure:
 - c. a statutory right-of-way, to the satisfaction of the Director of Engineering;
 - d. a Housing Agreement to secure two of the four units as rental ~~in perpetuity~~ for a period of 10 years and to ensure that strata bylaws cannot prevent rental of the units.

That Council request the applicant consider a period of at least 20 years of rental tenure in the housing agreement.

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

CARRIED (6 to 1)

On the main motion as amended:

FOR (5): Councillor Alto, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young
OPPOSED (2): Councillor Isitt, Councillor Dubow,
CARRIED (5 to 2)

Committee recessed at 10:33 a.m. and reconvened at 10:38 a.m.

G. STAFF REPORTS

G.1 Outdoor Public Market Review

Committee received a report dated November 13, 2020 from the Head of Business and Community Relations providing Council with information on current outdoor public market processes and recommending the creation of a new consolidated permitting process for all public markets.

Moved By Councillor Alto
Seconded By Councillor Isitt

That Council:

1. Direct staff to create a new consolidated permit process for all outdoor public markets to be managed by the Arts, Culture & Events department and bring forward for Council's consideration any bylaw or policy amendments necessary for its implementation;
2. Decline the Bastion Square Revitalization Association's request to renew the Bastion Square Public Market Licence beyond its expiry on December 31, 2020;
3. Terminate the Bastion Square Public Market Fund Agreement in accordance with section 5.3 of that agreement.

Committee discussed the following:

- *Costs associated with the use of space*
- *Alterations and improvements to space*
- *Terms of the proposed agreement*
- *Spending of reserve funds*

Amendment:

Moved By Councillor Young

That Council:

1. Direct staff to create a new consolidated permit process for all outdoor public markets to be managed by the Arts, Culture & Events department and bring forward for Council's consideration any bylaw or policy amendments necessary for its implementation;
2. Decline the Bastion Square Revitalization Association's request to renew the Bastion Square Public Market Licence beyond its expiry on December 31, 2020;

3. Terminate the Bastion Square Public Market Fund Agreement in accordance with section 5.3 of that agreement.

That pending staff's creation of the new consolidated permitting process that the public market license be renewed for one year.

Failed to proceed due to no seconder

Amendment:

Moved By Councillor Isitt

Seconded By Councillor Loveday

That Council:

1. Direct staff to create a new consolidated permit process for all outdoor public markets to be managed by the Arts, Culture & Events department and bring forward for Council's consideration any bylaw or policy amendments necessary for its implementation;
2. **Direct staff to work with the Bastion Square Revitalization Association to permit ongoing operations of the Bastion Square Market in 2021 and subsequent years.**
3. Decline the Bastion Square Revitalization Association's request to renew the Bastion Square Public Market Licence beyond its expiry on December 31, 2020;
4. Terminate the Bastion Square Public Market Fund Agreement in accordance with section 5.3 of that agreement.

CARRIED UNANIMOUSLY

On the main motion as amended:

That Council:

1. Direct staff to create a new consolidated permit process for all outdoor public markets to be managed by the Arts, Culture & Events department and bring forward for Council's consideration any bylaw or policy amendments necessary for its implementation;
2. Direct staff to work with the Bastion Square Revitalization Association to permit ongoing operations of the Bastion Square Market in 2021 and subsequent years.
3. Decline the Bastion Square Revitalization Association's request to renew the Bastion Square Public Market Licence beyond its expiry on December 31, 2020;
4. Terminate the Bastion Square Public Market Fund Agreement in accordance with section 5.3 of that agreement.

CARRIED UNANIMOUSLY

Committee recessed at 11:29 a.m. and reconvened at 11:31 a.m.

G.2 Climate Leadership Plan (CLP) Progress Update and 2020 Climate Action Strategy

Committee received a report dated November 19, 2020 from the Director of Engineering and Public Works providing Council and the community with an update on the Climate Action Plan.

Councillor Isitt withdrew from the meeting at 12:02 p.m. and Councillor Potts assumed the Chair in his absence.

Councillor Isitt returned to the meeting at 12:04 and assumed the Chair.

Moved By Councillor Isitt
Seconded By Councillor Potts

That Council:

1. Receive the 2020 CLP Progress Report for information and direct staff to provide updated Progress Reports every 2 years.
2. Direct staff to continue implementing climate action initiatives with an emphasis on priority actions as identified in the 2020 Climate Action Strategy development section of this report.
3. Support the application of a grant through the Investing in Canada Infrastructure Program – Green Infrastructure – Climate Change Mitigation – CleanBC Communities Fund for the HVAC Replacement Project at Oaklands Community Centre and commits the City's share of \$63,500 for the project.
4. If any of the grants identified within the financial impacts section of the report are awarded, authorize the City entering into a shared cost agreement with the funder (either the Province of British Columbia or Government of Canada), generally described in this report, on the terms acceptable to the Chief Financial Officer and the Director of Engineering and Public Works and in a form acceptable to the City Solicitor.

And that Council continue to advocate:

5. To the Province, CRD, BC Hydro, and other key stakeholders to designate Building Energy and Efficiency Retrofits as a regional infrastructure priority.
6. To the Province to amend the Community Charter to give BC municipalities independent authority to manage issues of climate change, reflecting the importance and reality that these complex issues share environmental, social, and economic dimensions that affect community well-being in an increasingly important and severe manner.

Committee discussed the following:

- *Terms related to the gifting of Mount Douglas*
- *Solid waste disposal process and progress*
- *Emissions tracking and reporting*
- *Potential emissions reductions for proposed 2021 initiatives*
- *Partnership conversations in the City*
- *Smarty City innovations*
- *Transit priorities and initiatives*

Councillor Young requested that item 6 be voted on separately.

On the main motion:

That Council:

1. Receive the 2020 CLP Progress Report for information and direct staff to provide updated Progress Reports every 2 years.
2. Direct staff to continue implementing climate action initiatives with an emphasis on priority actions as identified in the 2020 Climate Action Strategy development section of this report.
3. Support the application of a grant through the Investing in Canada Infrastructure Program – Green Infrastructure – Climate Change Mitigation – CleanBC Communities Fund for the HVAC Replacement Project at Oaklands Community Centre and commits the City's share of \$63,500 for the project.
4. If any of the grants identified within the financial impacts section of the report are awarded, authorize the City entering into a shared cost agreement with the funder (either the Province of British Columbia or Government of Canada), generally described in this report, on the terms acceptable to the Chief Financial Officer and the Director of Engineering and Public Works and in a form acceptable to the City Solicitor.

And that Council continue to advocate:

5. To the Province, CRD, BC Hydro, and other key stakeholders to designate Building Energy and Efficiency Retrofits as a regional infrastructure priority.

CARRIED UNANIMOUSLY

6. To the Province to amend the Community Charter to give BC municipalities independent authority to manage issues of climate change, reflecting the importance and reality that these complex issues share environmental, social, and economic dimensions that affect community well-being in an increasingly important and severe manner.

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

OPPOSED (1): Councillor Young

CARRIED (6 to 1)

J. ADJOURNMENT OF COMMITTEE OF THE WHOLE

Moved By Councillor Alto

Seconded By Councillor Potts

That the Committee of the Whole Meeting be adjourned at 12:56 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR