



MINUTES - COMMITTEE OF THE WHOLE

November 26, 2020, 9:00 A.M.

COUNCIL CHAMBERS, CITY HALL, 1 CENTENNIAL SQUARE

**The City of Victoria is located on the homelands of the Songhees and Esquimalt People
Due to the 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 Loveday,
Councillor Thornton-Joe, Councillor Young

PRESENT

ELECTRONICALLY: Councillor Dubow, Councillor Isitt, Councillor Potts

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager /
Director of Finance, C. Coates - City Clerk, P. Bruce - Fire Chief, T.
Zworski - City Solicitor, T. Soulliere - Director of Parks, Recreation &
Facilities, B. Eisenhauer - Head of Engagement, J. Jensen - Head of
Human Resources, K. Hoese - Director of Sustainable Planning and
Community Development, A. Meyer - Assistant Director of
Development Services, C. Wain - Senior Planner, M. Angrove -
Senior Planner, C. Havelka - Deputy City Clerk, C. Mycroft - Manager
of Executive Operations, M. Angrove - Planner, AK Ferguson -
Committee Secretary, P. Bellefontaine - Director of Engineering &
Public Works

A. APPROVAL OF AGENDA

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the agenda be approved.

Amendment:

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That the following items be approved without further debate:

- C.1 - Minutes from the meeting held November 5, 2020
- F.2 - Modification of Rock Bay Stormwater Outfall License Agreement with Transport Canada
- H.1 - Council Member Motion: Appointing New Members to the Victoria Welcoming Cities Task Force

CARRIED UNANIMOUSLY

B. CONSENT AGENDA

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the following items be approved without further debate:

C.1 Minutes from the meeting held November 5, 2020

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the minutes from the Committee of the Whole Meeting held November 5, 2020 meeting be adopted.

CARRIED UNANIMOUSLY

F.2 Modification of Rock Bay Stormwater Outfall License Agreement with Transport Canada

A report dated November 12, 2020 from the Director of Engineering and Public Works regarding an update to the existing license agreement in which Transport Canada grants rights to the City of Victoria for stormwater discharge into the remediated area of Rock Bay.

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That Council authorize the Mayor and City Clerk to execute the Modification of the Rock Bay Stormwater Outfall License Agreement to update the City's existing Rock Bay License Agreement with Transport Canada to include the newly installed stormwater outfall 626A at the north end of Store Street.

CARRIED UNANIMOUSLY

H.1 Council Member Motion: Appointing New Members to the Victoria Welcoming Cities Task Force

Committee received a Council Member Motion dated November 23, 2020 from Mayor Helps and Councillor Dubow regarding the proposed appointment of two new representatives to the Welcoming Cities Task Force.

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

1. That Council amend the Welcoming Cities Task Force terms of reference to add one representative from the Victoria Police Department and one representative from the Downtown Victoria Business Association.

2. That Council direct staff to recruit the above representatives and bring back to Council for approval.

CARRIED UNANIMOUSLY

D. UNFINISHED BUSINESS

D.1 Emergency Social Services Grant

Councillor Dubow recused himself from the meeting at 9:17 a.m. due to a perceived bias as one of the applicants was his roommate.

Councillor Isitt recused himself from the meeting at 9:17 a.m. due to a non-pecuniary conflict of interest as he is a director for one of the applicants.

Councillor Loveday recused himself from the meeting at 9:17 a.m. due to a non-pecuniary conflict of interest as his partner works for one of the applicants.

Committee received a report dated November 25, 2020 from the Head of Engagement regarding the Emergency Social Services Grant to initiate a one-time grant program to deliver mobile hygiene and other social services.

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

Deadline for applications be set for Tuesday, December 1 at 4:30 p.m. and that they be considered at the following COTW.

Committee discussed:

- *Ensuring that the process is fair for the applicants that put forward their applications on time.*
- *Concerns with overlap of the projects put forward.*

Amendment:

Moved By Councillor Potts

Seconded By Councillor Alto

Deadline for applications be set for ~~Tuesday, December 1 at 4:30 p.m. and that they be considered at the following COTW.~~ **for Friday, November 27 to be considered at the November 30 meeting.**

DEFEATED UNANIMOUSLY

Amendment:

Moved By Mayor Helps

Seconded By Councillor Alto

Deadline for applications be set for Tuesday, December 1 at 4:30 p.m. and that they be considered at the following COTW **and staff indicate to the existing applicants that they are welcome to resubmit their applications with any additional details they may consider relevant for Council's consideration.**

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Young

Seconded By Councillor Thornton-Joe

Deadline for applications be set for Tuesday, December 1 at 4:30 p.m. and that they be considered at the following COTW and staff indicate to the existing applicants that they are welcome to resubmit their applications with any additional details they may consider relevant for Council's consideration.

Councillors wishing additional information about applications should submit the request in writing before the deadline and those requests to be made public.

FOR (1): Councillor Young

OPPOSED (4): Mayor Helps, Councillor Alto, Councillor Potts, and Councillor Thornton-Joe

DEFEATED (1 to 4)

Amendment:

Moved By Mayor Helps

Seconded By Councillor Potts

Deadline for applications be set for Tuesday, December 1 at 4:30 p.m. and that they be considered at the following COTW and staff indicate to the existing applicants that they are welcome to resubmit their applications with any additional details they may consider relevant for Council's consideration.

That the following questions be posed to the applicants:

Salvation Army proposal

Is the shower able to be mobile and attend different parks?

Umbrella and Red Cedar

Can they pair their applications and collaborate regarding food service?

All applications

Whether there is matching funding being provided?

All applications

Do you require the full amount requested in order to provide the service?

CARRIED UNANIMOUSLY

On the main motion as amended

FOR (3): Councillor Alto, Councillor Potts, and Councillor Young

OPPOSED (2): Mayor Helps, and Councillor Thornton-Joe

CARRIED (3 to 2)

Moved By Mayor Helps

Seconded By Councillor Alto

That this matter be forwarded to the daytime Council meeting today.

CARRIED UNANIMOUSLY

Councillors Dubow, Isitt, and Loveday returned to the meeting at 9:40 a.m.

E. LAND USE MATTERS

E.1 1150 Cook Street: Development Permit with Variances Application No. 00130

Council received a report dated November 12, 2020 from the Director of Sustainable Planning and Community Development regarding a proposal to construct a 16-storey, mixed-use building with ground-floor retail and residential above, including approximately 129 dwelling units.

Committee discussed:

- *The reasoning this application is not going through a complete rezoning process.*
- *Concerns around the amount of amenities provided to the City by the applicant based on the size of the proposed development.*
- *How public comment works versus public hearing*

Moved By Mayor Helps

Seconded By Councillor Alto

That, subject to plan revisions to address the following:

- a. Further consideration for the location of the gas meter on Cook Street and provision of additional detail for the design of the metal fence enclosure, to the satisfaction of the Director of Planning.
- b. Clarification of the proposed architectural and landscape materials as it relates to the creation of a positive pedestrian experience, to the satisfaction of the Director of Planning.
- c. Further consideration for access to the BC Hydro specifications and further consideration of future BC Hydro underground infrastructure to ensure that it does not negatively impact the street trees, to the satisfaction of the Director of Engineering and Public Works and Director of Parks, Recreation and Culture.
- d. Corrections to satisfy Parks requirements and to resolve inconsistencies with the site plan, landscape plan and building cross sections as they relate to landscaping and street trees, to the satisfaction of the Director of Parks, Recreation and Culture.
- e. Design revisions to reduce the impacts on the street trees along Cook Street, including reducing the pruning within the canopy and within the critical root

zone to ensure the successful retention of these trees, to the satisfaction of the Director of Parks, Recreation and Culture.

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

- a. A future strata cannot restrict the rental of units, to the satisfaction of the Director of Sustainable Planning and Community Development.
- b. Public realm streetscape improvements consistent with the Downtown Public Realm Plan and Streetscape Standard (DPRP) specifications, to the satisfaction of the Director of Engineering and Public Works.
- c. Provision of a minimum of four electric vehicle charging stations to the satisfaction of the Director of Sustainable Planning and Community Development.

And that subject to receipt of a letter from the Ministry of Environment confirming that the landowner has met the requirements of Section 557(2) of the Local Government Act with respect to contaminated sites, 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. 00130 for 1150 Cook Street in accordance with:

1. Plans date stamped September 30, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Increase the height from 30m to 47.57m;
 - ii. increase the number of storeys from 10 storeys to 16 storeys.
3. Final plans to be generally in accordance with plans date stamped September 30, 2020.
4. The Development Permit lapsing two years from the date of this resolution.”

Motion to refer:

Moved By Councillor Isitt

Seconded By Councillor Dubow

That the matter be referred to staff, to work with the applicant to revise the application with a view toward:

- addressing concerns raised in the letter from the Downtown Residents Association; and
- achieving greater consistency with the Official Community Plan, particularly as it relates to height, density and community benefits.

FOR (4): Councillor Dubow, Councillor Isitt, Councillor Thornton-Joe, and Councillor Young

OPPOSED (4): Mayor Helps, Councillor Alto, Councillor Loveday, and Councillor Potts

DEFEATED (4 to 4)

Motion to refer:

Moved By Councillor Thornton-Joe

Seconded By Councillor Loveday

Refer to staff to work with applicant to revise the applications to address:

- areas where design guidelines setbacks are noted in the staff report
- report back on conversations with BC Hydro on technical solutions
- a, b, c, d & e as stated in the staff report
- point by point response to the DRA letter as it addresses issues within the developers control.

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

OPPOSED (2): Mayor Helps and Councillor Alto

CARRIED (6 to 2)

Committee recessed at 10:53 a.m. and returned at 10:58 a.m.

E.2 2700 Avebury Avenue: Rezoning Application No. 0700, Development Permit Application No. 000583, Development Variance Permit Application No. 00230, Development Variance Permit No. 000229

Council received a report dated November 12, 2020 from the Director of Sustainable Planning and Community Development regarding a proposal to rezone a portion of the property to allow a small lot subdivision and construction of a new small lot house.

Moved By Councillor Young

Seconded By Councillor Thornton-Joe

Rezoning Application No. 00700 for 2700 Avebury Avenue:

That Council decline Application No. 00700 for the property located at 2700 Avebury Avenue.

Development Permit Application No. 000583 for 2700 Avebury Avenue:

That Council decline Development Permit Application No. 000583 for the property located at 2700 Avebury Avenue.

Development Variance Permit No. 000229 - 2700 Avebury Avenue:

That Council decline application No. DVP000229 for the property located at 2700 Avebury Avenue.

Development Variance Permit No. 00230 for 2700 Avebury Avenue:

That Council decline Development Variance Permit Application No. 00230 for the property located at 2700 Avebury Avenue.

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

OPPOSED (3): Mayor Helps, Councillor Alto, and Councillor Loveday

CARRIED (5 to 3)

E.3 535 Yates Street: Development Variance Permit Application No. 00240

Council received a report dated October 1, 2020 from the Director of Sustainable Planning and Community Development regarding a proposal to install a business identification fascia sign that is located below the lowest sill level of the fourth storey.

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That Council decline issuance of Development Variance Permit Application No. 00240 for 535 Yates Street for signage located higher than the lowest sill of the second storey of the building as indicated on submitted plans (date stamped March 11, 2020).

CARRIED UNANIMOUSLY

E.4 1 Cooperage Place: Application for a New Liquor Primary Licence for Victoria International Marina

Committee received a report dated August 25, 2020 from the Director of Sustainable Planning and Community Development regarding the proposal seeking approval for changing the hours of licensed service and occupant load.

Committee discussed:

- *Concerns with how the application was communicated to neighbours.*
- *Concerns with the public not being able to access the space.*
- *How special event licenses work*
- *Whether a good neighbour agreement was considered*
- *the need to rebuild the relationship between the applicant and the neighbourhood.*

Moved By Mayor Helps

Seconded By Councillor Alto

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

1. Council, after conducting a review with respect to noise and community impacts, does support the application of Victoria International Marina located at 1 Cooperage Place having hours of operation from 9:00 am to 10:00 pm Sunday through Thursday and 9:00 am to 11:00 pm Friday and Saturday with a total occupant load of 260 people.

Providing the following comments on the prescribed considerations:

- a. The impact of noise on the community near the establishment was considered in relation to the request, and in acknowledgment of concern for residents in proximity, the applicant has reduced the proposed hours of licenced service and occupant load, and proposes no outdoor licenced service. Victoria International Marina will provide licenced service for private functions and to guests and crew of moored yachts. Approval of the licence is not expected to result in unacceptable levels of noise.
- b. If the application is approved, it is anticipated to have a positive economic impact on the community as the approval supports the viability of the business by providing services anticipated for the facility.
- c. The views of residents were solicited through a mailout that was sent to neighbouring property owners and occupants within 100 metres of the licensed location (a total of 951 notices) and through a notice posted at the property. In response to the notification, the City received 135 letters. Ten letters expressed support and 125 letters stated opposition. Nine of the letters in opposition included petitions with approximately 328 signatures, no correspondence was received from the Victoria West Community Association regarding the application.
- d. Council recommends the license be approved.

FOR (1): Mayor Helps

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

DEFEATED (1 to 7)

Committee recessed at 12:10 p.m. and returned at 12:40 p.m.

Councillor Isitt was not present at the recommencement of the meeting

F. STAFF REPORTS

F.1 Equity Framework: External Community Organization Engagement

A report dated November 20, 2020 from the Head of Corporate Initiatives regarding the community partner interviews and highlighting the next steps.

Moved By Councillor Alto

Seconded By Councillor Dubow

That Council receive this report for information.

CARRIED UNANIMOUSLY

Councillor Isitt rejoined the meeting at 1:02 p.m.

F.3 Report Back: Vehicle Access changes in Beacon Hill Park

A report dated November 13, 2020 from the Director of Parks, Recreation and Facilities regarding the feedback received regarding the closed off sections of Beacon Hill Park.

Committee discussed:

- *the importance of the access being open for people with mobility issues.*

Moved By Councillor Alto

Seconded By Councillor Loveday

That Council receive the following report for information and direct staff to reopen vehicle access to Beacon Hill Circle Drive

Amendment:

Moved By Councillor Isitt

Seconded By Councillor Dubow

1. That Council receive the following report for information and direct staff to reopen vehicle access to Beacon Hill Circle Drive
2. **Direct staff to report back at the 2021 Financial Planning process on options and implications of undertaking ecological restoration and/or a "road diet" in some paved areas, parking areas and other disturbed areas in the vicinity of the summit of Meegan (Beacon Hill) and the roadway leading to the summit.**

CARRIED UNANIMOUSLY

Amendment:

Moved By Mayor Helps

Seconded By Councillor Alto

1. That Council receive the following report for information and direct staff to reopen vehicle access to Beacon Hill Circle Drive
2. **Direct staff to report back at the ~~2021~~ 2022 Financial Planning process on options and implications of undertaking ecological restoration and/or a "road diet" in some paved areas, parking areas and other disturbed areas in the vicinity of the summit of Meegan (Beacon Hill) and the roadway leading to the summit.**

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

OPPOSED (2): Councillor Dubow, and Councillor Isitt

CARRIED (6 to 2)

On the main motion as amended:

1. That Council receive the following report for information and direct staff to reopen vehicle access to Beacon Hill Circle Drive
2. Direct staff to report back at the 2022 Financial Planning process on options and implications of undertaking ecological restoration and/or a "road diet" in some paved areas, parking areas and other disturbed areas in the vicinity of the summit of Meegan (Beacon Hill) and the roadway leading to the summit.

CARRIED UNANIMOUSLY

F.4 Bastion Square Seasonal Animation Funding

Committee received a report dated November 20, 2020 from the Head of Community and Business Relations regarding the proposed funding from the Bastion Square Market Fund to the BSRA for their season animation project.

Committee discussed:

- Concerns with people gathering in Bastion Square during COVID times.
- The possibility of making the improvements permanent.

Moved By Councillor Thornton-Joe

Seconded By Councillor Young

That Council:

1. Authorize staff to release \$23,395 from the Bastion Square Market Fund to the BSRA for their seasonal animation project.
2. That the above motion be forwarded to the daytime meeting of November 26, 2020 for ratification.

Amendment:

Moved By Councillor Isitt

That Council authorize staff to work with the BSRA to implement \$23,395 in improvements to the lighting in Bastion Square.

FAILED DUE TO NO SECONDER

Amendment:

Moved By Councillor Thornton-Joe

Seconded By Mayor Helps

That Council:

1. Authorize staff to release \$23,395 from the Bastion Square Market Fund to the BSRA for their seasonal animation project **with efforts to be made to have some of the elements made permanent.**
2. That the above motion be forwarded to the daytime meeting of November 26, 2020 for ratification.

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Isitt

That Council:

1. Authorize staff to release \$23,395 from the Bastion Square Market Fund to the BSRA for their seasonal animation project **with efforts to be made to have some additional of the elements made permanent.**
2. That the above motion be forwarded to the daytime meeting of November 26, 2020 for ratification

FAILED DUE TO NO SECONDER

On the main motion as amended:

CARRIED UNANIMOUSLY

F.5 Emergency Management BC Funding for Showers at Our Place

Committee received a report dated November 20, 2020 from the Deputy City Manager and Chief Financial Officer regarding the denied funding extension from Emergency Management BC to support shower facilities at Our Place.

Committee discussed:

- whether the city purchased shower facilities and how long the facility was operated

Moved By Mayor Helps

Seconded By Councillor Thornton-Joe

That Council receive this report for information.

CARRIED UNANIMOUSLY

I. ADJOURNMENT OF COMMITTEE OF THE WHOLE

Moved By Mayor Helps

Seconded By Councillor Potts

That item F.3 – Report back: Vehicle Access changes in Beacon Hill Park be moved to the daytime Council meeting.

CARRIED UNANIMOUSLY

Moved By Councillor Alto
Seconded By Councillor Potts

That the Committee of the Whole Meeting be adjourned at 1:52 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR