



MINUTES - COMMITTEE OF THE WHOLE

January 21, 2021, 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: Mayor Helps in the Chair, Councillor Alto, Councillor Andrew, Councillor Loveday, Councillor Potts, Councillor Young

PRESENT ELECTRONICALLY: Councillor Dubow, Councillor Isitt

PRESENT FOR A PORTION OF THE MEETING: Councillor Thornton-Joe

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, A. Hudson - Assistant Director of Community Planning, C. Havelka - Deputy City Clerk, L. Van Den Dolder - Assistant City Solicitor, K. Moore - Head of Business and Community Relations, C. Mycroft - Manager of Executive Operations, P. Bellefontaine - Director of Engineering & Public Works, C. Tunis – Planner, J. O'Reilly – Heritage Planner, R. Batallas – Senior Planner, D. Newman - Assistant Director of Facilities and Construction Management, M. Heiser - Committee Secretary

A. APPROVAL OF AGENDA

Moved By Councillor Loveday

Seconded By Councillor Alto

That the agenda be approved.

Councillor Andrew joined the meeting at 9:03 a.m.

Amendment:

Moved By Mayor Helps
Seconded By Councillor Loveday

That the following item be added to the agenda:

H.2 Late Items

H.2.a Council Member Motion: Response to Broken Windows

CARRIED UNANIMOUSLY

On the main motion as amended:

CARRIED UNANIMOUSLY

B. CONSENT AGENDA

Moved By Councillor Loveday
Seconded By Councillor Alto

That the following items be approved without further debate.

CARRIED UNANIMOUSLY

F.2 Proclamation - Wear Red Canada Day

Committee received a report dated January 7, 2021 from the City Clerk regarding the proclamation for Wear Red Canada Day, February 13, 2021.

Moved By Councillor Loveday
Seconded By Councillor Alto

That the Wear Red Canada Day Proclamation be forwarded to the January 28, 2021 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

F.3 Proclamation - International Day of Zero Tolerance for Female Genital Mutilation

Committee received a report dated January 19, 2021 from the City Clerk regarding the proclamation for International Day of Zero Tolerance for Female Genital Mutilation, February 6, 2021.

Moved By Councillor Loveday
Seconded By Councillor Alto

That the International Day of Zero Tolerance for Female Genital Mutilation Proclamation be forwarded to the January 28, 2021 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

E. LAND USE MATTERS

E.1 1125 Fort Street: Rezoning Application No. 00712, Development Permit with Variances Application No. 00142 and Heritage Designation Application No. 000192 (Fairfield)

Committee received a report dated January 7, 2021 from the Director of Sustainable Planning and Community Development regarding the Rezoning Application No. 00712, Development Permit with Variances Application No. 00142 and Heritage Designation Application No. 000192 for 1125 Fort Street in order to convert the existing building into multiple dwelling units and add dwelling units in a new addition at the rear, fronting Meares Street.

Moved By Councillor Young
Seconded By Councillor Loveday

Rezoning Application No. 00712

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No.00712 for 1125 Fort 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. That Council consider the Heritage Designation of 1125 Fort Street, consistent with plans date stamped September 9, 2020;
2. Preparation of legal agreements, to the satisfaction of the Director of Sustainable Planning and Community Development, to:
 - a. secure one of the proposed residential units as rental for a period of 20 years
 - b. Ensure that a future strata cannot restrict the rental of units to non-owners.

Development Permit with Variances Application No. 00142

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.00142, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No.00142 for 1125 Fort Street, in accordance with:

1. Plans date stamped September 9, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - i. reduce the vehicle parking from eight to four stalls, including a reduction of the visitor parking from one stall to zero stalls.
3. The Development Permit lapsing two years from the date of this resolution.”

Heritage Designation Application No. 000192

That Council approve the designation of the property located at 1125 Fort Street, consistent with architectural plans dated September 9, 2020, pursuant to Section 611 of the Local Government Act, as a Municipal Heritage Site, and that first and second reading of the Heritage Designation Bylaw be considered by Council and

a Public Hearing date be set concurrent with the Public Hearing for Rezoning Application No. 00712.

Committee discussed the following:

- *Heritage value as it relates to the removal of a chimney*
- *Neighbouring properties*

CARRIED UNANIMOUSLY

Councillor Thornton-Joe withdrew from the meeting at 9:26 a.m.

E.2 736 Princess Avenue: Victoria Housing Reserve Fund Application (Burnside)

Committee received a report dated January 7, 2021 from the Director of Sustainable Planning and Community Development regarding the Victoria Housing Reserve Fund (VHRF) grant application from the John Howard Society of Victoria.

Moved By Mayor Helps
Seconded By Councillor Alto

That Council approve a grant from the Victoria Housing Reserve Fund to the John Howard Society of Victoria in the amount of \$280,000 to assist in the construction of a 28-unit affordable housing project at 736 Princess Avenue, subject to the following conditions:

1. The execution of a Housing Fund Grant Agreement in a form satisfactory to the Director of Sustainable Planning and Community Development and the City Solicitor; with terms for the eligible use of the grant, reporting requirements, repayment, indemnification, and communication protocols;
2. The applicant fulfills the applicable requirements of the Victoria Housing Reserve Fund Guidelines;
3. \$140,000 shall be payable to the applicant upon execution of the Housing Fund Grant Agreement and the remaining balance of \$140,000 shall be payable to the applicant once the City has issued all required occupancy permits for the project; and
4. That the passage of this resolution creates no legal rights for the applicant or any other person, or obligation on the part of the City, until and unless all agreements are fully executed by the City.

Committee discussed the following:

- *Projected supportive units*
- *Other levels of funding from federal government*

CARRIED UNANIMOUSLY

F. STAFF REPORTS

F.1 Parks Regulation Bylaw Amendments - Mitigating the Impacts of Sheltering

Committee received a report dated January 9, 2021 from the Director of Parks, Recreation and Facilities regarding the mitigation of impacts relating to sheltering in City parks.

Motion to go into a closed Committee of the Whole meeting at 9:37 a.m.

Moved By Councillor Andrew

Seconded By Councillor Potts

MOTION TO CLOSE THE JANUARY 21, 2021 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(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

CLOSED - NEW BUSINESS

Intergovernmental Relations - Community Charter Section 90(2)(b)

Committee discussed an intergovernmental relations matter.

The conversation was recorded and kept confidential.

The open Committee of the Whole meeting reconvened at 9:46 a.m.

Committee discussed the following:

- *Timing of proposed staff recommendations*
- *Drainage issues in the park*
- *Hazardous conditions of park areas*
- *Other areas of parks where sheltering is hazardous*

Moved By Mayor Helps

Seconded By Councillor Young

That Council direct staff to prepare the following amendments to Section 16A of the Parks Regulation Bylaw;

1. Prohibit sheltering within parks in areas with high-risk of flooding or other environmental hazards, and
2. Add Central Park to the list of parks where sheltering is prohibited.

Motion to postpone:

Moved By Councillor Isitt

Seconded By Councillor Dubow

That this matter be postponed for one week for Council to receive preliminary mapping of the implications of this proposed amendment.

FOR (3): Councillor Dubow, Councillor Isitt, Councillor Potts

OPPOSED (5): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Loveday, Councillor Young

DEFEATED (3 to 5)

On the main motion:

That Council direct staff to prepare the following amendments to Section 16A of the Parks Regulation Bylaw;

1. Prohibit sheltering within parks in areas with high-risk of flooding or other environmental hazards, and
2. Add Central Park to the list of parks where sheltering is prohibited.

Councillor Thornton-Joe returned to the meeting at 10:12 a.m.

Amendment:

Moved By Councillor Loveday

Seconded By Mayor Helps

3. That maps detailing the implications of 1 come to COTW on January 28.

CARRIED UNANIMOUSLY

Councillor Isitt requested that the numbered items in the motion be voted on separately.

That Council direct staff to prepare the following amendments to Section 16A of the Parks Regulation Bylaw;

1. Prohibit sheltering within parks in areas with high-risk of flooding or other environmental hazards, and

FOR (8): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young

OPPOSED (1): Councillor Isitt

CARRIED (8 to 1)

2. Add Central Park to the list of parks where sheltering is prohibited.

Amendment:

Moved By Councillor Isitt

2. Add Central Park to the list of parks where sheltering is prohibited **under Section 16B of the Bylaw.**

Failed to proceed due to no seconder.

Amendment:

Moved By Councillor Loveday

Seconded By Councillor Isitt

2. Add Central Park to the list of parks where sheltering is prohibited **to be in effect as long as the sheltering during pandemic provisions are in effect and that this matter return to Council for additional considerations at the March 4 COTW meeting.**

CARRIED UNANIMOUSLY

On the main motion as amended:

2. Add Central Park to the list of parks where sheltering is prohibited to be in effect as long as the sheltering during pandemic provisions are in effect and that this matter return to Council for additional considerations at the March 4 COTW meeting.

CARRIED UNANIMOUSLY

3. That maps detailing the implications of 1 come to COTW on January 28.

CARRIED UNANIMOUSLY

Committee recessed at 10:42 a.m. and reconvened at 10:48 a.m.

H. NEW BUSINESS

H.1 Council Member Motion: In Response to the National Overdose Crisis: Regulation, Safe Supply and Decriminalization

Committee received a Council Member Motion dated January 17, 2021 regarding regulation, safe supply and decriminalization as it relates to the Overdose Crisis.

Moved By Councillor Alto

Seconded By Councillor Potts

Resolved that the Mayor, on behalf of the City of Victoria, writes to the federal Minister of Health calling on the Government of Canada to declare the overdose crisis a national public health emergency;

Be it also resolved that in that letter the Mayor calls on the Government of Canada to immediately seek input from the people most affected by this crisis and meet with provinces and territories to develop a comprehensive, pan-

Canadian overdose action plan, which includes comprehensive supports and full consideration of reforms that other countries have used to significantly reduce drug-related fatalities and stigma, such as legal regulation of illicit drugs to ensure safe supply of pharmaceutical alternatives to toxic street drugs, and decriminalization for personal use.

Committee discussed Council advocacy to other levels of government on this matter.

On the main motion:

CARRIED UNANIMOUSLY

H.2 Late Items

H.2.a Council Member Motion: Response to Broken Windows

Committee received a Council Member Motion from Mayor Helps dated January 21, 2021 regarding proposed support for the business of Downtown to address the impacts of vandalism.

Moved By Mayor Helps

Seconded By Councillor Thornton-Joe

That staff work with the DVBA and report back to Council on options to support the vibrancy and viability of the downtown and to address the impacts of vandalism.

Committee discussed the following:

- *Recent vandalism occurring at Downtown businesses*
- *Collaboration with the DVBA*

Amendment:

Moved By Councillor Isitt

Seconded By Mayor Helps

That staff work with the DVBA and report back to Council on options to support the vibrancy and viability of the downtown and to address the impacts of vandalism, **with consideration for economic hardship as a criterion for any municipal relief.**

FOR (3): Councillor Dubow, Councillor Isitt, Councillor Potts

OPPOSED (6): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Loveday, Councillor Thornton-Joe, Councillor Young

DEFEATED (3 to 6)

On the main motion:

That staff work with the DVBA and report back to Council on options to support the vibrancy and viability of the downtown and to address the impacts of vandalism.

CARRIED UNANIMOUSLY

I. ADJOURNMENT OF COMMITTEE OF THE WHOLE

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the Committee of the Whole Meeting be adjourned at 11:26 a.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR