



MINUTES - COMMITTEE OF THE WHOLE

May 27, 2021, 9:00 A.M.

**6TH FLOOR BOARDROOM, CAPITAL REGIONAL DISTRICT, 625 FISGARD STREET,
VICTORIA, B.C.**

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

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

PRESENT ELECTRONICALLY: Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts

ABSENT: Mayor Helps

ABSENT FOR A PORTION OF THE MEETING: Councillor Dubow (left at 10:29 a.m.)

STAFF PRESENT: J. Jenkyns - City Manager, C. Kingsley - City Clerk, S. Thompson - Deputy City Manager / Director of Finance, 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. 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, G. Milne - Head of Strategic Operations, P. Rantucci - Head of Strategic Real Estate, D. Newman - Assistant Director, Facilities and Construction Management, C. Wain - Senior Planner, A. Johnston - Planner, M. Angrove - Planner, M. Sandhu - Head of Service Innovation & Improvement, R. Batallas - Senior Planner, P. Bellefontaine - Director of Engineering & Public Works, G. Diamond - Committee Secretary

A. APPROVAL OF AGENDA

Moved By Councillor Andrew

Seconded By Councillor Thornton-Joe

That the agenda be approved.

Amendment:

Moved By Councillor Andrew

Seconded By Councillor Loveday

Consent Agenda:

- C.1 - Minutes from the meeting held March 25, 2021
- C.2 - Minutes from the meeting held April 22, 2021
- C.3 - Minutes from the meeting held May 13, 2021
- G.1 - Temporary Relocation of Council Meetings
- G.3 - Proclamation - Parachute National Injury Prevention Day
- G.4 - Proclamation - Arthritis Awareness Month

CARRIED UNANIMOUSLY

On the main motion as amended:

CARRIED UNANIMOUSLY

B. CONSENT AGENDA

Moved By Councillor Andrew

Seconded By Councillor Loveday

That the following items be approved without further debate

CARRIED UNANIMOUSLY

C.1 Minutes from the meeting held March 25, 2021

Moved By Councillor Andrew

Seconded By Councillor Loveday

That the minutes from the Committee of the Whole meeting held March 25, 2021 be adopted.

CARRIED UNANIMOUSLY

C.2 Minutes from the meeting held April 22, 2021

Moved By Councillor Andrew

Seconded By Councillor Loveday

That the minutes from the Committee of the Whole meeting held April 22, 2021 be adopted.

CARRIED UNANIMOUSLY

C.3 Minutes from the meeting held May 13, 2021

Moved By Councillor Andrew
Seconded By Councillor Loveday

That the minutes from the Committee of the Whole meeting held May 13, 2021 be adopted.

CARRIED UNANIMOUSLY

G.1 Temporary Relocation of Council Meetings

Committee received a report dated May 17, 2021 from the City Clerk regarding the extension of the closure of the west wing of City Hall to facilitate upgrading of the HVAC system to August 31, 2021.

Moved By Councillor Andrew
Seconded By Councillor Loveday

That Council:

1. Authorize the holding of Council and Committee of the Whole Meetings between June 15, 2021 and August 31, 2021 at the Capital Regional District Board Room; and
2. Forward this recommendation to the May 27, 2021 Council to Follow the Committee of the Whole meeting.

CARRIED UNANIMOUSLY

G.3 Proclamation - Parachute National Injury Prevention Day

Committee received a report dated May 17, 2021 from the City Clerk regarding the proclamation for Parachute National Injury Prevention Day, July 5, 2021.

Moved By Councillor Andrew
Seconded By Councillor Loveday

That the Parachute National Injury Prevention Day Proclamation be forwarded to the June 10, 2021 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

G.4 Proclamation - Arthritis Awareness Month

Committee received a report dated May 17, 2021 from the City Clerk regarding the proclamation for Arthritis Awareness Month, September, 2021.

Moved By Councillor Andrew

Seconded By Councillor Loveday

That the Arthritis Awareness Month Proclamation be forwarded to the June 10, 2021 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

D. UNFINISHED BUSINESS

D.1 Letter from the UBCM President

Committee considered a letter referred from the May 13, 2021 Council Meeting, from the UBCM President regarding the provincial response to the 2020 Resolutions.

Moved By Councillor Thornton-Joe

Seconded By Councillor Young

That the letter be received for information.

CARRIED UNANIMOUSLY

Moved By Councillor Loveday

Seconded By Councillor Thornton-Joe

Motion arising:

That council request the Mayor write to the Premier, Minister of Health, and local MLAs, calling on the government to adopt universal no-cost prescription contraception that covers an expansive range of options without delay, to improve public health in an equitable and cost-effective way.

CARRIED UNANIMOUSLY

Moved by Councillor Isitt

Seconded by Councillor Young

That Council requests that the Mayor send a response to the Province along the following lines related to the City's resolution on land value taxation:

Subject: Response to Province re: Land Value Taxation

We would like to comment on the Province's response to our resolution.

The response indicates that separate rates on land and improvements would allow "unfairly" high tax rates on undeveloped or underdeveloped land. Of course the purpose of differential rates is precisely to impose relatively higher rates on such underdeveloped land, in order to encourage development and to

avoid land being held as vacant buildings, as surface parking lots, or other low-intensity uses. Like other cities Victoria has at times suffered from land being held in such uses. While development of such properties (contrary to what your response suggests) will not actually reduce property taxes, it will certainly reduce taxes relative to the income from the property, which is perhaps what you intended to say.

You have suggested that other policies might be used to offset the impact of the current system and incentivize land development. We would like to suggest that it would conversely be more appropriate for other policies to be used to offset any negative impacts of higher land taxes. For example, it has been suggested that old established businesses in old low rise buildings should be helped to stay in place. Rather than holding down land taxes on such properties, to the benefit of the owners of the land such businesses sit on (who may not be the business owners) we can envision a program that might assist them

Another issue that you should consider is the growing wealth disparity between those who own their homes and those who live in rental accommodation. We believe research would show that the bulk of the recent increase in home values has been in land rather than building values, so that a relative increase in land taxes that would gradually depress land values would probably result in a more equitable distribution of wealth.

Finally, you suggest that land held for future use with Class 6 zoning is taxed at a rate that is too high. We note that it is the municipality itself that sets the relative tax rates for different classes, so that that a much more direct solution to this perceived problem is easily available.

CARRIED UNANIMOUSLY

E. LAND USE MATTERS

E.1 546 Yates Street and 566-568 Yates: Rezoning Application No. 00770 (Downtown)

Committee received a report dated May 13, 2021 from the Director of Sustainable Planning and Community Development regarding an application to rezone 566-568 Yates Street to add the use of storefront cannabis retailer as a site-specific regulation to the OTD-1 Zone, Old Town District-1, and to rezone 546 Yates Street to remove the use of storefront cannabis retailer from the site-specific regulations of the OTD-1 Zone, Old Town District-1.

Committee discussed the following:

- *The requirement for window coverings has been removed*
- *Concerns over the regulation of retail cannabis while more harmful substances are not regulated*
- *Downtown may be reaching the maximum number of cannabis retailers*

Moved By Councillor Potts

Seconded By Councillor Young

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in

Rezoning Application No. 00770 to add the use of Cannabis Storefront Retailer to 566-568 Yates Street and remove it from 546 Yates Street, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set subject to submission and evaluation by staff of a Heritage Alteration Permit for the changes to the front entrance.

FOR (6): Councillor Andrew, Councillor Dubow, Councillor Loveday, Councillor Potts, Councillor Thornton Joe, Councillor Young
OPPOSED (2): Councillor Alto, Councillor Isitt

CARRIED (6 to 2)

E.2 900-912 Vancouver St and 930-990 Burdett Ave: Development Permit with Variances Application No. 00164 (Fairfield)

Committee received a report dated May 13, 2021 from the Director of Sustainable Planning and Community Development regarding a Development Permit with Variance Application for the property located at 900-912 Vancouver Street and 930-990 Burdett Avenue.

Committee discussed the following:

- *Social distancing capacity and increased enrolment is encouraging*

Moved By Councillor Thornton-Joe

Seconded By Councillor Andrew

1. 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. 00164 for 900-912 Vancouver Street & 930-990 Burdett Avenue, in accordance with:
 1. Plans date stamped May 11, 2021.
 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - i. Reduce the vehicle parking from 97 stalls to 73 stalls.
 3. Registration of legal agreements on the property’s title to secure the following:
 - i. the removal of the modular classroom building within five years of Council approval of Development Permit with Variance Application No. 00164, to the satisfaction of the Director of Sustainable Planning and Community Development; and
 - ii. a 1.5 metre Statutory Right-of-Way adjacent to Rockland Avenue to the satisfaction of the Director of Engineering and Public Works.
 4. Final plans generally in accordance with the plans date stamped April 27, 2021 with the following revision:
 - i. amend the site plan to include a statutory right-of-way along a portion of the Rockland Avenue frontage to accommodate a future sidewalk, to the satisfaction of the Director of Engineering and Public Works
 - ii. amend the parking layout to accommodate the statutory right-of-way along Rockland Avenue.

5. The Development Permit lapsing two years from the date of this resolution.”
2. That recommendations be forwarded to the May 27, 2021 daytime Council Meeting so that an opportunity for public comment can be scheduled in June.

CARRIED UNANIMOUSLY

E.3 1419 Mallek Crescent (Kiwanis Village): Victoria Housing Reserve Fund application (Oaklands)

Committee received a report dated May 4, 2021 from the Director of Sustainable Planning and Community Development regarding a Victoria Housing Reserve Fund (VHRF) grant application from the Kiwanis Village Society of Victoria.

Committee discussed the following:

- *Kiwanis Society has been involved in the city since the 1920s and can provide affordability through leveraging existing assets*

Moved By Councillor Andrew

Seconded By Councillor Isitt

That Council approve a grant from the Victoria Housing Reserve Fund to the Kiwanis Village Society of Victoria in the amount of \$305,000 to assist in the construction of a four-storey 78-unit housing project at 1419 Mallek Crescent, subject to the following conditions:

1. The execution of a Housing Fund Grant Agreement acceptable to the Director of Sustainable Planning and Community Development and in the form satisfactory to the City Solicitor; outlining terms for the eligible use of the grant, reporting requirements, repayment, indemnification and construction insurance, and communication protocols.
2. The execution of a Housing Agreement, in the form satisfactory to the City Solicitor, to secure 78 new housing units as rentals in perpetuity for seniors (55+) with median income levels as follows:
 - a. 36 studio units;
 - b. 40 one-bedroom units;
 - c. 2 two-bedroom units.
3. The applicant fulfills the applicable requirements of the Victoria Housing Reserve Fund Guidelines; 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.

CARRIED UNANIMOUSLY

G. STAFF REPORTS

Committee of the Whole Minutes

May 27, 2021

G.2 Banfield Park Dock Expansion and Gorge Waterway Park

Committee received a report dated May 20, 2021 from the Director of Parks, Recreation and Facilities regarding an update on the Banfield Park dock expansion project and planning for Gorge Waterway Park.

Committee discussed the following:

- *The City will engage with organizations along the Gorge Waterway during development of management plan*
- *Accessibility concerns around the access paths and gangway - future park planning efforts will engage with this community to improve access*

Moved By Councillor Isitt

Seconded By Councillor Dubow

That Council direct staff to:

1. Prepare amendments to the Gorge Waterway Park Zoning Regulation Bylaw in order to facilitate the expansion of the Banfield Park swimming dock;
2. Waive the requirement for pre-submission Community Association Land Use Committee consultation; and
3. Direct staff to initiate development of the Gorge Waterway Park Management Plan, with input from representatives of the Gorge Swim Fest Society

Amendment:

Moved by Councillor Andrew

Seconded by Councillor Isitt

4. Direct staff to report back on the feasibility of enhancing Banfield Park for access to the beach in the 2022 Strategic Plan

Amendment to the amendment:

Moved by Councillor Isitt

Seconded by Councillor Loveday

4. Direct staff to report back on the feasibility of enhancing Banfield Park for access to the ~~beach~~ **shoreline** in the 2022 Strategic Plan

CARRIED UNANIMOUSLY

On the amendment:

CARRIED UNANIMOUSLY

On the main motion as amended:

That Council direct staff to:

1. Prepare amendments to the Gorge Waterway Park Zoning Regulation Bylaw in order to facilitate the expansion of the Banfield Park swimming dock;
2. Waive the requirement for pre-submission Community Association Land Use Committee consultation,
3. Direct staff to initiate development of the Gorge Waterway Park Management Plan, with input from representatives of the Gorge Swim Fest Society; and
4. Direct staff to report back on the feasibility of enhancing Banfield Park for access to the shoreline in the 2022 Strategic Plan

CARRIED UNANIMOUSLY

I. NEW BUSINESS

I.1 Council Member Motion - Permissive Tax Exemptions of Parking Lots, Existing Properties

Committee received a Council Member Motion dated May 17, 2021 from Mayor Helps and Councillor Alto regarding permissive tax exemptions of parking lots for existing properties.

Committee discussed the following:

- *Lost revenue due to exemptions are redistributed to other properties to offset costs*
- *Financial relief benefits those who own the land but not to those who rent*

Councillor Dubow left the meeting at 10:29 a.m.

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the exemption for the parking lot portion of all properties subject to a permissive tax exemption be reduced by 20% each year over a five-year period, beginning in 2023, where surface parking lots are 50% or more of the total property area.

CARRIED UNANIMOUSLY

I.2 Council Member Motion - Reopen Beacon Hill Park to Vehicles

Committee received a Council Member Motion dated May 25, 2021 regarding the proposed action to reopen Beacon Hill Park to vehicles.

Committee discussed the following:

- *The November 26, 2020 COTW discussion and engagement with community that resulted in reopening of top of Beacon Hill*
- *Washroom off circle drive was renovated to improve accessibility*
- *No location in park that is more than 200m from motor vehicle access*
- *Current bollards and bike lanes would stay with the current motion as worded*
- *Potential for changing vehicle access seasonally*

- *There is no paved sidewalk or trail along Arbutus Way, only a chip trail; how this impacts an accessible north-south route*
- *The conflicts between motor vehicles, natural area, and park users and the challenge of striking a compromise*

Moved By Councillor Andrew

Seconded By Councillor Thornton-Joe

That Council direct staff to re-open all roads in Beacon Hill Park to traffic as they were prior to May 2020.

Amendment:

Moved by Councillor Alto

Seconded by Councillor Andrew

That Council direct staff to re-open all roads in Beacon Hill Park to traffic as they were prior to May 2020 **except Heywood Way and Bridge Way**.

FOR (4): Councillor Alto, Councillor Andrew, Councillor Thornton-Joe, Councillor Young

OPPOSED (3): Councillor Isitt, Councillor Loveday, Councillor Potts

CARRIED (4 to 3)

On the main motion as amended:

That Council direct staff to re-open roads in Beacon Hill Park to traffic as they were prior to May 2020 except Heywood Way and Bridge Way.

FOR (3): Councillor Alto, Councillor Andrew, Councillor Thornton-Joe

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

DEFEATED

J. ADJOURNMENT OF COMMITTEE OF THE WHOLE

Moved By Councillor Andrew

Seconded By Councillor Young

That the Committee of the Whole Meeting be adjourned at 11:23 a.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR

