



MINUTES - COMMITTEE OF THE WHOLE

November 22, 2018, 9:02 A.M.

COUNCIL CHAMBERS, CITY HALL, 1 CENTENNIAL SQUARE

Located on the traditional territory of the Esquimalt and Songhees People

PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Thornton-Joe, Councillor Young, Councillor Dubow, Councillor Potts

**ABSENT FOR PORTION
OF MEETING:** Councillor Collins

STAFF PRESENT: J. Jenkyns - City Manager, C. Coates - City Clerk, P. Bruce - Fire Chief, S. Thompson - Director of Finance, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhauer - Head of Engagement, A. Meyer - Assistant Director of Development Services, C. Mycroft - Manager of Executive Operations, T. Zworski - City Solicitor, L. Taylor - Senior Planner, K. Sidhu - Committee Secretary, M. Fedyczkowska - Legislation & Policy Analyst

A. APPROVAL OF AGENDA

Moved By Councillor Loveday

Seconded By Councillor Thornton-Joe

That the agenda be approved.

Amendment

Moved By Councillor Loveday

Seconded By Councillor Thornton-Joe

That the Agenda of the November 22, 2018, Committee of the Whole meeting be amended as follows:

Consent Agenda:

F.3 – Appointments to Capital Region Housing Corporation

H.8 – Proclamation – Adoption Awareness Month

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Thornton-Joe

Seconded By Councillor Loveday

To Add H.9- Meeting with Mayor Plante – Montreal, November 30, 2018

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Alto

Seconded By Councillor Loveday

To strike E.2 from the agenda

CARRIED UNANIMOUSLY

Main motion as amended:

CARRIED UNANIMOUSLY

B. CONSENT AGENDA

That the following items be approved without further debate:

F.3 Appointments to Capital Region Housing Corporation

Committee received a report dated November 21, 2018 from the City Clerk regarding the appointment of the current Capital Regional District Representatives to the Capital Region Housing Corporation Board.

Moved By Councillor Loveday

Seconded By Councillor Thornton-Joe

That Council ratifies and confirms the appointment of its current Capital Regional District Representatives to the Capital Region Housing Corporation Board.

CARRIED UNANIMOUSLY

H.8 Proclamation - Adoption Awareness Month

Committee received a report dated November 16, 2018 from the City Clerk regarding a proclamation for an "Adoption Awareness Month" for November 2018.

Moved By Councillor Loveday

Seconded By Councillor Thornton-Joe

That the *Adoption Awareness Month Proclamation* be forwarded to the November 22, 2018 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

D. UNFINISHED BUSINESS

D.1 205 Simcoe Street - Rezoning Application No. 00653 (James Bay)

Committee received a revised report dated November 21, 2018, from the Acting Director of Sustainable Planning and Community Development regarding an application to allow for a preschool daycare.

Moved By Councillor Loveday

Seconded By Councillor Thornton-Joe

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00653 for 205 Simcoe Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set subject to an amendment of the existing restrictive covenant to add daycare as one of the permitted uses on the property, executed by the applicant to the satisfaction of City staff.

CARRIED UNANIMOUSLY

E. LAND USE MATTERS

E.1 1402 Douglas Street - Rezoning Application No. 00658 (Downtown)

Committee received a report dated October 25, 2018 from the Acting Director of Sustainable Planning and Community Development presenting Council with information, analysis and recommendations for an expansion of an existing cannabis retailer.

Committee discussed:

- the number of windows that would need to be opaque
- alterations that would occur to the heritage building

Moved By Councillor Young

That Council decline Rezoning Application No. 00658 for the property located at 1402 Douglas Street.

Defeated due to no seconder

Moved By Councillor Thornton-Joe

Seconded By Councillor Potts

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00658 for 1402 Douglas Street, that first and second

reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Amendment:

Moved By Councillor Thornton-Joe

Seconded By Councillor Loveday

That the application be referred to the heritage advisory committee for comment on the proposed provincial policy that would see the windows of the heritage building be made opaque.

Amendment to the amendment:

Moved By Mayor Helps

Seconded By Councillor Thornton-Joe

and a report be made back to the Committee of the Whole.

CARRIED UNANIMOUSLY

On the amendment:

CARRIED UNANIMOUSLY

Main Motion as amended:

CARRIED UNANIMOUSLY

Councillor Potts recused herself for as she works across the street from property.

E.3 926 and 932 Pandora Avenue - Rezoning Application No. 00605 and Development Permit Application No. 000508 (North Park)

Committee received a report dated November 8, 2018 from the Acting Director of Sustainable Planning and Community Development regarding a proposal to allow a 11-storey, mixed-use building consisting of residential and commercial uses.

Committee discussed:

- *height and density of the building*
- *importance of affordable residential suites*
- *safety of citizens in bike lanes during garbage pickup*
- *size of commercial space*
- *policy on housing reserve*
- *concerns with the Mason Street residences*

- *amenity funds to go to affordable housing*
- *balance of housing trust fund*

Moved By Councillor Young
Seconded By Councillor Alto

Rezoning Application No.00605

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00605 for 926 and 932 Pandora Avenue; 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. Provide a Sewage Attenuation Report prepared by a qualified engineer to determine if the proposal would result in increased sewage flow rates, to the satisfaction of the Director of Engineering and Public Works.
2. Provide a Road Dedication Plan for a dedication of 1.38m on Mason Street, to the satisfaction of the Director of Engineering and Public Works.
3. Preparation and execution of a Housing Agreement to secure:
 - 1) ten percent of the residential units (approximately 15 dwelling units of which seven of the units would be two and three bedroom units and suitable for families in accordance with the applicant's letter dated November 1, 2018) as affordable rental units (rents at 15% below appraised market rents) in perpetuity and in accordance with an appraisal provided to the city annually
 - 2) ensure that future Strata Bylaws cannot prohibit the rental of the other units in the building, to the satisfaction of the Director of Sustainable Planning and Community Development.
4. Secure an amenity contribution in the amount of \$614,000.00 towards the Downtown Core Area Public Realm Improvement Fund (75%) and the Downtown Heritage Buildings Seismic Upgrade Fund (25%) and to the satisfaction of the Director of Sustainable Planning and Community Development.
5. Council authorizing anchor-pinning into the City Right-of-Way, provided that the applicant enters into an Encroachment Agreement, in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.

Development Permit Application No.000508

That, subject to the exploration of design revisions to soften the vertical cement panel on the north elevation of the proposed mixed-use building to the satisfaction of the Director of Sustainable Planning and Community Development, 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. 00605, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 000508 for 926-932 Pandora Avenue in accordance with:

1. Plans date stamped June 27, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - 3) increase the height from 30m to 32.34m for a rooftop mechanical room
 - 4) reduce the front yard setback on Pandora Avenue from 3m to 2.10m.
3. The Development Permit lapsing two years from the date of this resolution."

Amendment:

Moved By Councillor Collins

Seconded By Councillor Potts

Amend # 4: Amenity contribution funds go to the housing trust

Amendment to the amendment:

Moved By Councillor Mayor Helps

Seconded By Councillor Loveday

half of the amenity funds go towards the Housing Trust Fund and half go as proposed

CARRIED UNANIMOUSLY

On the Amendment:

FOR (8): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts and Councillor Thornton-Joe

OPPOSED (1): Councillor Young

CARRIED (8 to 1)

Main motion as amended:

4. Secure an amenity contribution in the amount of \$614,000.00 where half goes towards the Housing Trust Fund and the other half goes towards the Downtown Core Area Public Realm Improvement Fund (75%) and the Downtown Heritage Buildings Seismic Upgrade Fund (25%) and to the satisfaction of the Director of Sustainable Planning and Community Development.

CARRIED UNANIMOUSLY

Councillor Potts returned to the meeting

E.4 Proposed Amendments to the Zoning Regulation Bylaw

Committee received a report dated November 1, 2018 from the Acting Director of Sustainable Planning and Community Development regarding proposed amendments to the *Zoning Regulation Bylaw*.

Committee discussed:

- *clarification on the definition of "half-storey"*
- *parking related to this proposed amendment*

Moved By Councillor Alto

Seconded By Councillor Dubow

That Council direct staff to prepare the proposed Zoning Regulation Bylaw amendment to correct and clarify the following:

1. Amend the R3-1 and R3-2 Zone, Multiple Dwelling District, to clarify that, to achieve the additional site coverage and density outlined in the Zone, motor vehicle parking must be provided in accordance with Schedule C and all motor vehicle parking provided on-site must be located in an enclosed parking space.
2. Amend the R1-A Zone, Rockland Single Family Dwelling District, to amend minor drafting errors relating to underlining.
3. Amend the R1-B-GS4-C1 Zone, Single Family Dwelling with Garden Suite and Limited Commercial Moss Street District, by deleting the "m" after maximum number of storeys.
4. Amend the CA-72 Zone, Fort Street Commercial - Residential District, replacing the word "minimum" with "maximum" as it applies to height.
5. Amend the R-76 Zone, Oak Bay Avenue Multiple Dwelling District, underlining the defined term "lot lines".
6. Amend the R1-S1 Zone, Restricted Small Lot (One Storey) District, and R1-S2 Zone, Restricted Small Lot (Two Storey) District, to address minor drafting errors relating to underlining and the unit of measurement for rear setback requirements.
7. Amend the M2-I Zone, Douglas-Blanshard Industrial District, to remove reference to "worklive" in purpose statement.
8. Amend the definition of "Half Storey" to reference "first storey area" instead of "ground floor area".

CARRIED UNANIMOUSLY

F. STAFF REPORTS

F.1 2019 Meeting Schedule Report

Committee received a report dated October 25, 2018 from the City Clerk regarding a proposed 2019 schedule for Committee of the Whole and Council Meetings.

Moved By Councillor Loveday
Seconded By Councillor Alto

That Council approve the 2019 Committee of the Whole and Council meeting schedule attached to this report and make available to the public as required under Section 127 of the *Community Charter*.

CARRIED UNANIMOUSLY

F.2 Board, Committee and Neighbourhood Association Appointments

Committee received a report dated November 22, 2018 from the City Clerk providing to Council the list of nominations for Council members appointments to boards, committees and neighbourhood associations.

Moved By Mayor Helps
Seconded By Councillor Isitt

That Council:

1. Approve all nominations for Council member appointments to boards, committees, and neighbourhood associations listed in Appendix A.
2. Undertake the required public notification regarding the nomination of Councillors Collins, Isitt, Loveday, and Young to the Capital Regional District Regional Water Supply Commission.
3. That Council give consideration to the Acting Mayor schedule on a roster rotation basis in accordance with the *Council Procedures Bylaw*. (Determine the rotation and schedule for the term).
4. That Council consider remaining vacant appointments as noted in this report.
5. Direct staff to bring forward the new proposed appointments to Council.

Amendment:

Moved By Councillor Dubow
Seconded By Councillor Isitt

To appoint Councillor Dubow as the City's representative to the Community Partnership Network.

CARRIED UNANIMOUSLY

To appoint Councillor Dubow as the City's representative to the Local Immigration Partnership.

CARRIED UNANIMOUSLY

To appoint Councillor Dubow as the City's representative to the Organizing Against Racism & Hate.

CARRIED UNANIMOUSLY

Appoint Councillor Dubow to these bodies for the period of 2019-2020.

CARRIED UNANIMOUSLY

Main Motion as amended:

That Council:

5. Approve all nominations for Council member appointments to boards, committees, and neighbourhood associations listed in Appendix A.
6. Undertake the required public notification regarding the nomination of Councillors Collins, Isitt, Loveday, and Young to the Capital Regional District Regional Water Supply Commission.
7. That Council give consideration to the Acting Mayor schedule on a roster rotation basis in accordance with the Council Procedures Bylaw. (Determine the rotation and schedule for the term)
8. That Council consider remaining vacant appointments as noted in this report.
9. Direct staff to bring forward the new proposed appointments to Council.
10. To appoint Councillor Dubow as the City representative to the Community Partnership Network, Local Immigration Partnership, Organizing against Racism & Hate.
11. Appoint Councillor Dubow to these bodies for the period of 2019-2020.

CARRIED UNANIMOUSLY

H. NEW BUSINESS

H.1 Adopt and Consistently Apply the CMHC's Definition of Affordable Housing

Committee received a report dated November 22, 2018 from Councillors Collins, Potts and Dubow on the Canadian Mortgage and Housing Corporation definition of affordable housing and how it is applied to the City of Victoria.

Moved By Councillor Collins

Seconded By Councillor Potts

That Council:

1. Adopt and consistently apply the definition of affordable housing, as housing where the price does not exceed 30% of the gross annual household income for very-low, low, low to-moderate, and moderate income households. Ensure in rezoning processes where applicants claim to have affordable housing as part of their proposals that this definition is used for the affordable

portion of the units and distinguished from housing units that are simply below-market.

2. Direct staff to report on a quarterly basis on:
 - a. the number of non-profit affordable rental housing units created or under construction (distinguishing the number of below market rental housing units, the number of rent geared to income units using BC Housing housing income limits, and number of deep subsidy rental housing units), as well as the number of non-profit affordable home ownership units created or under construction.
 - b. the number of for-profit affordable housing rental units and the number of for profit affordable home ownership units created or under construction.
 - c. the combined number of affordable housing units created or under construction, as well as for which incomes brackets the affordable units are targeted.
3. Direct staff to notify council about the number of affordable units in each rezoning proposal, as well as for which incomes brackets the affordable units are targeted.
4. Direct staff to report back with recommendations on other improvements to processes for data gathering and reporting on affordable housing.

Amendment:

Moved By Mayor Helps

Seconded By Councillor Potts

5. To indicate to BC Housing that the City of Victoria welcomes all BC Housing funded projects including affordable and below market housing and projects funded through the Housing Hub.

Amendment to amendment:

Moved By Councillor Isitt

Seconded By Councillor Collins

5. To indicate to BC Housing that the City of Victoria welcomes provincial investment to address affordability at different income levels.

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

OPPOSED (2): Councillor Alto and Councillor Young

CARRIED (6 to 2)

Councillor Collins left meeting at 12:07 p.m.

Amendment to Amendment:

Moved By Mayor Helps

Seconded By Councillor Thornton-Joe

including projects funded through the Housing Hub.

CARRIED UNANIMOUSLY

Amendment to Amendment:

Moved By Councillor Isitt

Seconded By Councillor Dubow

including projects to house low income people

CARRIED UNANIMOUSLY

On the amendment:

CARRIED UNANIMOUSLY

Main Motion as amended:

5. To indicate to BC Housing that the City of Victoria welcomes provincial investment to address affordability at different income levels including projects to house low income people and projects funded through the Housing Hub.

CARRIED UNANIMOUSLY

H.2 Frontage Improvements at 149 Montreal Street, James Bay Child Care Society

Committee received a report dated November 15, 2018 from Councillors Alto and Thornton-Joe regarding undertaking construction of the frontage improvements required for the rezoning application approved at 149 Montreal Street.

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

Option One

That the City of Victoria undertake construction of the frontage improvements required for the rezoning application approved at 149 Montreal Street, and that the costs of such improvements be paid by the City from the remaining 2018 budget surplus, to a maximum of \$70,000.

Amendment:

Moved By Councillor Isitt

Seconded By Councillor Loveday

and that staff report back to Council with options for the improvements prior to any work occurring or any funds being spent.

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

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

DEFEATED (4 to 4)

On the main motion:

CARRIED UNANIMOUSLY

Committee recessed for lunch at 12:49 p.m. and returned at 1:20 p.m.

H.3 Bonus Density Above OCP and Affordable Housing

Committee received a report dated November 8, 2018 from Mayor Helps and Councillor Alto regarding consideration of densities above the Official Community Plan in order to provide incentives and to secure more and/or deeper affordability.

Moved By Mayor Helps

Seconded By Councillor Alto

That as an interim measure until the final policy is adopted, Council directs staff to encourage proponents of strata projects to consider densities up to 10% in excess of OCP densities, in all areas of the city, in exchange for affordable units.

Amendment:

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That this interim measure be forwarded to CALUCS for comments before final approval.

Amendment to the amendment:

Moved By Councillor Thornton-Joe
Seconded By Councillor Young

That this interim measure be forwarded to CALUCS for comments by December 13th before final consideration

CARRIED UNANIMOUSLY

On the amendment:

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

replace strata with housing

FOR (0):

OPPOSED (8): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe and Councillor Young

DEFEATED (0 to 8)

On the main motion as amended:

That as an interim measure until the final policy is adopted, Council directs staff to encourage proponents of strata projects to consider densities up to 10% in excess of OCP densities, in all areas of the city, in exchange for affordable units. That this interim measure be forwarded to CALUCS for comments by December 13th before final consideration.

FOR (2): Mayor Helps and Councillor Alto

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

DEFEATED (6 to 2)

H.4 Endorsement of the Community Benefits Coalition of BC

Committee received a report dated November 9, 2018 from Mayor Helps and Councillor Isitt regarding the endorsement of the Community Benefits Coalition of BC.

Moved By Councillor Isitt
Seconded By Mayor Helps

That Council endorse the Community Benefits Coalition of BC and directs staff to write to the Coalition advising them of this endorsement and authorizing use of the City's name and logo in the list of Coalition partners.

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)

Councillor Potts recused herself at 1:58 p.m. as she is an employee of Our Place.

H.5 1240 Yates Street for Extreme Weather Shelter Mats

Committee received a report dated November 9, 2018 from Councillors Thornton-Joe and Alto providing information on The Extreme Weather Protocol.

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That the City Owned Building at 1240 Yates which currently houses the My Place Shelter be approved as a Tier 2 location for the Extreme Weather Protocol for the November 2018-April 2019 season with the above listed conditions.

Moved By Councillor Thornton-Joe
Seconded By Councillor Loveday

Motion to extend meeting until 2:45 p.m.

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Isitt
Seconded By Councillor Dubow

to shelter up to 15 additional people until April 2019 with the above listed conditions.

FOR (1): Councillor Isitt

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

DEFEATED (6 to 1)

On the Main Motion:

CARRIED UNANIMOUSLY

Councillor Potts returned to meeting at 2:24 p.m.

H.6 Improving Governance and Transparency

Committee received a report dated November 16, 2018 from Councillors Loveday and Isitt providing information to implement improvements to regional governance and transparency.

Committee discussed:

- *Examples of other municipalities practices.*

Moved By Councillor Loveday

Seconded By Councillor Isitt

That Council:

1. Endorse in principle the following best practices in governance and transparency.
 - 1) Expand the **Council Member Voting and Attendance dashboard** implementation retroactively to the beginning of the Council term, to ensure transparency of the voting record of each Council member on each item of Council and Committee business, adopting the best practice from the City of Vancouver;
 - 2) Publish Council members annual **Financial Disclosure Statements** (submitted according to the requirements of the BC Financial Disclosure Act) online and update these disclosure statements on an annual basis, adopting the best practice from the City of Vancouver;
 - 3) Improve **Proactive Disclosure of Closed Meeting Business**, including decisions made and reports considered by Council, as soon as the need for confidentiality has ceased to exist, adopting the best practice from the City of Vancouver;
 - 4) Publish information on **Council Member Expenses** on a quarterly basis, adopting the best practice from the City of North Vancouver;

- 5) Continue to publish a **Council Meeting Highlights Report** following Council meetings, to make information on key Council decisions accessible to the general public, affirming the best practice from the City of Victoria;
- 6) Provide clear and accessible **Summaries of Financial Information** in the municipality's Annual Report and in annual financial planning documents, and provide prominent, easily accessible links to this information on the municipality's website, focusing on clarity and transparency in the presentation of this information to the public.
2. Direct staff to report back to Council with recommendations for the timely implementation of each of these items and include information on any financial implications of implementation.
3. Request that the Mayor, on behalf of the Council, forward these recommendations to member local governments in the Capital Region and Capital Regional District Board, encouraging favourable consideration and action.

CARRIED UNANIMOUSLY

Councillor Loveday left meeting at 2:35 p.m.

H.7 Natural Assets and the Public Sector Accounting Board

Committee received a report dated November 18, 2018 from Mayor Helps and Councillor Isitt providing information to implement improvements to regional governance and transparency.

Moved By Mayor Helps

Seconded By Councillor Isitt

1. That Council endorse the attached policy recommendations with regard to the inclusion of natural assets by the Public Sector Accounting Board.

FOR (6): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Isitt, Councillor Potts and Councillor Thornton-Joe

OPPOSED (1): Councillor Young

CARRIED (6 to 1)

H.9 Meeting with Mayor Plante – Montreal, November 30, 2018

Committee received a report dated November 22, 2018 from Mayor Helps requesting authorization for attendance and costs associated to attend a meeting with Mayor Plante.

Moved By Mayor Helps
Seconded By Councillor Potts

That Council authorize the attendance and associated costs for Mayor Helps to attend a meeting with Mayor Plante on November 30th, 2018.

CARRIED UNANIMOUSLY

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 2:38 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR