

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD FEBRUARY 14, 2019

For the Council meeting of February 14, 2019, the Committee recommends the following:

1. 1025-1031 Johnson Street and 1050 Yates Street - Rezoning Application No. 00660, Official Community Plan Amendment, and Development Permit Application No. 000536 (Downtown)

Rezoning Application No. 00660 and Official Community Plan Amendment:

That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the Local Government Act, the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00660 for 1025-1031 Johnson Street and 1050 Yates Street, that first and second reading of the Bylaw Amendments be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:
 - i. Housing Agreement and Bylaw to ensure that a future strata corporation could not pass bylaws that would prohibit or restrict the rental of units to non-owners;
 - ii. Housing Agreement and Bylaw to secure 130 dwelling units as affordable housing;
 - iii. Legal agreement to secure a plaza and front setback for a public access at all times of the day, in perpetuity with maintenance and liability under the owner's responsibility;
 - iv. Preparation of a phasing plan.
2. That Council determine, pursuant to section 475(1) of the Local Government Act, that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.
3. That Council, having provided the opportunity for consultation pursuant to section 475(1) of the Local Government Act with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties having been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.
4. That Council specifically consider whether consultation is required under section 475(2)(b) of the Local Government Act and determine that no referrals are necessary with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board; and the provincial and federal governments and their agencies due to the nature of the proposed amendment.
5. That Council give first reading to the Official Community Plan Amendment Bylaw.
6. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria Five-Year Financial Plan, the Capital Regional District Liquid Waste Management Plan and the Capital Regional District Solid Waste Management Plan, pursuant to section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.

7. That Council give second reading to the Official Community Plan Amendment Bylaw.
8. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.

Development Permit Application No. 000536:

That Council, after giving notice and allowing for an Opportunity for Public Comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00660, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000536 for 1025- 1031 Johnson Street and 1050 Yates Street, in accordance with:

1. Plans date stamped February 4, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements.
3. That Council authorize the Mayor and City Clerk to execute encroachment agreements, to be executed at time of the building permit approval, in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works for:
 - a. building encroachment(s) in the City Right-of-Way
 - b. anchor-pinning in the City Right-of-Way.
4. Final plans to be generally in accordance with the plans identified above, to the satisfaction of City staff.
5. The Development Permit lapsing two years from the date of this resolution."

2. Inclusionary Housing and Density Bonus Policy Update

That Staff report back with an Inclusionary Housing Policy for the end of March 2019, including any recommended amendments to the draft policy that will result in the creation of the most truly affordable housing units the most quickly.

3. Remedial Action Requirement - 1176 Yates Street /Bylaw File #25483

That this matter be risen and reported on by way of a staff report to the February 14, 2019 Committee of the Whole meeting to consider the following:

1. That Council, under the authority provided in Section 73 of the *Community Charter*, declare the building (the "Building") located at 1176 Yates Street on lands legally described as Lot 1 Plan 740 Section SR Victoria (the "Lands"), to be in an unsafe condition and creates a hazard to the public that requires remedial action to demolish and remove it from the Lands; and to level the site and plant grass.
2. That Council, under the authority of Section 74 of the *Community Charter*, declare the Building located on the Lands as being in a condition so dilapidated and unclean that it is offensive to the community and declare it a "nuisance" that requires remedial action to remove and/or demolish the Building;
3. That Council, under the authority of Section 72 of the *Community Charter*, impose the remedial action requirements as set out in Schedule A to this Report (see attached);
4. That Council authorize Staff to take all appropriate actions in accordance with Section 17 of the *Community Charter* to ensure the Building and Lands are brought into compliance with the remedial action detailed in Schedule A subject to the following:
 - a. The property owner has not fully complied with the remedial action order on or before the compliance date specified in this Council Resolution; and
 - b. That all costs incurred by the City of Victoria to bring the property into compliance shall be at the expense of the property owner and, as per Section 17 of the Community Charter, these costs shall be treated as a debt owed to the City of Victoria;

5. That Council set the time limit for compliance with the remedial action detailed in Schedule A at 60 days commencing February 14, 2019;
6. That Council set the time limit for a notice of a request for Council to reconsider the remedial action requirements detailed in Schedule A at 60 days, commencing February 14, 2019.
7. That, in the event of non-compliance by the owner, Council authorize the City Solicitor, at his discretion, to initiate legal proceedings to enforce compliance with this remedial action requirement, including prosecution or proceedings seeking injunctive relief.

4. Call for a Public Inquiry

WHEREAS Peter German's 'Dirty Money' report commissioned by B.C.'s Attorney General, revealed significant money laundering taking place in casinos, estimating over \$100 million has been laundered in B.C.

AND WHEREAS the work of local investigative journalists, including findings from an RCMP study, has revealed links between money laundering, fentanyl distribution, and real estate. The Provincial Government continues to investigate these links, through an Expert Panel on Money Laundering, an anonymous tip portal, and a second study by Peter German to be completed in March 2019

AND WHEREAS in 2018, despite extensive harm reduction investments, there were record numbers of drug overdose deaths in B.C., and Victoria was among the top three cities with the highest number of deaths.

AND WHEREAS Victoria and British Columbia's housing affordability crisis has skyrocketed over recent years. Local housing costs exceed local incomes, and the gap between housing costs and local incomes has increased in recent years.

AND WHEREAS Charbonneau Commission deputy chief prosecutor Simon Tremblay has stated that an inquiry could exist side-by-side with any other investigation in B.C., as happened in Quebec. Meaning that existing investigations needn't be a barrier to beginning a larger Public Inquiry.

AND WHEREAS British Columbians are in favour of a public inquiry into money laundering. A Research Co poll last August showed that three-in-four residents (76%) believe the provincial government should "definitely" or "probably" call a public inquiry.

THEREFORE BE IT RESOLVED

1. THAT Council endorse a call for the Provincial Government to launch a Public Inquiry into money laundering in B.C., similar to the Charbonneau Inquiry in Quebec, to begin after Peter German's review of money- laundering in B.C. real estate, due in March.
2. THAT the Mayor write a letter to the Premier, the Minister of Finance, and the Attorney General, communicating the City of Victoria's support for a Public Inquiry.
3. THAT Council request the terms of reference for this Public Inquiry include:
 - i. Investigation into money laundering in BC real estate that may have deepened the housing affordability crisis;
 - ii. Investigation into links between organized crime, money laundering, and the overdose crisis, which resulted in the deaths of an average of one person dying every four days in Victoria, and nearly 1500 people across BC in 2018.