



MINUTES - COMMITTEE OF THE WHOLE

June 25, 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 Potts, Councillor Thornton-Joe, Councillor Dubow, Councillor Young
- PRESENT VIA ELECTRONIC PARTICIPATION:** Councillor Isitt
- STAFF PRESENT:** J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Director of Finance, C. Coates - City Clerk, 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, P. Bellefontaine - Acting Director of Engineering & Public Works, P. Rantucci - Head of Strategic Real Estate, S. Perkins - Head of Bylaw Services, M. Sandhu - Head of Service Innovation and Improvement, A. Meyer - Assistant Director of Development Services, A. Hudson - Assistant Director of Community Planning, J. Paul - Assistant Director of Engineering, 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, C. Moffat - Assistant City Solicitor, N. Reddington - Senior Cultural Planner, H. McKeil - Housing Planner, P. Angelblazer - Committee Secretary,
- GUESTS:** J. McEown - Senior Development Manager - BC Housing, R. Kwong - Provincial Director of Housing Hub - BC Housing

A. APPROVAL OF AGENDA

Councillor Young requested that I.1 Council Member Motion – Financial Contribution toward the City of New Westminster's Legal Costs, is pulled from the consent agenda.

Moved By Councillor Alto
Seconded By Councillor Potts

That the agenda be approved.

CARRIED UNANIMOUSLY

B. CONSENT AGENDA

Moved By Councillor Alto
Seconded By Councillor Dubow

That the following items be approved without further debate

CARRIED UNANIMOUSLY

C.1 Minutes from the meeting held May 21, 2020

Moved By Councillor Alto
Seconded By Councillor Dubow

That the minutes from the meeting held May 21, 2020 are adopted.

CARRIED UNANIMOUSLY

C.2 Minutes from the meeting held May 28, 2020

Moved By Councillor Alto
Seconded By Councillor Dubow

That the minutes from the meeting held May 28, 2020 are adopted.

CARRIED UNANIMOUSLY

F.2 1023 Tolmie - Update Report for Rezoning Application No. 00672 and Development Permit with Variances Application No. 00097 for 1023 Tolmie Avenue (Hillside-Quadra)

Council received a report dated June 11, 2020 from the Director of Sustainable Planning and Community Development advancing an application back to Committee of the Whole for consideration now that rezoning information signs have been installed on the subject property in accordance with the Land Use Procedures Bylaw. The report recommends the application is moved to a public hearing.

Moved By Councillor Alto
Seconded By Councillor Dubow

Rezoning Application No. 00672

That first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set for the proposed development outlined in Rezoning Application No. 00672 for 1023 Tolmie Avenue.

Development Permit with Variances No. 00097

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. 00627, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 00097 for 1023 Tolmie Avenue, in accordance with:

1. Plans date stamped April 6, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the front yard setback on the south lot from 6.0m to 4.2m to the building and 3.0m to the deck;
 - ii. reduce the rear yard setback on the south lot from 6.0m to 3.5m;
 - iii. reduce the south side yard setback on the south lot from 2.4m to 1.5m for any portion of a dwelling used for habitable space and which has a habitable window; and
 - iv. reduce the south side yard setback on the north lot from 2.4m to 1.73m for any portion of a dwelling used for habitable space and which has a habitable window.
3. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

D. PRESENTATIONS

D.1 BC Housing's Affordable Homeownership Program Memorandum of Understanding

Council received a report dated June 11, 2020 from the Director of Sustainable Planning and Community Development providing Council with information on BC Housing's new Affordable Home Ownership Program, which is administered by the HousingHub and to seek Council direction to execute an MOU with BC Housing.

Committee discussed the following:

- *Impact of high land value on the functioning of the program.*
- *Appreciation and discontent for a program which targets middle-income earners.*
- *Type of datasets that will be collected.*
- *Programs interaction with the inclusionary housing policy.*
- *Current state of the housing market.*

Moved By Councillor Thornton-Joe
Seconded By Mayor Helps

That Council authorize the Mayor and City Clerk to execute a memorandum of understanding ("MOU") with BC Housing, on the terms satisfactory to the City's Director of Sustainable Planning and Community Development, and in the form satisfactory to the City Solicitor, to guide the City of Victoria's participation in BC Housing's Affordable Home Ownership ("AHO") Program, generally in accordance with the following terms and conditions:

- a. that contributions by BC Housing in the form of below market construction financing, from the City in the form of extra density, parking and other zoning relaxations, and from the developer in the form of in-kind community amenity contributions, will be pooled to reduce the cost of home ownership to eligible participants;
- b. that for all AHO Program participants, homes will be sold to eligible purchasers at fair market value, but a portion of the purchase price (between 10% - 20%) will be covered by a 25 year interest free mortgage in favour of BC Housing (known as the second mortgage);
- c. that eligible purchasers must meet a number of eligibility criteria, principal among which is that their household income cannot exceed the 75th income percentile for families with children for units with two or more bedrooms, and for families without children for units with less than two bedrooms, as determined by BC Housing from time to time;
- d. that the second mortgage will not be repayable until the owner defaults on any mortgage registered against title, until there is a change of ownership to a non-qualifying buyer, or to a qualified buyer (through registration discharge of the existing mortgage and a new second mortgage on title of the new qualified buyer), or if the unit ceases to be the owner's principal residence during the first five years of ownership or the 25 year term ends;
- e. that when that mortgage is repayable, a percentage (between 10% - 20%) of the sale price equivalent to the percentage of the vendor's original purchase price secured by that mortgage will be payable to BC Housing;
- f. that once each year all such second mortgage proceeds collected by BC Housing will be transferred to the Victoria Housing Reserve Fund, less 2% to cover its administration costs; and

- g. that this MOU is non-binding and nothing in the MOU is to be construed as limiting Council, the City, or any City official in exercising their discretion with regard to any rezoning, permitting or subdivision of lands.

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

OPPOSED (1): Councillor Isitt

CARRIED (7 to 1)

D.2 First Triannual Accountability Report 2020

Council received a report dated June 19, 2020 from the City Manager providing Council with a summary of major highlights, accomplishments, and challenges for the period of January 1, 2020 to April 30, 2020.

Committee discussed the following:

- *Status updates for various strategic plan progress report items*

Committee recessed at 10:36 a.m. and reconvened at 10:42 a.m.

Moved By Mayor Helps
Seconded By Councillor Loveday

That Council receive this report for information.

CARRIED UNANIMOUSLY

E. UNFINISHED BUSINESS

E.1 Sheltering in Place

Committee received a verbal update from the Head of Bylaw Services concerning the current status of outdoor sheltering for vulnerable populations.

Committee discussed the following:

- *Hygiene services provided by the City and other stakeholders*
- *Mitigation of interactions within sheltering locations*
- *Map of authorized sheltering locations within the City with emphasis on Beacon Hill Park*
- *Ecologically and culturally sensitive areas within the park*
- *Community services offered at Beacon Hill Park*

Committee recessed at 12:25 p.m., and reconvened at 12:55 p.m.

E.1.2 Motion from the June 18, 2020 Committee of the Whole Meeting

Moved by Council Young

Seconded by Councillor Thornton-Joe

That the motion regarding Camping in Beacon Hill Park be lifted from the table

CARRIED UNANIMOUSLY

Moved By Councillor Young

Seconded By Councillor Thornton-Joe

That the temporary permission for daytime camping (erection of shelters between 7 am and 7 pm) in parks be ended on June 25. That beginning immediately temporary daytime camping be permitted only under the following conditions:

- Tents unoccupied for 24 hours will be removed, with property held for one week before disposal
- That tents be used only for sheltering and that the number of tents erected be limited to one per person or group
- That no furniture (except for easily portable camping furniture), pallets, trailers capable of highway travel or additional awnings, shelters etc. will be permitted
- Bicycles will be limited to one per person

Some existing prohibitions such as those on sheltering in environmentally sensitive areas and on the use of barbecues, generators, propane tanks and loud music systems appear not to be being enforced and the importance of these regulations for safety, environmental protection and the enjoyment of other park users should be stressed to staff. Similarly, existing bans on overnight parking and sleeping in vehicles should be enforced: clearly, those with vehicles available to them have a much greater range of choice available to them than do many other park users.

FOR (1): Councillor Young

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

DEFEATED (1 to 7)

Moved By Mayor Helps

Seconded By Councillor Potts

That Council reaffirms the existing direction, consistent with advice of Public Health Officials to reduce the risk of transmission of COVID-19, of sheltering-in-place through deferred enforcement of the 7am-7pm bylaw provision in locations where overnight sheltering is permitted until advice is received from the Provincial Health Officer or Island Health Medical

Officer that updates or changes the direction from the June 8th guidance from the BC Centre for Disease Control, "Responses to Homeless Encampment Health Issues in the Context of COVID-19"

Amendment:

Moved By Councillor Dubow

Seconded By Councillor Loveday

Direct staff to report back on access to basic needs such as clean water, hygiene, sanitation and basic services.

Amendment to the amendment:

Moved By Councillor Dubow

Seconded By Councillor Loveday

Direct staff to report back on July 9 on access to basic needs such as clean water, hygiene, sanitation and basic services.

CARRIED UNANIMOUSLY

On the amendment:

Moved By Councillor Dubow

Seconded By Councillor Loveday

Direct staff to report back July 9 on access to basic needs such as clean water, hygiene, sanitation and basic services.

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Thornton-Joe

Seconded By Councillor Loveday

The City Manager report back if more budget is required for staffing in relation to sheltering in parks.

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That the motion be brought back for consideration on July 23.

FOR (2): Councillor Thornton-Joe, and Councillor Young

OPPOSED (6): Mayor Helps, Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Potts, and Councillor Dubow

DEFEATED (2 to 6)

On the main motion as amended

Moved By Mayor Helps

Seconded By Councillor Potts

That Council reaffirms the existing direction, consistent with advice of Public Health Officials to reduce the risk of transmission of COVID-19, of sheltering-in-place through deferred enforcement of the 7am-7pm bylaw provision in locations where overnight sheltering is permitted until advice is received from the Provincial Health Officer or Island Health Medical Officer that updates or changes the direction from the June 8th guidance from the BC Centre for Disease Control, "Responses to Homeless Encampment Health Issues in the Context of COVID-19"

Direct staff to report back July 9 on access to basic needs such as clean water, hygiene, sanitation and basic services.

The City Manager report back if more budget is required for staffing in relation to sheltering in parks.

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

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

F. LAND USE MATTERS

F.1 1010 Fort Street - Update for Rezoning Application No. 00643 (Harris-Green)

Council received a report dated June 11, 2020 from the Director of Sustainable Planning & Community Development presenting Council with updated information, analysis and recommendations for an application to construct a 13-storey, mixed-use building with ground-floor retail and residential above. Staff recommend the application be declined.

Committee discussed the following:

- *Lack of public support for the project at various steps in the development approval process*
- *Street context of the application*
- *Land assembly challenges faced by the applicant*

Councillor Isitt withdrew from the meeting at 12:55 p.m., and returned at 1:17 p.m.

Moved By Councillor Thornton-Joe

Seconded By Councillor Dubow

That Council decline Rezoning Application No. 00643 for the property located at 1010 Fort Street.

That Council decline Development Permit with Variances Application No. 00079 for the property located at 1010 Fort Street.

CARRIED UNANIMOUSLY

F.3 2558 Quadra Street - Update to the Housing Agreement for Rezoning Application No. 00707

Council received a report dated June 11, 2020 from the Director of Sustainable Planning and Community Development presenting Council with updated information, analysis, and a recommendation to amend a previously passed Council motion to secure the building as rental for a term of 60 years.

Moved By Mayor Helps

Seconded By Councillor Thornton-Joe

That Council amend condition #2 in the March 12, 2020 Council resolution for the Rezoning Application No. 00707 at 2558 Quadra Street so that it reads:

1. Preparation and execution of a Housing Agreement for a term of 60 years to secure the building as rental, on terms to the satisfaction of the Director of Sustainable Planning and Community Development

CARRIED UNANIMOUSLY

G. STAFF REPORTS

G.1 COVID-19 Update (Verbal)

Council received a verbal update from the City Manager on actions that the City is undertaking as a part of the health and economic response of the City in regard to the COVID-19 Pandemic.

G.2 Everyday Creativity Grant Program

Council received a report dated June 15, 2020 from the Head of Business & Community Relations seeking Council approval to move forward with the new Everyday Creativity Grant program.

Moved By Councillor Loveday

Seconded By Councillor Alto

That Council:

1. Approves the new one-time Everyday Creativity Grant Program and Guidelines.
2. Approves a rolling intake until December 31, 2020 and authorizes the City Manager to approve the grants following the staff review process.
3. Direct staff to report back at the end of the year on grant allocations and evaluation of the grant program.

CARRIED UNANIMOUSLY

G.3 Ministerial Order M192 - Open Meetings Public Attendance

Council received a report dated June 22, 2020 from the City Clerk, presenting Council with information and recommendations in relation to the new Ministerial Order covering public attendance at meetings of Council and a reduction in the expedited adoption of Bylaws.

Committee discussed the following:

- *Possibilities for accommodating in-person participation.*
- *Impacts of accommodating members of the public in-person.*

Moved By Councillor Alto

Seconded By Councillor Dubow

That the meeting be extended until 2:15 p.m.

CARRIED UNANIMOUSLY

Moved By Mayor Helps

Seconded By Councillor Thornton-Joe

That Council, pursuant to Ministerial Order M192 of the Minister of Public Safety and Solicitor General, passed June 17, 2020, authorize that until there are changes to the restrictions on gatherings and social distancing requirements, all open meetings of Council, including Committee of the Whole shall be conducted without members of the public present in council chambers. That openness, transparency, accessibility and accountability of these meetings are ensured subject to the provision of:

1. Full live-stream webcasting and archived meetings on the City's website, including closed captioning services for all open meetings.
2. Public participation by electronic means for request to address council and question period for regular meetings of council.
3. Remote participation for opportunities for public comment and public hearings through:
 - a. Written submissions
 - b. Pre-recorded video submissions
 - c. Pre-registered speakers list (remote participation)
 - d. Real-time call-in during the hearing

CARRIED UNANIMOUSLY

I. NEW BUSINESS

I.1 Council Member Motion - Financial Contribution toward the City of New Westminster's Legal Costs

Council received a report dated June 18, 2020 from Councillor Isitt seeking Council authorization to contribute \$5,000 towards the City of New Westminster's legal costs in relation to the Business Regulations and Licensing (Rental Units) Bylaw No. 6926.

Moved By Councillor Isitt

Seconded By Councillor Loveday

That Council authorize an expenditure of \$5,000 from the 2020 contingency as a contribution toward the City of New Westminster's legal costs of defending an appeal in relation to the *Business Regulations and Licensing (Rental Units)* Bylaw No. 6926.

Amendment:

Moved By Councillor Alto

Seconded By Councillor Isitt

That Council authorize **staff to offer an expenditure** of \$5,000 from the 2020 contingency as a contribution toward the City of New Westminster's legal costs of defending an appeal in relation to the *Business Regulations and Licensing (Rental Units)* Bylaw No. 6926.

CARRIED UNANIMOUSLY

On the main motion as amended:

That Council authorize staff to offer an expenditure of \$5,000 from the 2020 contingency as a contribution toward the City of New Westminster's legal costs of defending an appeal in relation to the *Business Regulations and Licensing (Rental Units)* Bylaw No. 6926.

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

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

J. ADJOURNMENT OF COMMITTEE OF THE WHOLE

Moved By Councillor Loveday

Seconded By Councillor Thornton-Joe

That the Committee of the Whole Meeting be adjourned at 2:08 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR