



## MINUTES - COMMITTEE OF THE WHOLE

May 13, 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  
Due to the COVID-19 Pandemic, public access to City Hall is not permitted.

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

PRESENT  
ELECTRONICALLY: Councillor Alto, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts (arrived at 10:14 a.m.)

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Director of Finance, C. Kingsley - City Clerk, P. Bruce - Fire Chief, D. Manak – Chief Constable, T. Zworski - City Solicitor, J. Biem – Assistant City Solicitor, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhower - 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, C. Mycroft - Manager of Executive Operations, M. Sandhu - Head of Service Innovation & Improvement, P. Bellefontaine - Director of Engineering & Public Works, C. Wain – Senior Planner, 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 Thornton-Joe

**Seconded by** Councillor Alto

That item F.1 be moved to consent agenda

**CARRIED UNANIMOUSLY**

**Amendment:**

**Moved by** Councillor Thornton-Joe

**Seconded by** Councillor Alto

That item G.1 be moved to the Consent Agenda

**CARRIED UNANIMOUSLY**

*Councillor Dubow requested that item F.1 be removed from the Consent Agenda*

**On the main motion as amended:**

**CARRIED UNANIMOUSLY**

**B. CONSENT AGENDA**

**Moved By** Councillor Isitt

**Seconded By** Councillor Andrew

That the following items be approved without further debate

**CARRIED UNANIMOUSLY**

**G.1 Proposed Amendments to the Street and Traffic Bylaw - Accessible Parking**

Committee received a report dated April 15, 2021 from the Deputy City Manager and Chief Financial Officer regarding proposed amendments to the Streets and Traffic Bylaw to provide on-street parking free of charge, with a four-hour time limit, on Sundays for vehicles displaying disabled decals.

**Moved By** Councillor Isitt

**Seconded By** Councillor Andrew

That Council instruct the City Solicitor to bring forward amendments to the Streets and Traffic Bylaw to provide on-street parking free of charge, with a four-hour time limit, on Sundays for vehicles displaying disabled decals.

**CARRIED UNANIMOUSLY**

**G.3 2021 Community Garden Micro Grant Applications**

Committee received a report from the Director of Parks, Recreation and Facilities regarding Community Garden Micro Grants which are awarded to non-profit organizations to assist with the cost of supplies, materials, and equipment for community gardens.

**Moved By** Councillor Isitt

**Seconded By** Councillor Andrew

That Council:

1. Approve Community Garden Micro Grant applications for the following non-profit organizations:
  - a. Burnside Gorge Community Association (\$500)
  - b. Fairfield Gonzales Community Association (\$500)
  - c. Fernwood Neighbourhood Resource Group Society (\$500)
  - d. James Bay Neighbourhood Association (\$500)
  - e. Downtown Blanshard Advisory Committee (\$500)
  - f. Victoria West Community Association (\$485)
  - g. North Jubilee Neighbourhood Association (\$500)
  - h. Victoria Immigrant and Refugee Centre Society (\$500)
  - i. James Bay New Horizons (\$500)
2. Delegate authority to approve future Community Garden Micro Grants to the Director of Parks, Recreation and Facilities, to the satisfaction of the Chief Financial Officer

**CARRIED UNANIMOUSLY**

**G.4 Proposed Capital Regional District Liquid Waste Management Core Area and Western Communities Service Loan Authorization Bylaw No. 4375**

Committee received a report dated May 6, 2021 regarding a loan authorization bylaw for the CRD Liquid Waste Management Core Area and Western Communities Service Establishment Bylaw.

**Moved By** Councillor Isitt  
**Seconded By** Councillor Andrew

That Council:

1. Consent to the adoption of Capital Regional District Bylaw 4375, "Liquid Waste Management Core Area and Western Communities Service Loan Authorization Bylaw No. 2, 2020."
2. Forward this motion to the daytime Council meeting of May 13, 2021

**CARRIED UNANIMOUSLY**

**G.5 Proclamation - Deafblind Awareness Month**

Committee received a report dated May 7, 2021 from the City Clerk regarding the proclamation for Deafblind Awareness Month, June 2021.

**Moved By** Councillor Isitt  
**Seconded By** Councillor Andrew

That the Deafblind Awareness Month Proclamation be forwarded to the May 13, 2021 Council meeting for Council's consideration.

**CARRIED UNANIMOUSLY**

**G.6 Proclamation - Post Traumatic Stress Disorder Awareness Month**

Committee received a report dated May 7, 2021 from the City Clerk regarding the proclamation for Post Traumatic Stress Disorder Awareness Month, June 2021.

**Moved By** Councillor Isitt  
**Seconded By** Councillor Andrew

That the Post Traumatic Stress Disorder Awareness Month Proclamation be forwarded to the May 13, 2021 Council meeting for Council's consideration.

**CARRIED UNANIMOUSLY**

**G.7 Proclamation - Pride Week**

Committee received a report dated May 7, 2021 from the City Clerk regarding the proclamation for Pride Week, June 28 to July 4, 2021.

**Moved By** Councillor Isitt  
**Seconded By** Councillor Andrew

That the Pride Week Proclamation be forwarded to the May 13, 2021 Council meeting for Council's consideration.

**CARRIED UNANIMOUSLY**

**G.8 Proclamation - International Internal Audit Awareness Month**

Committee received a report dated May 11, 2021 from the City Clerk regarding a proclamation for International Internal Audit Awareness Month, May 2021.

**Moved By** Councillor Isitt  
**Seconded By** Councillor Andrew

That the International Internal Audit Awareness Month Proclamation be forwarded to the May 13, 2021 Council meeting for Council's consideration.

**CARRIED UNANIMOUSLY**

**G.9 Proclamation - Food Allergy Awareness Month**

Committee received a report dated May 12, 2021 from the City Clerk regarding a proclamation for Food Allergy Awareness Month, May 2021.

**Moved By** Councillor Isitt  
**Seconded By** Councillor Andrew

That the Food Allergy Awareness Month Proclamation be forwarded to the May 13, 2021 Council meeting for Council's consideration.

**CARRIED UNANIMOUSLY**

**I.2 Council Member Motion: Noise Bylaw Amendment to Prevent Use of Bird Deterrents**

Committee received a Council Member Motion dated May 10, 2021 from Councillor Isitt and Councillor Andrew regarding the proposed amendment to the Noise Bylaw to introduce regulations to prevent the use of bird deterrents.

**Moved By** Councillor Isitt  
**Seconded By** Councillor Andrew

That Council refer the following matter to staff, to report back on implications at the next Triennial Update:

“That Council direct staff to prepare amendments to the Noise Bylaw to introduce regulations to prevent the use of bird deterrents.”

**CARRIED UNANIMOUSLY**

**I.3 Council Member Motion: Resolution to Support the Pause of Recreational Hunting of Wolves in B.C**

Committee received a Council Member Motion dated May 10, 2021 from Councillor Andrew and Councillor Loveday regarding the proposed resolution to support the pause of recreational hunting of wolves in B.C.

**Moved By** Councillor Isitt  
**Seconded By** Councillor Andrew

That Council endorse the following resolution originally passed by the Town of Oak Bay:

That AVICC and UBCM request the provincial government to implement a moratorium on recreational wolf hunting on Vancouver Island, pending the completion of a scientific, data-driven and evidence-based study that includes consultation with the Island's Indigenous communities, to re-examine the efficacy of unrestricted wolf harvesting practices and their impacts on the Island's biodiversity, wildlife ecology and sustainability of the resident wolf population. And that Council request the Mayor write to the Minister of Forests, Lands, Natural Resource Operations, and Rural Development expressing support for Oak Bay's AVICC resolution.

**CARRIED UNANIMOUSLY**

**D. Presentations**

**D.1 VicPD Q1 Community Safety Report Card**

Committee received a presentation from the Chief Constable of the Victoria Police Department regarding the 2021 Q1 Community Safety Report Card.  
*Committee discussed the following:*

- *Despite fewer people downtown during the pandemic, calls have increased due to different types of calls.*
- *Public engagement is an important aspect of policing and VicPD has one officer assigned.*
- *FOI requests often come from other levels of government if police interactions cross into some area of their jurisdictions.*
- *More than 8000 volunteer hours among volunteers and reserve*
- *Training hours are reduced as only mandatory training is occurring during pandemic.*
- *Assertive Community Treatment Team has had number of officers reduced. VicPD is engaged with Saanich to assist in growing capacity of ACT Team*
- *Action plan to engage with diverse communities to improve relations*
- *CBSA is a partner agency like any other (Island Health etc.) but police, when answering a call for service, do not ask where people are from.*

*Councillor Potts joined the meeting at 10:14 a.m.*

**D.2 Closed Item at 10:15 a.m. – Law Enforcement – Community Charter Section 90(1)(f)**

**Moved By** Councillor Andrew  
**Seconded By** Councillor Dubow

MOTION TO CLOSE THE MAY 13, 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(1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:*

- *Section 90(1)(f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment*

**CARRIED UNANIMOUSLY**

**Law Enforcement – Community Charter Section 90 (1)(f)**

Committee discussed a law enforcement matter. The discussion was recorded and kept confidential.

The open meeting reconvened at 11:09 a.m.

**Moved by** Mayor Helps  
**Seconded by** Councillor Thornton-Joe

That Council allocate \$25,000 per month from the 2021 contingency for VicPD support of bylaw until bylaw no longer requires that support and request that bylaw report monthly to Council on the status of their requirement for police support of their work.

*Committee recessed at 11:10 a.m. and reconvened at 11:15 a.m.*

*Committee discussed the following:*

- *Festival grant funded officers to provide services at night before the pandemic when restaurants and bars were open*
- *VicPD does not have the resources to allocate officers to this initiative without funding*
- *Compassionate and well thought plan to provide indoor shelter appears to mostly be going smoothly with the majority of people seeking shelter*
- *Concerns about incremental asks for funding and a lack of addressing the root causes of homelessness or crime*

**Amendment:**

**Moved by** Councillor Alto

**Seconded by** Councillor Young

That Council allocate \$25,000 per month from the 2021 contingency for VicPD support of bylaw **until up to August 31, 2021** ~~until bylaw no longer requires that support~~ and request that bylaw report monthly to Council on the status of their requirement for police support of their work.

**Amendment to the amendment:**

**Moved by** Councillor Andrew

**Seconded by** Councillor Alto

That Council allocate \$25,000 per month from the 2021 contingency for VicPD support of bylaw **until up to September 30, 2021** ~~August 31, 2021~~ ~~until bylaw no longer requires that support~~ and request that bylaw report monthly to Council on the status of their requirement for police support of their work.

FOR (8): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Loveday, Councillor Thornton-Joe, Councillor Potts, Councillor Young  
OPPOSED (1): Councillor Isitt

**CARRIED (8 to 1)**

**Amendment to the amendment:**

**Moved by** Councillor Loveday

**Seconded by** Councillor Thornton-Joe

That Council allocate \$25,000 per month from the 2021 contingency for VicPD support of bylaw **until up to September 30, 2021** and request that bylaw report

monthly to Council on the status of their requirement for police support of their work **and that these funds be reimbursed from the UBCM grant if received.**

**CARRIED UNANIMOUSLY**

**On the amendment:**

**CARRIED UNANIMOUSLY**

**On the main motion as amended:**

That Council allocate \$25,000 per month from the 2021 contingency for VicPD support of bylaw until up to September 30, 2021 and request that bylaw report monthly to Council on the status of their requirement for police support of their work and that these funds be reimbursed from the UBCM grant if received.

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

OPPOSED (2): Councillor Dubow, Councillor Isitt

**CARRIED (7 to 2)**

**E. UNFINISHED BUSINESS**

**E.1 Council Member Motion: Task Force on Sexual Abuse**

Committee received a Council Member Motion dated March 29, 2021 from Councillor Andrew regarding the proposed establishment of a task force on Sexual Abuse, that was referred from the April 1, 2021 Committee of the Whole meeting.

**Moved By** Councillor Andrew

That Council establish a Task Force to include survivors, advocates, police, the justice system and other appropriate entities and individuals to seek recommendations that:

- remove barriers to the reporting of sexual violence,
- establish reporting systems other than policing as the front line of reporting of sexual violence
- improve and increase capacity of investigations of sexual violence,
- improve care and support for victims of sexual violence.

**Motion to Postpone:**

**Moved by** Councillor Thornton-Joe

**Seconded by** Councillor Isitt

That this item be postponed until later when other Council Member Motions are considered

**CARRIED UNANIMOUSLY**

## **E.2 Bank Street School Building - Proposed Partnership**

Committee considered a motion regarding the Bank Street School Building that was forwarded from the May 6, 2021 Closed Council meeting.

*Committee discussed the following:*

- *The importance of this historic building and need to protect it for the community*
- *The responsibility of heritage protection that lies with the municipality*

## **E.2 Closed Item at 12:15 p.m. – Legal Advice – Community Charter Section 90(1)(i)**

**Moved By** Councillor Isitt

**Seconded By** Councillor Thornton-Joe

MOTION TO CLOSE THE MAY 13, 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(1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:*

- *Section 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose*

**CARRIED UNANIMOUSLY**

### **Legal Advice – Community Charter Section 90(1)(i)**

Committee discussed a legal matter. The discussion was recorded and kept confidential.

The open meeting reconvened at 12:31 p.m.

*Committee recessed at 12:31 p.m. and reconvened at 1:17 p.m.*

**Moved By** Mayor Helps

**Seconded By** Councillor Loveday

That Council requests that staff engage School District 61, to propose a partnership and offer municipal financial assistance to restore the Bank Street School building (1623-1625 Bank Street) for educational and community use.

**CARRIED UNANIMOUSLY**

**F. LAND USE MATTERS**

**F.1 1210 Topaz Avenue: Development Variance Permit Application No. 00264 (Hillside - Quadra)**

Committee received a report dated April 29, 2021 from the Director of Sustainable Planning and Community Development regarding information, analysis and recommendations for a Development Variance Permit Application for the property located at 1210 Topaz Avenue.

*Councillor Dubow withdrew from the meeting at 1:20 p.m. due to a non-pecuniary conflict of interest with the following item as he has been a volunteer at an organization located at the site in question.*

**Moved By** Councillor Isitt  
**Seconded By** Councillor Thornton-Joe

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 Variance Permit Application No. 00264 for 1210 Topaz Avenue, in accordance with:

1. Plans date stamped April 23, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. reduce the rear yard setback from 18.3m to 8.58m;
  - ii. reduce the east side yard setback from 4.97m to 2.19m; and
  - iii. reduce the number of vehicle parking from 36 stalls to 35 stalls.
3. The Development Permit lapsing two years from the date of this resolution.”

**CARRIED UNANIMOUSLY**

**F.2 975 & 983 Pandora Avenue: Rezoning Application No. 00683 and Development Permit with Variances Application No. 000543 (Downtown)**

Committee received a report dated April 29, 2021 from the Director of Sustainable Planning and Community Development regarding rezoning Application no. 00683 and Development Permit with Variances Application No. 000543 for 975 and 983 Pandora Avenue.

*Councillor Dubow returned to the meeting at 1:26 p.m.*

**Moved By** Mayor Helps  
**Seconded By** Councillor Thornton-Joe

**Rezoning Application No. 00683**

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00683 for 975 and 983 Pandora Avenue and 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. Minor plan revisions as detailed in concurrent Development Permit with Variances Application No. 000543.
2. Preparation and execution of legal agreements, in a form satisfactory to the City Solicitor, to:
  - a. Secure all of the dwelling units in the building as rental for the greater of 60 years or the life of the building and that rental periods are 30 days or more, to the satisfaction of the Director of Sustainable Planning and Community Development.
  - b. Secure the two-bedroom, two-bedroom plus den, three-bedroom, four-bedroom and five-bedroom units generally in accordance with the Plans dated February 16, 2021, to the satisfaction of the Director of Sustainable Planning and Community Development.
  - c. Restrict strata titling of the building, to the satisfaction of the Director of Sustainable Planning and Community Development.
  - d. Secure the design, supply and installation of the City's Downtown Public Realm Plan and Streetscape Standards (DPRP) (specifically, the 'New Town District'), including furnishings, materials and pedestrian lights along the Vancouver Street and Pandora Avenue frontages, to the satisfaction of the Director of Engineering and Public Works.
  - e. Secure the installation of the protected bike lane improvements adjacent the Vancouver Street frontage, as per the City's Bicycle Master Plan to the satisfaction of the Director of Engineering and Public Work.
  - f. Secure the design, supply and installation of a stormwater management soil cell infiltration system in the boulevard on Vancouver Street for treatment of road runoff, to the satisfaction of the Director of Engineering and Public Works.
  - g. Secure soil cells for all municipal street trees on Vancouver Street, to specifications (including soil volume and depth) to the satisfaction of the Director of Parks, Recreation and Facilities.

#### **Development Permit with Variances Application No. 000543**

That, subject to minor plan revisions to address the following:

- a. Corrections to the paving patterns and street furnishings consistent with the Downtown Public Realm and Streetscape Plan to the satisfaction of the Director of Engineering and Public Works.
- b. Clarification of the details on the preliminary Utilities Plan to the satisfaction of the Director of Engineering and Public Works.
- c. Further details regarding the double vehicle access gate system and staging area for garbage and waste collection to the satisfaction of the Director of Engineering and Public Works.
- d. Corrections to irrigation system, street trees and planting schedules, to the satisfaction of the Director of Parks, Recreation and Culture.
- e. Further consideration of the fence design and application of building materials at the street level along Pandora Avenue to ensure a positive pedestrian experience, to the satisfaction of the Director of Sustainable Planning and Community Development.

- f. Incorporation of perimeter wind screens on the south side of the lower level amenity spaces and on the terraces of level 14 as recommended in the Pedestrian Wind Assessment.
  - g. Confirmation of whether CREST would be required to occupy equipment on the roof level for a new communication transmission site, to the satisfaction of the Fire Chief.
  - h. Corrections to plans to ensure the compliance with the BC Building Code.
- And 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. 00683, if it is approved, consider the following motion:

“That subject to receipt of a letter from the Ministry of Environment confirming that the landowner has met the requirements of Section 557(2) of the Local Government Act with respect to contaminated sites that Council authorize the issuance of Development Permit with Variances Application No. 000543 for 975 and 983 Pandora Avenue in accordance with:

1. Plans date stamped February 12, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. Increase the height from 45m to 47.68m
  - ii. Increase the number of storeys from 15 storeys to 16 storeys
  - iii. Increase the height of the proposed breezeway fence from 1.22m to 3.12m.
3. Final plans to be generally in accordance with plans date stamped February 12, 2021.
4. The Development Permit lapsing two years from the date of this resolution.”

*Committee discussed the following:*

- *Co-living units will allow people who live downtown to have an option for more affordable walkable accommodation*
- *Sequoia tree will be retained*
- *Requirements for a land lift are not needed for this application*
- *Co-living units can be rented at a lower rent equal to the median income bracket of the Housing Strategy*
- *Tenancies are likely to be individual rather than for an entire unit.*
- *The history of the church that was previously on-site*
- *The building width is likely necessary to accommodate the co-living model*
- *Co-living provides an interesting model that is unique to taller towers in Victoria*
- *Under current bylaws people can rent their bedrooms including rental units on short-term vacation rental websites*

**Amendment:**

**Moved by** Councillor Isitt

**Seconded by** Councillor Dubow

That staff revisit the issue of providing affordability of the co-living units in the form of a housing agreement with the City.

FOR (4): Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts  
OPPOSED (5): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Thornton-Joe, Councillor Young

**DEFEATED**

**Motion to extend the meeting:**

**Moved by** Councillor Andrew  
**Seconded by** Councillor Thornton-Joe

That the meeting be extended to 3:00 p.m.

**CARRIED UNANIMOUSLY**

**Amendment:**

**Moved by** Councillor Thornton-Joe  
**Seconded by** Councillor Isitt

That Council request that the applicant provide more information on the co-living model and information regarding affordability.

FOR (5): Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Thornton-Joe, Councillor Potts  
OPPOSED (4): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Young

**CARRIED (5 to 4)**

**On the main motion as amended:**

**CARRIED UNANIMOUSLY**

**F.3 510 Pandora Avenue: Application for a Structural Change to Increase Occupant Load for Swans Pub, Liquor Primary License (Downtown)**

Committee received a report dated January 11, 2021 from the Director of Sustainable Planning and Community Development regarding the proposal by Swans Pub located at 510 Pandora Avenue for a structural change to increase the occupant load of their existing liquor primary licence.

**Moved By** Mayor Helps  
**Seconded By** Councillor Young

That Council direct staff to provide the following response to the Liquor and Cannabis Regulation Branch,

1. That Council, after conducting a review with respect to noise and community impacts, does support the application of Swans Pub located at 510 Pandora

Avenue to increase the occupant load from 171 to 282 people with no change to hours of operation which are 9:00 am to 2:00 am daily.

Providing the following comments on the prescribed considerations:

- a. The impact of noise on the community in the vicinity of the establishment has been considered in relation to the request, and assumptions are that the noise impacts would be negligible as the increased occupant load affects interior space only, and the establishment has a reputation of responsible operation. The requested hours of operation in conjunction with the proposed occupant load are not expected to result in negative impacts to the community.
- b. If the application is approved, the impact on the community is expected to be positive economically as the approval supports the business plan and long-term viability of the establishment.
- c. The views of residents were solicited via a mail-out which included 1313 letters to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice was posted at the property. In response to the notification, a total of ten written responses were received, of which seven expressed opposition including one from the Downtown Residents Association, and three expressed support.
- d. Council recommends that the license be approved.
- e. The patio is located on City property and is subject to Swans Pub maintaining a proper licence agreement for the occupation of City property

**F.3 Closed Item at 2:39 p.m. – Legal Advice – Community Charter Section 90(1)(i)**

**Moved By** Councillor Isitt

**Seconded By** Councillor Andrew

**MOTION TO CLOSE THE MAY 13, 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(1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:*

- *Section 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose*

**CARRIED UNANIMOUSLY**

**Legal Advice – Community Charter Section 90(1)(i)**

Committee discussed a legal matter. The discussion was recorded and kept confidential.

The open meeting reconvened at 2:49 p.m.

*Committee discussed the following:*

- *The need for a comprehensive liquor policy*

**Motion to extend the meeting:**

**Moved by** Councillor Andrew

**Seconded by** Councillor Young

That the meeting be extended until 4:00 p.m.

**CARRIED UNANIMOUSLY**

**On the motion:**

IN FAVOUR (7): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Loveday, Councillor Potts, Councillor Young

OPPOSED (2): Councillor Isitt, Councillor Thornton-Joe

**CARRIED (7 to 2)**

**F.4 63-560 Johnson Street: Application for a Structural Change to a Lounge Endorsement for a Manufacturing Licence (Downtown)**

Committee received a report dated April 9, 2021 regarding an application by Whistle Buoy Brewing Company (WBBC) for a structural change to a lounge endorsement for a manufacturing licence at #63 – 560 Johnson Street.

*Committee discussed the following:*

- *This is a good use of space in Market Square*
- *The requirement for a good neighbour agreement comes into play when there are pre-existing problems or complaints*

**Moved By** Councillor Andrew

**Seconded By** Councillor Isitt

That Council direct staff to provide the following response to the Liquor and Cannabis Regulation Branch:

1. That Council, after conducting a review with respect to noise and community impacts, does support the application of Whistle Buoy Brewing Company at #63 – 560 Johnson Street for a structural change to a lounge endorsement for a manufacturing licence, to increase the interior and exterior floor areas to allow for an increase the occupant load by 55 people, with existing hours of operation from 11:00 am to 11:00 pm Monday through Wednesday and 11:00 am to 12:00 am Thursday through Sunday.

The following comments are provided on the prescribed considerations:

- a. The impact of noise on the community near the establishment was considered in relation to the request. Whistle Buoy Brewing Company is licenced under a manufacturers licence and service of alcohol to patrons

- is done through a lounge endorsement. Service of alcohol cannot exist in absence of the manufacturing licence. Approval of the licence is not expected to result in unacceptable levels of noise.
- b. If the application is approved, it is anticipated to have a positive economic impact on the community as the approval supports the business's plan to provide a unique and local craft beer experience, and employment in the city.
  - c. The views of residents were solicited through a mailout to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. In response to the notification that went to 1,352 owners and occupants, the City received 96 pieces of correspondence, and 93 letters stated support which included one from the Downtown Residents Association and 3 letters expressed opposition.
  - d. Council recommends the licence be approved.

**CARRIED UNANIMOUSLY**

**F.5 27-560 Johnson Street: Application for a New Liquor Primary License for Artemis (Downtown)**

Committee received a report dated April 14, 2021 from the Director of Sustainable Planning and Community Development regarding an application by Artemis for a Liquor Primary licence at #27 – 560 Johnson Street.

**Moved By** Councillor Andrew  
**Seconded By** Councillor Alto

That Council direct staff to provide the following response to the Liquor and Cannabis Regulation Branch:

1. That Council, after conducting a review with respect to noise and community impacts, does support the application of Artemis located at #27 – 560 Johnson Street having hours of operation from 11:00 am to 11:00 pm Monday through Thursday, 11:00 am to 12:00 am Friday and Saturday, and 11:00 am to 10:00 pm Sunday with a total occupant load of 110 people.

The following comments are provided regarding the prescribed considerations:

- a. The impact of noise on the community near the establishment was considered in relation to the request, and the proposed hours, occupant load, and location are compatible with the area. Approval of the licence is not expected to result in unacceptable levels of noise.
- b. If the application is approved, it is anticipated to have a positive economic impact on the community as the approval supports the viability of the business as a local employer.
- c. The views of residents were solicited through a mailout to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. In response to the notification that went to 1,352 owners and occupants, the City received 1 piece of correspondence in support of the application from the Downtown Residents Association.
- d. Council recommends the license be approved.

**CARRIED UNANIMOUSLY**

**G. STAFF REPORTS**

**G.2 Options to Salvage Reusable Materials from Building Deconstruction**

Committee received a report dated April 29, 2021 from the Director of Engineering and Public Works regarding options to motivate the salvage of reusable and recyclable materials from building demolitions to enhance the well-being of the community.

*Councillor Andrew withdrew from the meeting at 3:12 p.m.*

*Councillor Andrew returned to the meeting at 3:33 p.m.*

**Moved By** Mayor Helps  
**Seconded By** Councillor Thornton-Joe

That Council direct staff to:

1. Bring forward a draft bylaw to motivate the salvage of reusable and recyclable materials from an initial subset of building demolitions where the structure is being replaced with a new single-family dwelling or duplex.
2. Report back with outcomes, lessons, and future expansion of the material salvage regulation to additional building types after review of initial implementation and further industry consultation.
3. Consider one-time funding of \$90,000 as part of the 2022 financial planning process to design and configure the regulatory administrative system and develop industry supporting training and communication resources.

*Committee discussed the following:*

- *The benefits of deconstruction to the circular economy*
- *The possibility of using old materials that may not necessarily be heritage but could be used by people looking for older items for renovations*
- *The availability of contractors to do this work*

**Amendment:**

**Moved by** Mayor Helps  
**Seconded by** Councillor Dubow

4. That Council request the mayor send this report to all Mayors and Councils around the region, indicate a willingness to share Victoria's bylaw once drafted as a model bylaw, and request that each municipality consider adopting the same bylaw. And that the letter be cc'd to the CRD Board Chair.

IN FAVOUR (7): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe  
OPPOSED (2): Councillor Andrew, Councillor Young

**CARRIED (7 to 2)**

**Amendment:**

**Moved by** Councillor Isitt

**Seconded by** Councillor Loveday

1. Bring forward a draft bylaw to motivate the salvage of reusable and recyclable materials from an initial subset of building demolitions where the structure **that is being demolished is a** ~~is being replaced with a new single-family dwelling or duplex.~~

**Motion to extend:**

**Moved by** Councillor Loveday

**Seconded by** Councillor Dubow

That the meeting be extended until 4:30 p.m.

**CARRIED UNANIMOUSLY**

**Amendment to the amendment:**

**Moved by** Councillor Loveday

**Seconded by** Mayor Helps

1. Bring forward a draft bylaw to motivate the salvage of reusable and recyclable materials from an initial subset of building demolitions where the structure **that is being demolished is a** ~~is being replaced with a new single-family dwelling or duplex.~~
2. **That this bylaw be applied to the demolition of all single family dwellings at a set deadline occurring after the initial bylaw comes into effect.**

**On the amendment to the amendment:**

IN FAVOUR (8): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton Joe

OPPOSED (1): Councillor Young

**CARRIED (8 to 1)**

**On the amendment:**

IN FAVOUR (8): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton Joe

OPPOSED (1): Councillor Young

**CARRIED (8 to 1)**

**On the main motion as amended:**

1. Bring forward a draft bylaw to motivate the salvage of reusable and recyclable materials from an initial subset of building demolitions where the structure that is being demolished is a single-family dwelling or duplex.
2. That this bylaw be applied to the demolition of all single family dwellings at a set deadline occurring after the initial bylaw comes into effect.
3. Report back with outcomes, lessons, and future expansion of the material salvage regulation to additional building types after review of initial implementation and further industry consultation.
4. Consider one-time funding of \$90,000 as part of the 2022 financial planning process to design and configure the regulatory administrative system and develop industry supporting training and communication resources.
5. That Council request the mayor send this report to all Mayors and Councils around the region, indicate a willingness to share Victoria's bylaw once drafted as a model bylaw, and request that each municipality consider adopting the same bylaw. And that the letter be cc'd to the CRD Board Chair.

IN FAVOUR (8): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton Joe

OPPOSED (1): Councillor Young

**CARRIED (8 to 1)**

**Motion to refer:**

**Moved by** Councillor Thornton-Joe

**Seconded by** Councillor Young

That items E.1 and I.1 be referred to the May 13, 2021 Council Agenda as New Business

**CARRIED UNANIMOUSLY**

**J. ADJOURNMENT OF COMMITTEE OF THE WHOLE**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Alto

That the Committee of the Whole Meeting be adjourned at 4:27 p.m.

**CARRIED UNANIMOUSLY**

---

CITY CLERK

---

MAYOR

DRAFT