



MINUTES - COMMITTEE OF THE WHOLE

June 3, 2021, 9:00 A.M.

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

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

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

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

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Director of Finance, P. Bruce - Fire Chief, T. Zworski - City Solicitor, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhauer - Head of Engagement, J. Jensen - Head of Human Resources, K. Hoese - Director of Sustainable Planning and Community Development, A. Meyer - Assistant Director of Development Services, C. Havelka - Deputy City Clerk, L. Van Den Dolder - Assistant City Solicitor, J. Biem - Assistant City Solicitor, K. Moore - Head of Business and Community Relations, S. Perkins - Manager of Bylaw & Licensing, C. Mycroft - Manager of Executive Operations, G. Milne - Head of Strategic Operations, P. Rantucci - Head of Strategic Real Estate, M. Sandhu - Head of Service Innovation & Improvement, P. Bellefontaine - Director of Engineering & Public Works, S. Stoltz - Committee Secretary

Mayor Helps acknowledged the tragedy of the 215 children who died at the former Kamloops Indian Residential School with a moment of silence.

A. **APPROVAL OF AGENDA**

Moved By Councillor Andrew
Seconded By Councillor Thornton-Joe

That the agenda be approved.

Amendment:

Moved By Mayor Helps
Seconded By Councillor Thornton-Joe

That a sharing item be added to the agenda.

That the items proposed on the consent agenda be removed from the consent agenda.

CARRIED UNANIMOUSLY

On the main motion as amended:

CARRIED UNANIMOUSLY

Mayor's Sharing

Mayor Helps took a moment to recognize and to thank North Park businesses and many others for stepping up to help their stranded neighbours after the May 26 apartment fire.

C. READING OF MINUTES

C.1 Minutes from the meeting held April 15, 2021

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That the minutes from the COTW meeting held April 15, 2021 be adopted.

CARRIED UNANIMOUSLY

C.2 Minutes from the meeting held May 6, 2021

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That the minutes from the Committee of the Whole meeting held May 6, 2021 be adopted with the noted corrections.

CARRIED UNANIMOUSLY

Motion to go into a closed Committee of the Whole meeting at 9:13 a.m.

Moved By Councillor Isitt
Seconded By Councillor Andrew

MOTION TO CLOSE THE JUNE 3, 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 advice matter.

The conversation and motions were recorded and kept confidential.

The open Committee of the Whole meeting reconvened at 9:15 a.m.

E. LAND USE MATTERS

E.1 931 McClure Street – Rezoning Application No. 00669 and Development Permit with Variances Application No. 00127 (Fairfield)

Committee received a report dated May 20, 2021 from the Director of Sustainable Planning and Community Development regarding the Rezoning Application 00669 and Development Permit with Variances application No. 00127 for the property located at 931 McClure Street in order to construct a five-storey building with approximately 15 dwelling units, and recommending that it move forward to a Public Hearing.

Moved By Mayor Helps
Seconded By Councillor Alto

Rezoning Application No. 00669 for 931 McClure Street

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00669 for 931 McClure Street, 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. Revisions to the proposed rooftop decks to address potential privacy impacts, to the satisfaction of the Director of Sustainable Planning and Community Development.
2. Preparation and execution of legal agreements for the following, in a form satisfactory to the City Solicitor and the Director of Sustainable Planning and Community Development:
 - a. to ensure that future strata bylaws cannot restrict the rental of units to non-owners (except for two below-market ownership units)
 - b. to secure two one-bedroom units as below-market housing (below market housing offered for sale at 15% below market rate, in perpetuity) with the Capital Regional District
 - c. to secure a commitment to building design and construction meeting Step 4 of the BC Energy Step Code
 - d. to secure the following transportation demand management measures:
 - i. one car share membership per dwelling unit;

- ii. five hundred dollars in car share usage credits per membership; and
 - iii. five long term bicycle parking stalls in addition to the requirements under Schedule C of the Zoning Regulation Bylaw.
3. Secure a community amenity contribution in the amount of \$11,568.75 towards the Local Amenities Fund, to the satisfaction of the Director of Sustainable Planning and Community Development.

Development Permit with Variances Application No. 00127

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. 00669, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variances Application No. 00127 for 931 McClure Street, in accordance with:

1. Plans date stamped April 15, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. increase the maximum site coverage from 60% to 72%;
 - ii. reduce the minimum parking requirement from 19 stalls to ten stalls;
 - iii. reduce the minimum rear yard setback from 4.0m to 1.12m (first storey and balconies) and 3.0m (above the first storey);
 - iv. reduce the front setback from 5.0m to 0m for the front stairs and 2.25m for balconies;
 - v. increase the building height from 15.5m to 16.0 (main roof) and to 18.87m (roof access).
3. The Development Permit lapsing two years from the date of this resolution.”

Committee discussed:

- *Challenges regarding accessibility and lighting plans*
- *The desire for a more current community response on the application*
- *Support for the redesign, but concerns regarding the lot size*
- *Concerns related to escalating construction costs*

Moved by Councillor Isitt

Seconded By Councillor Dubow

That Council refer this matter to staff to work with the applicant to address concerns that have been raised by adjacent residents and report back to Council.

FOR (5): Councillor Young, Councillor Andrew, Councillor Thornton-Joe, Councillor Isitt, Councillor Dubow

OPPOSED (4): Mayor Helps, Councillor Potts, Councillor Alto, Councillor Loveday

CARRIED (5 to 4)

Committee recessed at 10:25 a.m.

Committee reconvened at 10:32 a.m.

E.2 610 - 624 Herald Street and 611 - 635 Chatham Street - Development Permit with Variances Application No. 00156 (Downtown)

Councillor Isitt recused himself at 10:35 a.m. due to a non-pecuniary conflict of interest, as he is the director of a society that's a tenant of a nearby building.

Committee received a report dated May 20, 2021 from the Director of Sustainable Planning and Community Development regarding the Development Permit with Variance Application No. 00156 for the properties located at 610-624 Herald Street and 611-635 Chatham Street in order to construct two buildings that range in height from four to six storeys with ground floor commercial units as well as approximately 278 residential units, and recommending that it move forward to an opportunity for public comment.

Committee discussed:

- *Parking, and how it will fit into the area; proposal is providing more parking than what is required*

Moved By Councillor Andrew

Seconded By Councillor Thornton-Joe

That, subject to the preparation and execution of legal agreements to secure all residential units as rental, to the satisfaction of the Director of Planning and minor public realm plan corrections, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 00156 for 610 - 624 Herald Street and 611 - 635 Chatham Street, in accordance with:

1. Plans date stamped May 14, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - i. increase building height to 21.1m.
3. Registration of legal agreements on the property's title to secure all residential units as rental for 60 years or the life of the building, to the satisfaction of City Staff.
4. Council authorizing the street-level projecting canopies over the City Right-of-Way on Herald, Chatham and Government Streets, 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.
5. Council authorizing anchor-pinning in the City right-of-way, with form and contents satisfactory to the City Solicitor and the Director of Engineering and Public Works.
6. The Development Permit lapsing two years from the date of this resolution.”

Committee discussed:

- *Market value of the units; it is proposed as market rentals at this time*
- *Fits within the context of the town; rejuvenation of old town, appropriate design*

Amendment:

Moved By Councillor Thornton-Joe

Seconded By Mayor Helps

That, subject to the preparation and execution of legal agreements to secure all residential units as rental, to the satisfaction of the Director of Planning and minor public realm plan corrections, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 00156 for 610 - 624 Herald Street and 611 - 635 Chatham Street, in accordance with:

1. Plans date stamped May 14, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - i. increase building height to 21.1m.
3. Registration of legal agreements on the property's title to secure all residential units as rental for 60 years or the life of the building, to the satisfaction of City Staff.
4. Council authorizing the street-level projecting canopies over the City Right-of-Way on Herald, Chatham and Government Streets, 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.
5. Council authorizing anchor-pinning in the City right-of-way, with form and contents satisfactory to the City Solicitor and the Director of Engineering and Public Works.
6. **That the mural be changed to reflect the Old Town and Chinatown neighborhood, history, and culture.**
7. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY

Committee discussed:

- *Whether or not other buildings' views would be obscured by this building*
- *Concerns with the omissions of Chinese culture in the building design*

Amendment:

Moved By Councillor Thornton-Joe

Seconded By Councillor Andrew

That, subject to the preparation and execution of legal agreements to secure all residential units as rental, to the satisfaction of the Director of Planning and minor public realm plan corrections, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 00156 for 610 - 624 Herald Street and 611 - 635 Chatham Street, in accordance with:

1. Plans date stamped May 14, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - i. increase building height to 21.1m.
3. Registration of legal agreements on the property's title to secure all residential units as rental for 60 years or the life of the building, to the satisfaction of City Staff.
4. Council authorizing the street-level projecting canopies over the City Right-of-Way on Herald, Chatham and Government Streets, 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.
5. Council authorizing anchor-pinning in the City right-of-way, with form and contents satisfactory to the City Solicitor and the Director of Engineering and Public Works.
6. That the mural be changed to reflect the Old Town and Chinatown neighborhood, history, and culture.
7. **Further consideration of diversifying the brick colours in the project and make colours and design elements more consistent with those found in Chinatown.**
8. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY

Committee discussed:

- *How the application is consistent with the Old Town guidelines and Official Community Plan*

Amendment:

Moved By Councillor Thornton-Joe

Seconded By Councillor Dubow

That, subject to the preparation and execution of legal agreements to secure all residential units as rental, to the satisfaction of the Director of Planning and minor public realm plan corrections, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 00156 for 610 - 624 Herald Street and 611 - 635 Chatham Street, in accordance with:

1. Plans date stamped May 14, 2021.

2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - i. increase building height to 21.1m.
3. Registration of legal agreements on the property's title to secure all residential units as rental for 60 years or the life of the building, to the satisfaction of City Staff.
4. Council authorizing the street-level projecting canopies over the City Right-of-Way on Herald, Chatham and Government Streets, 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.
5. Council authorizing anchor-pinning in the City right-of-way, with form and contents satisfactory to the City Solicitor and the Director of Engineering and Public Works.
6. That the mural be changed to reflect the Old Town and Chinatown neighborhood, history, and culture.
7. Further consideration of diversifying the brick colours in the project and make colours and design elements more consistent with those found in Chinatown.
8. **Further consideration of adherence to Old Town and in particular Chinatown guidelines**
9. The Development Permit lapsing two years from the date of this resolution."

Amendment to the amendment:

Moved By Councillor Thornton-Joe

Seconded By Councillor Dubow

That, subject to the preparation and execution of legal agreements to secure all residential units as rental, to the satisfaction of the Director of Planning and minor public realm plan corrections, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00156 for 610 - 624 Herald Street and 611 - 635 Chatham Street, in accordance with:

1. Plans date stamped May 14, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - i. increase building height to 21.1m.
3. Registration of legal agreements on the property's title to secure all residential units as rental for 60 years or the life of the building, to the satisfaction of City Staff.
4. Council authorizing the street-level projecting canopies over the City Right-of-Way on Herald, Chatham and Government Streets, 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.
5. Council authorizing anchor-pinning in the City right-of-way, with form and contents satisfactory to the City Solicitor and the Director of Engineering and Public Works.
6. That the mural be changed to reflect the Old Town and Chinatown neighborhood, history, and culture.

7. Further consideration of diversifying the brick colours in the project and make colours and design elements more consistent with those found in Chinatown.
8. **Further consideration of adherence to Old Town and in particular Chinatown guidelines in relation to Section 2.4 character defining elements, Section 4 Rhythm of buildings in Old Town, and Section 5.3 8 in consideration of corner lots.**
9. The Development Permit lapsing two years from the date of this resolution.”

FOR (1): Councillor Thornton-Joe

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

DEFEATED (1 to 7)

Amendment to the amendment:

Moved By Councillor Thornton-Joe

Seconded By Councillor Dubow

That, subject to the preparation and execution of legal agreements to secure all residential units as rental, to the satisfaction of the Director of Planning and minor public realm plan corrections, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 00156 for 610 - 624 Herald Street and 611 - 635 Chatham Street, in accordance with:

1. Plans date stamped May 14, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - i. increase building height to 21.1m.
3. Registration of legal agreements on the property’s title to secure all residential units as rental for 60 years or the life of the building, to the satisfaction of City Staff.
4. Council authorizing the street-level projecting canopies over the City Right-of-Way on Herald, Chatham and Government Streets, 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.
5. Council authorizing anchor-pinning in the City right-of-way, with form and contents satisfactory to the City Solicitor and the Director of Engineering and Public Works.
6. That the mural be changed to reflect the Old Town and Chinatown neighborhood, history, and culture.
7. Further consideration of diversifying the brick colours in the project and make colours and design elements more consistent with those found in Chinatown.
8. **Further consideration of subtle enhancements to adhere adherence to Old Town and in particular Chinatown guidelines**
9. The Development Permit lapsing two years from the date of this resolution.”

FOR (4): Councillor Dubow, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe

OPPOSED (4): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Young,

DEFEATED (4 to 4)

On the amendment:

FOR (3): Councillor Dubow, Councillor Loveday, Councillor Thornton-Joe,

OPPOSED (5): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Potts, Councillor Young,

DEFEATED (3 to 5)

On the main motion as amended:

That, subject to the preparation and execution of legal agreements to secure all residential units as rental, to the satisfaction of the Director of Planning and minor public realm plan corrections, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 00156 for 610 - 624 Herald Street and 611 - 635 Chatham Street, in accordance with:

1. Plans date stamped May 14, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - i. increase building height to 21.1m.
3. Registration of legal agreements on the property's title to secure all residential units as rental for 60 years or the life of the building, to the satisfaction of City Staff.
4. Council authorizing the street-level projecting canopies over the City Right-of-Way on Herald, Chatham and Government Streets, 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.
5. Council authorizing anchor-pinning in the City right-of-way, with form and contents satisfactory to the City Solicitor and the Director of Engineering and Public Works.
6. That the mural be changed to reflect the Old Town and Chinatown neighborhood, history, and culture.
7. Further consideration of diversifying the brick colours in the project and make colours and design elements more consistent with those found in Chinatown.
8. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY

Councillor Isitt returned to the meeting at 11:35 a.m.

E.3 701 Tyee Road - Development Permit with Variances Application No. 00080 (Victoria West)

Committee received a report dated May 20, 2021 from the Director of Sustainable Planning and Community Development to present Council with information, analysis and recommendations for a Development Permit with Variances Application No. 00080 to construct approximately 38 dwelling units in a six-storey multi-unit residential building, and recommending that it move forward to an opportunity for public comment.

Moved By Councillor Andrew
Seconded By Councillor Alto

That Council, subject to the execution of a Housing Agreement ensuring that no restrictions are placed on the rental of dwelling units within this building, to the satisfaction of the Director of Sustainable Planning and Community Development, and after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

“That Council authorize the issuance of Development Permit with Variances Application No. 00080 for 701 Tyee Road, in accordance with:

1. Plans date stamped April 27, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce front (west) setback from 2m to nil for parking levels 1 and 2
 - ii. reduce side (south) setback from 3.5m to nil for parking levels 1 and 2.
3. The Development Permit lapsing two years from the date of this resolution.”

Committee discussed:

- *Concerns ensuring that amenities are delivered in a timely matter*

CARRIED UNANIMOUSLY

F. STAFF REPORTS

F.1 2020 Annual Report - Parks and Open Spaces Master Plan and Urban Forest Master Plan

Committee received a report dated May 23, 2021 from the Director of Parks, Recreation and Facilities regarding the actions initiated and completed in 2020 associated with the Parks and Open Spaces Master Plan and Urban Forest Master Plan.

Committee recessed at 11:52 a.m.

Committee reconvened at 11:58 a.m.

Moved By Mayor Helps
Seconded By Councillor Isitt

That Council receive this report for information.

Committee discussed:

- *Support for biological diversity & restoration of natural ecosystems*
- *Offering public access times, such as summer camp programs & programs for seniors*
- *Future potential plans for Beacon Hill Park*

CARRIED UNANIMOUSLY

Committee recessed at 12:28 p.m. and reconvened at 1:17 p.m.

Councillor Dubow recused himself at 1:30 p.m. as he lives nearby Royal Athletic Park.

Moved By Councillor Young

Seconded By Councillor Thornton-Joe

Motion to extend the meeting until 4p.m.

CARRIED UNANIMOUSLY

Councillor Andrew put forward a Notice of Motion regarding the possibility of opening Royal Athletic Park to at least 3 days a week to the public, to be considered at a future meeting.

Councillor Dubow returned at 2:15 p.m.

F.2 2020 Annual Report - Community Centre Operations

Committee received a report dated April 23, 2021 from the Director of Parks, Recreation and Facilities regarding the operation of the City's community and seniors' centres for 2020.

Committee discussed:

- *Programming for youth, such as playgrounds*
- *Downturns in participation due to COVID, and a return to a more extensive participation rate in the coming year*

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That Council receive this report on the operation of the community and seniors' centres for information.

CARRIED UNANIMOUSLY

F.3 Appointments of Council members as Alternates to the CRD Water Supply Commission

Committee received a report dated May 19, 2021 from the City Clerk regarding the appointment of Council members as Alternates to the CRD Water Supply Commission.

Moved By Councillor Loveday

Seconded By Councillor Thornton-Joe

That Council:

1. appoint:
 - a) Councillor Potts as first alternate
 - b) Councillor Andrew as second alternate
 - c) Councillor Alto as third alternateto the Capital Regional District Water Supply Commission.
2. forward this motion to the daytime Council meeting of June 3, 2021.

CARRIED UNANIMOUSLY

H. NEW BUSINESS

H.2 Council Member Motion - Release and Monitoring of Repeat Offenders living in Community while awaiting disposition of charges

Committee received a Council Member Motion dated May 30, 2021 from Councillor Thornton-Joe and Councillor Alto regarding a request that the Mayor to write to David Eby (Attorney General and Minister Responsible for Housing), Josie Osborne (Minister of Municipal Affairs), and Mike Farnworth (Minister of Public Safety and Solicitor General) regarding the release and monitoring of repeat offenders living in the community while awaiting disposition of charges.

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That Council request the Mayor to write to David Eby (Attorney General and Minister Responsible for Housing), Josie Osborne (Minister of Municipal Affairs), and Mike Farnworth (Minister of Public Safety and Solicitor General) to express the City of Victoria's concern that those charged with violent offences or with numerous repeat offences are being released on a "promise to appear" or released from the court prematurely, and to further ask the provincial government to find ways to keep such individuals held in custody until charge disposition or until an informed determination of their potential risk to public safety can be made, and/or to provide sufficient funds for policing to assist with and support these individuals while they are living in community while awaiting disposition.

Committee discussed:

- *Concerns regarding municipal vs federal authority, since Criminal Law is a federal jurisdiction*
- *Social supports for those struggling with charges*

Moved By Councillor Andrew
Seconded By Councillor Thornton-Joe

Motion to vote on the question and discontinue debate

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

DEFEATED (8 to 1)

Amendment:

Moved By Councillor Loveday
Seconded By Councillor Isitt

That Council request the Mayor to write to David Eby (Attorney General and Minister Responsible for Housing), Josie Osborne (Minister of Municipal Affairs), and Mike Farnworth (Minister of Public Safety and Solicitor General) to express the City of Victoria's concern that those charged with violent offences ~~or with numerous repeat offences~~ are being released on a "promise to appear" or released from the court prematurely, and to further ask the provincial government to find ways to keep such individuals held in custody until charge disposition or until an informed determination of their potential risk to public safety can be made, and/or to provide sufficient funds for policing to assist with and support these individuals while they are living in community while awaiting disposition.

Amendment to the amendment:

Moved By Mayor Helps
Seconded By Councillor Thornton-Joe

That Council request the Mayor to write to David Eby (Attorney General and Minister Responsible for Housing), Josie Osborne (Minister of Municipal Affairs), and Mike Farnworth (Minister of Public Safety and Solicitor General) to express the City of Victoria's concern that those charged with violent or serious offences ~~or with numerous repeat offences~~ are being released on a "promise to appear" or released from the court prematurely, and to further ask the provincial government to find ways to keep such individuals held in custody until charge disposition or until an informed determination of their potential risk to public safety can be made, and/or to provide sufficient funds for policing to assist with and support these individuals while they are living in community while awaiting disposition.

CARRIED UNANIMOUSLY

On the amendment:

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

CARRIED (7 to 2)

Amendment:

Moved By Councillor Potts
Seconded By Councillor Dubow

That Council request the Mayor to write to David Eby (Attorney General and Minister Responsible for Housing), Josie Osborne (Minister of Municipal Affairs), and Mike Farnworth (Minister of Public Safety and Solicitor General) to express the City of Victoria's concern that those charged with violent or serious offences are being released on a "promise to appear" or released from the court prematurely, and to further ask the provincial government to find ways to keep such individuals held in custody until charge disposition or until an informed determination of their potential risk to public safety can be made, and/or to provide sufficient funds ~~for policing~~ to assist with and support these individuals while they are living in community while awaiting disposition.

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

DEFEATED (4 TO 5)

Amendment:

Moved By Councillor Loveday
Seconded By Councillor Dubow

That Council request the Mayor to write to David Eby (Attorney General and Minister Responsible for Housing), Josie Osborne (Minister of Municipal Affairs), and Mike Farnworth (Minister of Public Safety and Solicitor General) to express the City of Victoria's concern that those charged with violent or serious offences are being released on a "promise to appear" or released from the court prematurely, and to further ask the provincial government to find ways to keep such individuals held in custody until charge disposition or until an informed determination of their potential risk to public safety can be made, and/or to provide sufficient funds **for community safety and social support** for policing to assist with and support these individuals while they are living in community while awaiting disposition.

FOR (6): Mayor Helps, Councillor Young, Councillor Isitt, Councillor Dubow, Councillor Loveday, Councillor Potts
OPPOSED (3): Councillor Andrew, Councillor Alto, Councillor Thornton-Joe

CARRIED (6 to 3)

Amendment:

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That the letter also be sent to CRD councils.

CARRIED UNANIMOUSLY

On the main motion as amended:

That Council request the Mayor to write to David Eby (Attorney General and Minister Responsible for Housing), Josie Osborne (Minister of Municipal Affairs), and Mike Farnworth (Minister of Public Safety and Solicitor General) to express the City of Victoria's concern that those charged with violent or serious offences are being released on a "promise to appear" or released from the court prematurely, and to further ask the provincial government to find ways to keep such individuals held in custody until charge disposition or until an informed determination of their potential risk to public safety can be made, and/or to provide sufficient funds for policing, for community safety and social support to assist with and support these individuals while they are living in community while awaiting disposition.

That the letter also be sent to CRD councils.

CARRIED UNANIMOUSLY

H.3 Sheltering Update (Verbal)

Staff provided an update regarding the sheltering situation in Beacon Hill Park. The Manager of Bylaw and Licensing outlined the number of people who have moved from the park into housing since the ban on 24/7 sheltering was reinstated, and the number of daytime structures remaining in the park. She noted enforcement strategies such as ticketing and impounding, and that these measures have been successful. She noted that their priority is to ensure that encampments do not return, and recommended continuing to ensure that rules are enforced until such a time as that is no longer required.

Moved By Councillor Thornton-Joe

Seconded By Councillor Andrew

That Council receive this report for information.

Committee discussed:

- *The number of people still sheltering in the parks.*
- *Staff insight on the types of belongings in the parks, and how items required for sheltering are dealt with.*

- *Effective forms of outreach.*

CARRIED UNANIMOUSLY

H.1 Council Member Motion - Beacon Hill Park Sheltering

Committee received a Council Member Motion dated May 23, 2021 from Mayor Helps regarding the recent history with respect to sheltering in parks, and ground work for the future in the immediate and medium term.

Moved By Mayor Helps

Seconded By Councillor Alto

That Council direct staff to:

1. Bring forward amendments to the Parks Regulation Bylaw to add Beacon Hill Park to the list of parks prohibited for overnight sheltering for a two year period from the date of bylaw adoption.
2. Report back to Council with any additional considerations to those outlined in this report with respect to the condition of Beacon Hill Park and plans for remediation, and with any additional advice or recommendations staff have with respect to overnight sheltering in City parks.
3. Report back to Council in May 2023 with an update on the progress of park remediation so that Council can determine whether to extend the prohibition on sheltering in Beacon Hill Park beyond the initial two-year period.

Moved By Councillor Dubow

Seconded By Councillor Potts

Motion to postpone this matter until the next COTW in order for council members to determine if they can participate.

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

DEFEATED (5 to 4)

Committee discussed:

- *The need to help people get into shelters & complex care*
- *The need for more resources in the future*

Moved By Councillor Alto

Seconded By Councillor Andrew

Motion to extend the meeting to 4:30 p.m.

CARRIED UNANIMOUSLY

Committee discussed:

- *How this motion will give a much-needed respite to the park*
- *How long this ban will last*

Moved By Councillor Young

Seconded By Councillor Alto

Motion to extend the meeting until 4:45 p.m.

CARRIED UNANIMOUSLY

On the main motion:

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

OPPOSED (2): Councillor Potts, Councillor Dubow

CARRIED (7 to 2)

Councillor Isitt provided a Notice of Motion regarding the possibility of renaming Trutch street, to be considered at the June 10th Committee of the Whole meeting.

I. ADJOURNMENT OF COMMITTEE OF THE WHOLE

Moved By Councillor Andrew

Seconded By Councillor Alto

That the Committee of the Whole Meeting be adjourned at 4:37 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR