



## MINUTES - COMMITTEE OF THE WHOLE

October 7, 2021, 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**

**PRESENT:** Mayor Helps in the Chair (arrived at 9:41 a.m.), Councillor Alto, Councillor Andrew, Councillor Isitt (arrived at 9:05 a.m.), Councillor Loveday, Councillor Potts (in the Chair 9:00 a.m. to 9:41 a.m.), Councillor Thornton-Joe, Councillor Young

**PRESENT ELECTRONICALLY:** Councillor Dubow

**STAFF PRESENT:** J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Director of Finance, C. Kingsley - City Clerk, T. Zworski - City Solicitor, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhauer - Head of Engagement, D. Atkinson - Acting Fire Chief, J. Jensen - Head of Human Resources, A. Meyer - Assistant Director of Development Services, A. Hudson - Assistant Director of Community Planning, 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, G. Milne – Head of Strategic Operations, C. Medd - Planner, M. Sandhu - Head of Service Innovation & Improvement, P. Bellefontaine - Director of Engineering & Public Works, G. Diamond – Committee Secretary, S. Stoltz - Committee Secretary

**GUESTS:** Suzan Jennings, Brian Szabo, Sarah Vettoretti, Jonny Morris

### **A. APPROVAL OF AGENDA**

**Moved By** Councillor Loveday

**Seconded By** Councillor Alto

That the agenda be approved.

#### **Amendment:**

**Moved By** Councillor Young

**Seconded By** Councillor Potts

Consent Agenda:

- C.1 Minutes from the meeting held September 23, 2021

- F.1 2740 Bridge Street and 450 Hillside Avenue: Rezoning Application No. 00779 (Burnside)
- G.2 Proclamation Islamic Heritage Month - October 2021
- I.1 Council Member Motion: Advocacy for 10 Days of Universal, Permanent Paid Sick Leave for Workers

**CARRIED UNANIMOUSLY**

**On the main motion as amended:**

**CARRIED UNANIMOUSLY**

**B. CONSENT AGENDA**

**Moved By** Councillor Loveday

**Seconded By** Councillor Alto

That the following items be approved without further debate

**CARRIED UNANIMOUSLY**

**C.1 Minutes from the meeting held September 23, 2021**

**Moved By** Councillor Loveday

**Seconded By** Councillor Alto

That the minutes from the COTW meeting held September 23, 2021 be adopted.

**CARRIED UNANIMOUSLY**

**F.1 2740 Bridge Street and 450 Hillside Avenue: Rezoning Application No. 00779 (Burnside)**

Committee received a report dated September 23, 2021 from the Director of Sustainable Planning and Community Development regarding a Rezoning Application to rezone the subject property from the M-3 Zone, Heavy Industrial District, to a new zone in order to permit liquor retail sales and brewpub use in the existing brewery.

**Moved By** Councillor Loveday

**Seconded By** Councillor Alto

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00779 for 2740 Bridge Street and 450 Hillside Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation and execution of the following legal agreement, to the satisfaction of the City Solicitor and Director of Engineering and Public Works:
  - a. a Statutory Right-of-Way of 1.7m on Bridge Street.

**CARRIED UNANIMOUSLY**

**G.2 Proclamation Islamic Heritage Month - October 2021**

Committee received a report dated October 4, 2021 from the City Clerk regarding the proclamation for Islamic Heritage Month - October 2021.

**Moved By** Councillor Loveday  
**Seconded By** Councillor Alto

That the Islamic Heritage Month Proclamation be forwarded to the October 7, 2021 Council meeting for Council's consideration.

**CARRIED UNANIMOUSLY**

**I.1 Council Member Motion: Advocacy for 10 Days of Universal, Permanent Paid Sick Leave for Workers**

Committee received a Council Member Motion dated September 23, 2021 from Councillor Loveday and Councillor Isitt recommending that the City of Victoria continue to advocate for paid sick leave for all workers.

**Moved By** Councillor Loveday  
**Seconded By** Councillor Alto

That Council:

1. Direct staff to forward the UBCM resolution to UBCM member local governments, requesting favourable consideration and including a note regarding the timely nature of the issue and the fact that UBCM did not consider the resolution at its convention.
2. Request the Mayor write, on behalf of Council, to the BC Minister of Labour, prior to October 25, 2021, sharing the City of Victoria's resolution *Paid Sick Leave For Workers*.

And that this motion be sent to the Daytime Council meeting of October 7, 2021, given the time-sensitivity.

**CARRIED UNANIMOUSLY**

**D. UNFINISHED BUSINESS**

**D.1 Accessibility Framework and Accessibility Advisory Committee Annual Update**

Committee received a report dated September 16, 2021 from the Head of Service Innovation & Improvement and were provided with information from the

Chair of the Accessibility Advisory Committee regarding the Accessibility Framework and Accessibility Advisory Committee Annual Update.

*Councillor Isitt joined the meeting at 9:05 a.m.*

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Loveday

That Council receive the report for information.

*Committee discussed:*

- *The need to support current accessibility as well as future accessibility*
- *The need to 'advertise' accessibility and promote more widespread understanding and public awareness*
- *The desire to add accessible features to heritage buildings/areas, and the work that would need to be done in order to achieve that*

**Amendment:**

**Moved By** Councillor Isitt

**Seconded By** Councillor Thornton-Joe

That Council receive the report for information.

**That Council endorse the proposed wheelchair rodeo to be led by AAC, encourage Council members to participate in the rodeo, and direct staff to support the AAC in hosting and promoting the rodeo.**

**Amendment to the amendment:**

**Moved By** Councillor Isitt

**Seconded By** Councillor Loveday

That Council receive the report for information.

**1. That Council endorse the proposed wheelchair rodeo to be led by AAC, encourage Council members to participate in the rodeo, and direct staff to support the AAC in hosting and promoting the rodeo.**

**2. That Council allocate up to \$2000 from the 2021 contingency towards the wheelchair rodeo.**

**CARRIED UNANIMOUSLY**

**Amendment to the amendment:**

**Moved By** Councillor Isitt

**Seconded By** Councillor Loveday

That Council receive the report for information.

1. That Council endorse the proposed wheelchair/inclusion rodeo to be led by AAC, encourage Council members to participate in the rodeo, and direct staff to support the AAC in hosting and promoting the wheelchair/inclusion rodeo.

2. That Council allocate up to \$2000 from the 2021 contingency towards the wheelchair/inclusion rodeo.

**CARRIED UNANIMOUSLY**

**Amendment to the amendment:**

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

**Before "that Council": sponsors and grants be sought and if necessary...**

*Mayor Helps joined the meeting at 9:41 a.m.*

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

That the question on the amendment to the amendment be called.

**CARRIED UNANIMOUSLY**

**On the amendment to the amendment:**  
**CARRIED UNANIMOUSLY**

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

That the question on the amendment be called.

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

**CARRIED (7 to 2)**

**On the amendment:**

That Council receive the report for information.

1. That Council endorse the proposed wheelchair/inclusion rodeo to be led by AAC, encourage Council members to participate in the rodeo, and direct staff to support the AAC in hosting and promoting the wheelchair/inclusion rodeo.

**2. That sponsors and grants be sought and if necessary, that Council allocate up to \$2000 from the 2021 contingency towards the wheelchair/inclusion rodeo.**

**CARRIED UNANIMOUSLY**

**On the main motion as amended:**

That Council receive the report for information.

1. That Council endorse the proposed wheelchair/inclusion rodeo to be led by AAC, encourage Council members to participate in the rodeo, and direct staff to support the AAC in hosting and promoting the wheelchair/inclusion rodeo.

2. That sponsors and grants be sought and if necessary, that Council allocate up to \$2000 from the 2021 contingency towards the wheelchair/inclusion rodeo.

**CARRIED UNANIMOUSLY**

*Committee recessed at 9:50 a.m. and reconvened at 9:54 a.m.*

**E. Presentations**

**E.1 2021 External Audit Plan**

Committee received a report dated September 10, 2021 from the Deputy City Manager and CFO regarding the audit plan from the City's external auditor (BDO Canada LLP) for the 2021 financial statement audit.

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

That Council receive this report for information.

**CARRIED UNANIMOUSLY**

**E.1.1 CLOSED Meeting**

**Moved By** Councillor Andrew  
**Seconded By** Councillor Potts

**MOTION TO CLOSE THE OCTOBER 7, 2021 COTW 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)(c) labour relations or other employee relations;
- Section 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

**CARRIED UNANIMOUSLY**

**E.1.1.a Employee Relations – Community Charter Section 90(1)(c)**

Committee discussed an Employee Relations matter.

The conversation was recorded and kept confidential

**E.1.1.a Legal Advice – Community Charter Section 90(1)(i)**

Committee discussed a Legal matter.

The conversation was recorded and kept confidential

**E.2 Reconvene Open Meeting**

*The open COTW meeting reconvened at 11:17 a.m.*

*Committee recessed at 11:18 a.m. and reconvened at 11:22 a.m.*

**E.3 Canadian Mental Health Association - City of Victoria Community-Led Mobile Crisis Team**

Committee received a presentation from the Canadian Mental Health Association of British Columbia regarding the City of Victoria Community-Led Mobile Crisis Team

*Committee discussed the following:*

- *The VicPD have a strong philosophical commitment to this program*
- *Work with the province is underway to encourage changes in legislation*
- *CMHA is actively considering that this is a regional issue but the City of Victoria is the target community right now*

*Committee recessed at 12:39 p.m. and reconvened at 1:20 p.m.*

**Moved By** Councillor Isitt  
**Seconded By** Councillor Potts

That Council receive the presentation for information.

**CARRIED UNANIMOUSLY**

**F. LAND USE MATTERS**

**F.2 2727 Hamilton: Development Permit with Variances Application No. 00160 (Oaklands)**

Committee received a report dated September 23, 2021 from the Director of Sustainable Planning and Community Development regarding an application to reduce the front yard setback, reduce the side yard setback for a heat pump, and to make changes to the landscaping.

**Moved by** Mayor Helps

**Seconded by** Councillor Potts

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 Variances Application No. 00160 for 2727 Hamilton Road, in accordance with:

1. Plans date stamped August 18, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except the following variances to the R1-S2 Zone, Restricted Small Lot (Two Storey) District:
  - i. reduce the front yard setback from 6.00m to 3.14m
  - ii. reduce the side yard setback (north) from 1.50m to 0.50m (heat pump only).
3. The Development Permit lapsing two years from the date of this resolution.”

*Committee discussed the following:*

- *The pronounced grade on the site*
- *The ability of the City to levy a fine in this case*

**Amendment:**

**Moved By** Councillor Isitt

That staff provide information to Council when this comes to the daytime Council meeting on what fines, if any, may be levied in relation to this property

**Failed to proceed due to no seconder**

**On the main motion:**

**CARRIED UNANIMOUSLY**

**F.3 848 and 836 Yates Street: Development Permit with Variances Application No. 00179 for 848 Yates and Heritage Alteration Permit with Variance Application No. 00024 for 836 Yates (Downtown)**

Committee received reports dated September 24, 2021, and August 31, 2021 from the Director of Sustainable Planning and Community Development regarding a Development Permit with Variances Application for the property located at 848 Yates Street, specifically the through-block walkway between Yates and Johnson Street associated with a mixed-use residential building just completing construction, and a report regarding a Heritage Alteration Permit with Variance Application for the property located at 836 Yates Street, respectively.



**Moved by** Councillor Isitt  
**Seconded by** Councillor Young

**Heritage Alteration Permit with Variance Application No. 00024 for 836 Yates Street**

That Council decline the issuance of Heritage Alteration Permit with a Variance Application No. 00024 for 836 Yates Street

**Motion to extend:**

**Moved By** Councillor Isitt  
**Seconded By** Councillor Alto

That the meeting be extended to 3:30 p.m.

**CARRIED UNANIMOUSLY**

**Motion to refer:**

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

That this item be referred to the December 2, 2021 COTW meeting.

**Amendment:**

**Moved By** Mayor Helps  
**Seconded By** Councillor Loveday

That this item be referred to the December 2, 2021 COTW meeting **and direct staff to meet with both applicants for 836 Yates Street and 848 Yates Street together to continue to address heritage concerns and the provision of a combined public walkway between their two properties.**

**CARRIED UNANIMOUSLY**

**On the motion to refer as amended:**

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

**CARRIED (7 to 2)**

**Moved by** Councillor Isitt  
**Seconded by** Councillor Young

**Development Permit with Variances Application No. 00179 for 848 Yates Street**

1. That Council decline proposed modifications to the through-block walkway and terms of the statutory right-of-way to ensure continued public access along the walkway.
2. That Council forego an opportunity for public comment and approve Development Permit with Variances No. 00179 for 848 Yates Street in accordance with plans date stamped July 21, 2021, allowing taller gates that must remain open in accordance with the terms of the statutory right-of-way

**Motion to refer:**

**Moved By** Councillor Andrew

**Seconded By** Councillor Isitt

That this item be referred to the December 2, 2021 COTW meeting **and direct staff to meet with both applicants for 836 Yates Street and 848 Yates Street together to continue to address heritage concerns and the provision of a combined public walkway between their two properties.**

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

OPPOSED (2): Councillor Loveday, Councillor Young

**CARRIED (7 to 2)**

**G. STAFF REPORTS**

**G.1 Cultural Infrastructure Grants**

Committee received a report dated September 20, 2021 from the Head of Business and Community Relations regarding an update on the outcomes of the 2021 Cultural Infrastructure Grant program, and to seek Council direction for continuing this program with an annual funding envelope of \$250,000, with revised program guidelines.

*Committee discussed the following:*

- *Roughly 10-15% of applications had accessibility aspects*
- *What will happen if a tenant who has received a grant, uses that for an infrastructure upgrade but then leaves the space*
- *That the City will track award recipients to assess if they are in the same space where an improvement was made*

**Moved By** Councillor Loveday

**Seconded By** Councillor Andrew

That Council:

1. Receive this staff report for information with details of grant recipients and program evaluation for the 2021 Cultural Infrastructure Grant Program.
2. Consider approving ongoing funding to the Cultural Infrastructure Grant Program for \$250,000 annually from new assessed revenue as part of the 2022 Financial Planning process.

3. Approve the revised Cultural Infrastructure Grant Program guidelines.

**CARRIED UNANIMOUSLY**

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

**Moved By** Councillor Alto

**Seconded By** Councillor Loveday

That the Committee of the Whole Meeting be adjourned at 2:29 p.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR

DRAFT