



MINUTES - COMMITTEE OF THE WHOLE

November 25, 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
Meeting will recess for a lunch break between 12:30 p.m. and 1:30 p.m.**

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

PRESENT ELECTRONICALLY: Councillor Loveday

ABSENT: Councillor Dubow

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Chief Financial Officer, 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. Hudson - Assistant Director of Community Planning, R. Soward - Senior Planner, C. Havelka - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, J. Paul - Assistant Director of Engineering, P. Bellefontaine - Director of Engineering & Public Works, C. Kingsley - City Clerk, G. Milne - Head of Strategic Operations, D. Atkinson - Acting Fire Chief, J. O'Reilly - Senior Planner, N. Sutic-Bata - Manager, Underground Utilities, S. Stoltz - Committee Secretary.

A. APPROVAL OF AGENDA

Moved By Councillor Andrew
Seconded By Councillor Alto

That the agenda be approved.

Amendment:

Moved By Councillor Thornton-Joe
Seconded By Unanimous Consent

To add Item F.8 – Community Garden Licences of Occupation and Delegation Bylaw to the Consent Agenda.

CARRIED UNANIMOUSLY

On the main motion as amended:

CARRIED UNANIMOUSLY

B. CONSENT AGENDA

Moved By Councillor Isitt
Seconded By Councillor Alto

That the following items be approved without further debate

CARRIED UNANIMOUSLY

C. READING OF MINUTES

C.1 Minutes from the Special Committee of the Whole meeting held November 1, 2021

Moved By Councillor Isitt
Seconded By Councillor Alto

That the minutes from the Special Committee of the Whole meeting held November 1, 2021 be adopted.

CARRIED UNANIMOUSLY

C.2 Minutes from the meeting held November 18, 2021

Moved By Councillor Isitt
Seconded By Councillor Alto

That the minutes from the COTW meeting held November 18, 2021 be adopted.

CARRIED UNANIMOUSLY

F. STAFF REPORTS

F.2 Authority for Broad Street and Gladstone Avenue Pedestrian Priority Treatments

Committee received a report dated November 16, 2021 from the Director of Engineering and Public Works seeking Council's approval to delegate additional powers to the Director of Engineering for the purpose of regulating the movement of traffic pursuant to Part 3 Section 124 (4) (a) and (b) of the Motor Vehicle Act.

Moved By Councillor Isitt
Seconded By Councillor Alto

That Council:

1. Consider first, second and third reading of the Streets & Traffic Bylaw Amendment #21-111 to broaden the Director of Engineering's authority to make Traffic Orders to regulate traffic for time of day, day of week and/or vehicle type restrictions on streets or portions of streets.

CARRIED UNANIMOUSLY

F.6 Request for Removal from the Taxed Boulevard Program

Committee received a report dated October 13, 2021 from the City Clerk regarding a request for the removal of the east side of the 200 block of Beechwood Avenue between Ross Street and Lillian Road from the Taxed Boulevard Program.

Moved By Councillor Isitt
Seconded By Councillor Alto

That Council approve the removal of the following boulevard from the Taxed Boulevard Program effective for the 2022 tax year:

1. 200 Block of Beechwood Avenue, East Side.

CARRIED UNANIMOUSLY

F.7 Proclamation - Wear Red Canada Day

Committee received a report dated November 16, 2021 from the City Clerk regarding the proclamation for Wear Red Canada Day, February 13, 2022.

Moved By Councillor Isitt
Seconded By Councillor Alto

That the Wear Red Canada Day Proclamation be forwarded to the December 9, 2021 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

F.8 Community Garden Licences of Occupation and Delegation Bylaw

Committee received a report dated November 22, 2021 from the Director of Parks, Recreation and Facilities regarding the renewal of licences of occupation for four community gardens and direction regarding an amendment to the delegation bylaw enabling the Director of Parks, Recreation and Facilities to approve future renewals of licence agreements for community gardens.

Moved By Councillor Isitt
Seconded By Councillor Alto

That Council:

- A. Authorize the renewal of licences of occupation for five-year terms for the following community gardens, subject to the publication of notices as required by the Community Charter, on terms satisfactory to the Director of

Parks, Recreation and Facilities and in a form satisfactory to the City Solicitor:

1. Montreal Street Community Garden in James Bay (155,165,175, 185 Montreal Street and 210 Dobinson Street)
 2. Rockland Woodland Garden in Rockland (1059 Craigdarroch Road)
 3. Neighbourhood Garden of All Sorts in James Bay (212 Niagara Street)
 4. Cecelia Ravine Community Garden in Burnside (471 Cecelia Road)
- B. Direct staff to amend the Delegation Bylaw to enable the Director of Parks, Recreation and Facilities to approve licence agreement renewals for all existing community gardens, in a form satisfactory to the City Solicitor.

CARRIED UNANIMOUSLY

H. NEW BUSINESS

H.2 Council Member Motion – Electronic and mail notification for liquor license applications

Moved By Councillor Isitt
Seconded By Councillor Alto

That Council direct staff to report back in the next quarterly triannual update on the implications of a bylaw amendment to provide for electronic as well as mail notification of liquor license applications to Community Associations

CARRIED UNANIMOUSLY

D. UNFINISHED BUSINESS

D.1 Clarification of adopted minutes from the January 18, 2021 Special Committee of the Whole meeting

Committee clarified some questions regarding the adopted minutes from the January 18, 2021 Special Committee of the Whole meeting.

E. LAND USE MATTERS

E.1 1230 Grant Street, 1209, 1218, 1219, 1220 and 1226 North Park Street, 1219 Vining Street, 1235 Caledonia Avenue, and 1211 Gladstone Avenue: Victoria Housing Reserve Fund Application

Mayor Helps recused herself at 9:08 a.m. due to a conflict of interest, as she lives in close proximity to this parcel.

Committee received a report dated November 10, 2021 from the Director of Sustainable Planning and Community Development regarding information, analysis, and recommendations for a Victoria Housing Reserve Fund (VHRF) application from the Capital Regional Housing Corporation (CRHC) seeking \$1,065,000 to support the redevelopment of an 8,660m² parcel that would result in 158 new affordable rental units in the heart of Fernwood.

Moved By Councillor Alto
Seconded By Councillor Isitt

That Council approve a grant from the Victoria Housing Reserve Fund to the Capital Regional Housing Corporation in the amount of \$1,065,000 to assist in the construction of a 158-unit affordable housing project at 1230 Grant Street, 1209, 1218, 1219, 1220 and 1226 North Park Street, 1219 Vining Street, 1235 Caledonia Avenue, and 1211 Gladstone Avenue, subject to the following conditions:

1. The execution of a Housing Fund Grant Agreement in a form satisfactory to the Director of Sustainable Planning and Community Development and the City Solicitor; with terms for the eligible use of the grant, reporting requirements, repayment, indemnification, and communication protocols.
2. The applicant fulfills the applicable requirements of the Victoria Housing Reserve Fund Guidelines.
3. \$532,500 shall be payable to the applicant upon execution of the Housing Fund Grant Agreement and the remaining balance of \$532,500 shall be payable to the applicant once the City has issued all required occupancy permits for the project.
4. That the passage of this resolution creates no legal rights for the applicant or any other person, or obligation on the part of the City, until and unless all agreements are fully executed by the City.

Committee discussed:

- *Grants from BC Housing and offsite cost estimates*
- *Affordability regarding the recommendations provided to Council*
- *Property taxes and land transactions related to this parcel of land*

On the main motion:

FOR (5): Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe
OPPOSED (2): Councillor Andrew, Councillor Young

CARRIED (5 TO 2)

Mayor Helps returned to the meeting at 9:46 a.m.

F. STAFF REPORTS

F.1 Inflow and Infiltration Mitigation on Private Properties

Committee received a report dated November 12, 2021 from the Director of Engineering & Public Works providing Council with options to mitigate inflow and infiltration to the sanitary sewer collection system from private property.

Moved By Mayor Helps
Seconded By Councillor Alto

That Council:

1. Endorse the recommended strategy presented in this report to begin mitigating inflow and infiltration from private property sanitary sewer laterals.
2. Direct staff to bring forward a funding strategy and budget request as part of the 2023 Financial Planning process that includes resource and funding requirements to implement the recommended strategy.

Committee discussed:

- *Support for the work presented to Council*
- *Investigation techniques, such as dividing areas into smaller capsules and then monitoring these areas to identify potential issues; difficulties in detecting major issues*
- *Concerns regarding solution timelines*

Motion to refer:

Moved By Councillor Isitt

That the matter be referred to staff to report back in Q1 2022 with an expedited timeline for mitigating inflow & infiltration on private properties.

Failed to proceed due to no seconder

Committee discussed:

- *Potential costs to homeowners from upgrades to stormwater drainage systems, and concerns regarding equity among homeowners and renters in this situation*

On the main motion:

That Council:

1. Endorse the recommended strategy presented in this report to begin mitigating inflow and infiltration from private property sanitary sewer laterals.
2. Direct staff to bring forward a funding strategy and budget request as part of the 2023 Financial Planning process that includes resource and funding requirements to implement the recommended strategy.

FOR (7): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young
OPPOSED (1): Councillor Isitt

CARRIED (7 TO 1)

Committee recessed at 10:40 a.m. and reconvened at 10:48 a.m.

F.3 Proposed Robert Street Heritage Conservation Area and OCP Amendment

Committee received a report dated November 12, 2021 from the Director of Sustainable Planning and Community Development regarding information, analysis and recommendations regarding the designation of a portion of Robert

Street as a Heritage Conservation Area (HCA) by amending the Official Community Plan, 2012.

Moved By Councillor Andrew

Seconded By Councillor Isitt

That Council:

1. Give first reading to the Official Community Plan Bylaw, Amendment Bylaw (No. 39) 21-108.
2. Refer Official Community Plan Bylaw, Amendment Bylaw (No. 39) 21-108 for consideration at a Public Hearing.
3. Consider the Official Community Plan Bylaw, Amendment Bylaw (No. 39) 21-108 in conjunction with the City of Victoria 2017-2021 Financial Plan, the Capital Regional District Liquid Waste Management Plan and the Capital Regional District Solid Waste Management Plan pursuant to section 477(3)(a) of the *Local Government Act*, and deem those Plans to be consistent with the Official Community Plan Bylaw, Amendment Bylaw (No. 39) 21-108.
4. Determine, pursuant to sections 475(1) and 2(a) of the *Local Government Act* that the affected persons, organizations and authorities are those property owners within the proposed Robert Street Heritage Conservation Area, that early and ongoing consultation is not required, and that the appropriate consultation measures include:
 - a. posting a copy of each of the Official Community Plan Bylaw, Amendment Bylaw (No. 39) 21-108 and the draft Robert Street Heritage Conservation Area Guidelines to the City website;
 - b. posting a notice to the City's website that invites affected persons to ask questions of staff and provide written comments by a specified date for Council's consideration, and identifies the staff who can answer questions and provide further information;
 - c. providing each property owner within the proposed Robert Street Heritage Conservation Area with mailed copies of each of the guidelines and bylaw described in 4(a), and of the notice described in 4(b); and
 - d. the presentation of a report enclosing the results of the consultation to Council at the time the Official Community Plan Bylaw, Amendment Bylaw (No. 39) 21-108 is presented to Council for second reading.
5. Determine pursuant to sections 475(1) and 475(2)(b) that no referrals of Official Community Plan Bylaw, Amendment Bylaw (No. 39) 21-108 are necessary to the Capital Regional District Board, Island Health, Songhees Nation, Esquimalt Nation, School District Board provincial or federal governments and their agencies, Township of Esquimalt, District of Saanich and the District of Oak Bay due to the nature of the amendment.
6. Approve in principle the Robert Street Heritage Conservation Area Guidelines (2021) and refer them to the meeting of Council at which the public hearing for Official Community Plan Bylaw, Amendment Bylaw (No. 39) 21-108 is held, for public comment and consideration of final approval.
7. Direct staff to undertake the following if Official Community Plan Bylaw, Amendment Bylaw (No. 39) 21-108 is approved following the public hearing:

- a. Add the following properties listed as contributing properties shown in the Robert Street Heritage Conservation Area Guidelines on page 17 to the City of Victoria Register of Heritage Properties:
 - i. 206 Robert Street
 - ii. 224 Robert Street
 - iii. 233 Robert Street
 - iv. 255 Robert Street
 - v. 301 Robert Street
- b. Direct staff to make text and map amendments the Victoria West Neighbourhood Plan (2018), including amendments to Map 18 therein, to recognize the new Robert Street Heritage Conservation Area.

Committee discussed:

- *Effects on property values; incentives regarding grant programs for heritage houses*
- *The historic apple tree in this parcel and other trees of heritage significance*

CARRIED UNANIMOUSLY

F.4 Request to Study a Portion of Lewis Street as a Potential Heritage Conservation Area

Committee received a report dated November 12, 2021 from the Director of Sustainable Planning and Community Development regarding preliminary information, analysis and recommendations regarding a citizen request to designate a portion of Lewis Street as a Heritage Conservation Area.

Moved By Councillor Isitt

Seconded By Councillor Thornton-Joe

1. That Council direct staff to study and evaluate the portion of Lewis Street shown on Attachment A for its potential as a Heritage Conservation Area in accordance with the Council adopted Citizen-led Heritage Conservation Areas Policy.
2. If staff conclude that a Heritage Conservation Area designation is justified, report back to City Council with draft design guidelines for new buildings and alterations to existing buildings on Lewis Street, and a draft Official Community Plan Amendment Bylaw that outlines the justification, objectives, and guidelines in accordance with section 614 of the Local Government Act.

CARRIED UNANIMOUSLY

F.5 Victoria Warming and Cooling Centre Plan

Committee received a report dated November 22, 2021 from the Acting Fire Chief regarding the roles and responsibilities of the Provincial Government and the City of Victoria with respect to reducing the impacts to vulnerable community members during periods of extreme weather.

Moved By Mayor Helps

Seconded By Councillor Thornton-Joe

That Council receive the report and the attached City of Victoria Extreme Weather Warming and Cooling Centre Plan for information.

Committee discussed:

- *Funding through Emergency Management BC*
- *Governmental jurisdiction regarding emergency situations and emergency management*
- *Access to resources for the future*

On the main motion:

That Council receive the report and the attached City of Victoria Extreme Weather Warming and Cooling Centre Plan for information.

CARRIED UNANIMOUSLY

Motion arising:

Moved By Councillor Isitt
Seconded By Mayor Helps

That Council direct staff to provide a status update on this matter in Q1 2022.

CARRIED UNANIMOUSLY

H. NEW BUSINESS

H.1 Council Member Motion – Recovering costs associated with climate change

Moved By Councillor Isitt
Seconded By Councillor Loveday

That Council direct staff to provide an update in a closed meeting on options for recovering costs associated with climate change.

CARRIED UNANIMOUSLY

H.3 Council Member Motion - Clover Point

Committee received a Council Member Motion dated November 21, 2021 from Councillor Thornton-Joe and Councillor Alto regarding the long term plans for Clover Point, and the potential for the temporary return of vehicle access/parking until April 1st, 2022.

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

1. That city staff let Council know when they will be returning with a staff report for discussion of the long term plans for Clover Point and;
2. That staff be asked to report back at the next triannual update on what would be needed to allow Clover Point to temporarily return to roundabout vehicle access and/or parking until April 1st, 2022.

Committee discussed:

- *Accessibility to Clover Point; the ability for more vehicular access to increase accessibility for people with mobility issues, as well as seasonal accessibility*
- *The desire to gather more insight and data on Clover Point over the course of several seasons*

Amendment:

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

1. That city staff let Council know when they will be returning with a staff report for discussion of the long term plans for Clover Point and;
2. That staff be asked to report back at the next triannual update on what would be needed **to allow seasonally adjusted use at Clover Point until receipt of a staff report on permanent changes to** Clover Point ~~to temporarily return to roundabout vehicle access and/or parking until April 1st, 2022.~~

Committee discussed:

- *Engagement processes and potential timelines of the project*
- *The desire to give clarity to staff and make long-lasting changes*

On the amendment:

FOR (6): Councillor Alto, Councillor Andrew, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young

OPPOSED (2): Mayor Helps, Councillor Isitt

CARRIED (6 TO 2)

Amendment:

Moved By Councillor Andrew

Seconded By Councillor Alto

1. ~~That city staff let Council know when they will be returning with a staff report for discussion of the long term plans for Clover Point and;~~
2. That staff be asked to report back at the next triannual update on what would be needed to allow seasonally adjusted use at Clover Point until receipt of a staff report on permanent changes to Clover Point.

CARRIED UNANIMOUSLY

Motion to extend:

Moved By Councillor Isitt
Seconded By Councillor Andrew

That the meeting be extended until 3 p.m.

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

1. That staff be asked to report back at the next triannual update on what would be needed to allow seasonally adjusted use, **including additional vehicle access**, at Clover Point until receipt of a staff report on permanent changes to Clover Point.

On the amendment:

FOR (5): Councillor Alto, Councillor Andrew, Councillor Loveday, Councillor Thornton-Joe, Councillor Young

OPPOSED (3): Mayor Helps, Councillor Isitt, Councillor Potts

CARRIED (5 TO 3)

Amendment:

Moved By Councillor Isitt
Seconded By Councillor Loveday

1. That staff be asked to report back at the next triannual update on **the implications of allowing** ~~what would be needed to allow~~ seasonally adjusted use, including additional vehicle access, at Clover Point until receipt of a staff report on permanent changes to Clover Point.

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Isitt
Seconded By Councillor Andrew

1. That staff be asked to report back at the next triannual update on the implications of allowing seasonally adjusted use, including additional vehicle access, at Clover Point **until permanent changes are implemented at** ~~receipt of a staff report on permanent changes to~~ Clover Point.

CARRIED UNANIMOUSLY

Motion to refer:

Moved By Councillor Isitt
Seconded By Councillor Young

That this matter and the Mayor's Notice of Motion be considered at the December 2 COTW meeting.

Amendment:

Moved By Councillor Alto
Seconded By Councillor Isitt

That this matter and the Mayor's Notice of Motion be considered at the **January 17th Special Budget** COTW meeting.

CARRIED UNANIMOUSLY

On the motion to refer:

That this matter and the Mayor's Notice of Motion be considered at the January 17th Special Budget COTW meeting.

CARRIED UNANIMOUSLY

I. ADJOURNMENT OF COMMITTEE OF THE WHOLE

Moved By Councillor Alto
Seconded By Councillor Andrew

That the Committee of the Whole Meeting be adjourned at 2:32 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR