



MINUTES - COMMITTEE OF THE WHOLE

April 14, 2022, 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, Councillor Alto, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe

PRESENT ELECTRONICALLY: Councillor Andrew, Councillor Dubow, Councillor Isitt

ABSENT: Councillor Young

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Chief Financial Officer, C. Kingsley - City Clerk, C. Anderson - Deputy City Clerk, T. Zworski - City Solicitor, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhauer - Head of Engagement, K. Hoese - Director of Sustainable Planning and Community Development, A. Meyer - Assistant Director of Development Services, A. Hudson - Assistant Director of Community Planning, L. Van Den Dolder - Assistant City Solicitor, P. Bellefontaine - Director of Engineering & Public Works, J. Biem - Assistant City Solicitor, D. Atkinson - Acting Fire Chief, R. Stever - Planner, A. Cusack - Senior Planner, P. Rantucci - Head of Strategic Real Estate, S. Perkins - Manager of Bylaw Services, B. Nicholls - Legislation and Policy Analyst, D. Newman - Assistant Director of Parks, Recreation and Open Spaces, M. Heiser - Council Secretary

A. APPROVAL OF AGENDA

Moved By Councillor Loveday
Seconded By Councillor Alto

That the agenda be approved.

Amendment:

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That the Agenda of the April 14, 2022, Committee of the Whole meeting be amended as follows:

Consent Agenda:

- C.1 Minutes from the Committee of the Whole meeting of March 10, 2022**
- C.2 Minutes from the Committee of the Whole meeting held March 24, 2022**
- E.1 Anawim Companions Society VHRF Grant Application**
- F.3 Proclamation - Action Anxiety Day**
- F.4 Proclamation - Day of Action Against Anti-Asian Racism**
- F.5 Proclamation - Huntington Disease Awareness Month**
- F.6 Proclamation - Melanoma and Skin Cancer Awareness Month**
- F.7 Proclamation - Moose Hide Campaign Day**

CARRIED UNANIMOUSLY

On the main motion as amended:

CARRIED UNANIMOUSLY

B. CONSENT AGENDA

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the following items be approved without further debate

CARRIED UNANIMOUSLY

- C.1 Minutes from the Committee of the Whole meeting of March 10, 2022**

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the minutes from the COTW meeting held March 10, 2022 be adopted..

CARRIED UNANIMOUSLY

- C.2 Minutes from the Committee of the Whole meeting held March 24, 2022**

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the minutes from the COTW meeting held March 24, 2022 be adopted.

CARRIED UNANIMOUSLY

E.1 Anawim Companions Society VHRF Grant Application

Council received a report dated March 17, 2022 from the Director of Sustainable Planning & Community Development presenting Council with an application to the Victoria Housing Reserve Fund from the Anawim Companions Society. The applicant is seeking \$72,500 to support the construction of a seven-bedroom house offering transitional housing for people at risk of homelessness.

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That Council approve a grant from the Victoria Housing Reserve Fund to Anawim Companions Society in the amount of \$72,500 to support a housing project subject to the following conditions:

1. The execution of a Housing Fund Grant Agreement with form and contents satisfactory to the Director of Sustainable Planning and Community Development and the City Solicitor, including terms for the eligible use of the grant, reporting requirements, repayment, indemnification, and communication protocols.
2. The execution of a Housing Agreement, with form and contents satisfactory to the Director of Sustainable Planning and Community Development and the City Solicitor, to secure the housing as affordable under the median income rent target for studio units under the Victoria Housing Reserve Fund Program Guidelines;
3. The applicant fulfills the applicable requirements of the Victoria Housing Reserve Fund Guidelines;
4. \$36,250 shall be payable to the applicant upon execution of the Housing Fund Grant Agreement and the remaining balance of \$36,250 shall be payable to the applicant once the City has issued all required occupancy permits for the project.
5. 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.

CARRIED UNANIMOUSLY

F.3 Proclamation - Action Anxiety Day

Council received a report dated April 1, 2022 from the City Clerk regarding the proclamation for Action Anxiety Day, June 10, 2022.

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the Action Anxiety Day Proclamation be forwarded to the April 28, 2022, Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

F.4 Proclamation - Day of Action Against Anti-Asian Racism

Council received a report dated April 1, 2022 from the City Clerk regarding the proclamation for the Day of Action Against Anti-Asian Racism, May 10, 2022.

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the Day of Action Against Anti-Asian Racism Proclamation be forwarded to the April 28, 2022, Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

F.5 Proclamation - Huntington Disease Awareness Month

Council received a report dated April 4, 2022 from the City Clerk regarding the proclamation for the Huntington Disease Awareness Month May, 2022.

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the Huntington Disease Awareness Month Proclamation be forwarded to the April 28, 2022, Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

F.6 Proclamation - Melanoma and Skin Cancer Awareness Month

Council received a report dated April 1, 2022 from the City Clerk regarding the proclamation for the Melanoma and Skin Cancer Awareness Month, May, 2022.

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the Melanoma and Skin Cancer Awareness Month Proclamation be forwarded to the April 28, 2022, Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

F.7 Proclamation - Moose Hide Campaign Day

Council received a report dated April 1, 2022 from the City Clerk regarding the proclamation for the Moose Hide Campaign Day, May 12, 2022.

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the Moose Hide Campaign Day Proclamation be forwarded to the April 28, 2022, Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

F. STAFF REPORTS

F.1 Renters' Advisory Committee Work Plan 2022

Council received a report dated March 25, 2022 from the Director of Sustainable Planning and Community Development presenting Council with the Renters' Advisory Committee Work Plan 2022 for consideration of approval.

Moved By Councillor Andrew
Seconded By Councillor Alto

That Council approve the Renters' Advisory Committee Work Plan 2022.

Committee discussed the following:

- *Workflow and impact of the advisory committee's members*
- *Works plans and Terms of References*

CARRIED UNANIMOUSLY

Council, by unanimous consent, moved item H.3 Council Member Motion – Motion from the Renters Advisory Committee to next on the agenda and reordered the remainder of the agenda accordingly.

H. NEW BUSINESS

H.3 Council Member Motion - Motion from Renters' Advisory Committee

Committee received a Council Member Motion dated April 11 from Councillor Andrew and Councillor Potts regarding Council's consideration of a motion from the Renters' Advisory Committee.

Moved By Councillor Andrew
Seconded By Councillor Potts

That Council consider the following motion from the Renters Advisory Committee:

WHEREAS the Rental Housing Standard of Maintenance Bylaw was enacted by the City of Victoria to take effect in January 2021;

And WHEREAS the City's bylaw enforcement department does not offer inspection nor enforcement services to tenants who are living in homes where bylaws are breached;

And WHEREAS tenants who wish to have this bylaw enforced are required to collect their own evidence and initiate a hearing by applying and paying a fee to the Residential Tenancy Branch;

And WHEREAS City of Victoria bylaws are the City's bylaw enforcement department which traditionally provides inspection and enforcement;

And WHEREAS homeowners with complaints about bylaw breaches are able to initiate inspections and enforcement services;

And WHEREAS disproportionate numbers of populations protected by the BC Human Rights legislation are tenants;

BE IT RESOLVED that the City of Victoria Renters' Advisory Committee agrees that the lack of bylaw enforcement services available to tenants that are otherwise available to homeowners is a human rights violation.

RAC requests Council to address the Rental Property Standards of Maintenance Bylaw capacities in order to access municipal enforcement of the bylaw.

Committee discussed the following:

- *Concerns surrounding the Standards of Maintenance Bylaw*
- *Enforcement of bylaws relating to rentals*

Motion to close the Committee of the Whole meeting at 9:17 a.m.

Moved By Councillor Loveday

Seconded By Councillor Potts

MOTION TO CLOSE THE APRIL 14, 2022 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 was recorded and kept confidential.

The open Committee of the Whole meeting reconvened at 9:37 a.m.

Committee discussed the following:

- *Process for attribution of cases*
- *Collaboration with the Province's enforcement*
- *Length of case investigation*

Moved By Councillor Isitt
Seconded By Councillor Dubow

That this matter be referred to staff to report back in Q1 of 2023 on next steps for enforcement

CARRIED UNANIMOUSLY

F. STAFF REPORTS

Councillor Thornton-Joe withdrew from the Committee of the Whole meeting at 9:51 a.m. due to a conflict of interest as she is a board member for the Aboriginal Coalition to End Homelessness under the perception of bias.

F.2 UBCM Strengthening Communities' Services Program Grant Application – Second Intake

Council received a report dated April 4, 2022 from the Deputy City Manager and Chief Financial Officer.

Moved By Mayor Helps
Seconded By Councillor Andrew

That Council:

1. Authorize City staff to submit an application to the UBCM Strengthening Communities' Services Program for the following proposed activities:
 - a. Tiny Homes Project
 - b. Peer Outreach Resources
 - c. Aboriginal Coalition to End Homelessness – Outreach Services and Supports
 - d. Community Caretaker – 900 Block Pandora Avenue
 - e. See Spring Mental Wellness Coalition
2. Authorize staff to provide overall grant management, should the grant application be awarded funding.
3. Authorize the Mayor and City Clerk to execute a grant agreement with terms generally in accordance with the outline in this report.

CARRIED UNANIMOUSLY

Councillor Thornton-Joe returned to the meeting at 9:53 a.m.

H. NEW BUSINESS

H.1 Council Member Motion - Off-Leash Pilot for the City Core

Council received a Council Member Motion from Councillor Potts dated April 8, 2022 regarding a proposal for a pilot off-leash dog area in Royal Athletic Park.

Moved By Councillor Potts
Seconded By Councillor Andrew

That Council direct staff to report back at the next Triannual Update on the implications and advisability of amending the Animal Responsibility Bylaw No. 11-044 to proceed with a Pilot Project allowing leash-optional use of a designated portion of Royal Athletic Park from 6:00 am - 10:00 am and 5:00 pm – 7:00 pm daily, with the provision of temporary suspension for events and other park uses/users as needed.

Committee discussed the following:

- *Expected report back on off-leash spaces*

Councillor Alto proposed an amendment; however, Mayor Helps ruled that the amendment was not germane to the main motion. Councillor Alto appealed the decision and the question as to whether the Mayor was to be sustained was put to a vote:

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

CARRIED (5 to 2)

The Chair's ruling was sustained.

Committee discussed the following:

- *Designated sports use of Royal Athletic Park*
- *Implications of work plan approved for 2022*

Councillor Thornton-Joe proposed an amendment; however, Mayor Helps ruled that the amendment was not germane to the main motion. Councillor Thornton-Joe appealed the decision and the question as to whether the Mayor was to be sustained was put to a vote:

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

CARRIED (5 to 2)

The Chair's ruling was sustained.

On the main motion:

That Council direct staff to report back at the next Triannual Update on the implications and advisability of amending the Animal Responsibility Bylaw No. 11-044 to proceed with a Pilot Project allowing leash-optional use of a designated portion of Royal Athletic Park from 6:00 am - 10:00 am and 5:00 pm – 7:00 pm daily, with the provision of temporary suspension for events and other park uses/users as needed.

FOR (5): Mayor Helps, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts
OPPOSED (3): Councillor Andrew, Councillor Alto, Councillor Thornton-Joe

CARRIED (5 to 3)

H.2 Council Member Motion - Pickleball in James Bay

Committee received a Council Member Motion dated April 11, 2022 from Councillor Andrew regarding direction to report back with a proposed suitable location for a dedicated pickleball court in the James Bay Community.

Moved By Councillor Andrew

Seconded By Councillor Alto

That Council request staff report back to Council with:

1. An immediate suitable location for at least one dedicated pickleball court in the James Bay Community that meets the recommendations laid out by the BC Recreation and Parks Association along with a construction budget.

Committee discussed the following:

- *Staff's current work surrounding this matter*
- *Inventory of vacant spaces*
- *Complaints received by residents*
- *Discussions with pickleball representatives*

Amendment:

Moved By Councillor Isitt

Seconded By Councillor Loveday

That Council request staff **permit pickleball on one of the beacon hill park tennis courts on a trial basis report back to Council with:**

1. ~~An immediate suitable location for at least one dedicated pickleball court in the James Bay Community that meets the recommendations laid out by the BC Recreation and Parks Association along with a construction budget.~~

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

CARRIED (7 to 1)

Mayor Helps withdrew from the meeting at 11:10 a.m. and Councillor Loveday assumed the role of Chair.

Amendment:

Moved By Councillor Loveday

Seconded By Councillor Thornton-Joe

That Council ~~request staff permit pickleball on one of the beacon hill park tennis courts on a trial basis~~ **endorse city staff continued exploration of pickleball in Beacon Hill Park and other suitable locations in James Bay.**

FOR (5): Mayor Helps, Councillor Dubow, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe

OPPOSED (3): Councillor Andrew, Councillor Alto, Councillor Isitt

CARRIED (5 to 3)

Amendment:

Moved By Councillor Isitt

Seconded By Councillor Andrew

That Council endorse city staff continued exploration of pickleball in Beacon Hill Park and other suitable locations in James Bay, **including consideration of permitting pickleball at designated hours in one of the Beacon Hill Park courts on a trial basis.**

CARRIED UNANIMOUSLY

On the main motion as amended:

That Council endorse city staff continued exploration of pickleball in Beacon Hill Park and other suitable locations in James Bay, including consideration of permitting pickleball at designated hours in one of the Beacon Hill Park courts on a trial basis.

CARRIED UNANIMOUSLY

I. ADJOURNMENT OF COMMITTEE OF THE WHOLE

Moved By Councillor Dubow

Seconded By Councillor Alto

That the Committee of the Whole Meeting be adjourned at 11:25 a.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR