



MINUTES - VICTORIA CITY COUNCIL

April 2, 2020, 12:00 P.M.

COUNCIL CHAMBERS - 1 CENTENNIAL SQUARE, VICTORIA, BC

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

PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Isitt, Councillor Dubow, and Councillor Young

PRESENT ELECTRONICALLY: Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Director of Finance, C. Coates - City Clerk, P. Bruce - Fire Chief, 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, N. Sidhu - Assistant Director of Parks, Recreation & Facilities, C. Havelka - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, P. Martin - Council Secretary

A. CONVENE COUNCIL MEETING

B. APPROVAL OF AGENDA

Moved By Councillor Alto
Seconded By Councillor Dubow

That the agenda be approved as amended.

CARRIED UNANIMOUSLY

Council recessed from 12:06 p.m. until 12:18 p.m.

C. READING OF MINUTES

Moved By Councillor Alto
Seconded By Councillor Dubow

That the minutes from the daytime meeting held March 12, 2020 be adopted.

CARRIED UNANIMOUSLY

D. REQUEST TO ADDRESS COUNCIL

Moved By Councillor Isitt
Seconded By Councillor Alto

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

D.2 Christina Chan: Tax Relief for Small Businesses, Non-Profits, Arts and Culture Groups

The City Clerk read a submission provided by Christina Chan, who requested that Council formulate a plan to roll out an Interim Business Property Tax relief program due to the COVID-19 pandemic.

D.3 Thomas Hackney: Phasing Out the Use of Fossil Fuel Powered Landscaping and Gardening Equipment

The City Clerk read a submission provided by Thomas Hackney, who requested that Council begin the process to phase out fossil fuel powered landscaping and gardening equipment.

D.4 Ken Johnson: The Buildings at 1314 & 1316 Wharf Street

Ken Johnson provided a video submission, and outlined concerns relating to the heritage buildings at 1314 & 1316 Wharf Street and requested that Council take action.

E. UNFINISHED BUSINESS

E.1 Letter from the Minister of Veterans Affairs

A letter of response dated January 8, 2020, thanking the Mayor for congratulating them on their reappointment as Minister.

Moved By Councillor Alto
Seconded By Councillor Dubow

That the correspondence dated January 8, 2020 from the Minister of Veterans Affairs be received for information.

CARRIED UNANIMOUSLY

E.2 Letter from the Minister of Health

A letter of response dated January 16, 2020, thanking the Mayor for congratulating them on their appointment as Minister.

Moved By Councillor Alto
Seconded By Councillor Dubow

That the correspondence dated January 16, 2020 from the Minister of Health be received for information.

CARRIED UNANIMOUSLY

E.3 Letter from the Minister of Northern Affairs

A letter of response dated January 23, 2020, thanking the Mayor for congratulating them on their appointment as Minister.

Moved By Councillor Alto
Seconded By Councillor Dubow

That the correspondence dated January 23, 2020 from the Minister of Northern Affairs be received for information.

CARRIED UNANIMOUSLY

E.4 Letter from the Minister of Public Services and Procurement

A letter of response dated February 3, 2020, thanking the Mayor for congratulating them on their appointment as Minister.

Moved By Councillor Alto
Seconded By Councillor Dubow

That the correspondence dated February 3, 2020 from the Minister of Public Services and Procurement be received for information.

CARRIED UNANIMOUSLY

E.5 Letter from the Minister of Mental Health and Addictions

A letter of response dated February 6, 2020, regarding the resolutions on this year's Union of BC Municipalities agenda entitled: Safer Drug Supply to Save Lives (B171) and Observed Inhalation Sites for Overdose Prevention (B172).

Moved By Councillor Alto
Seconded By Councillor Dubow

That the correspondence dated February 6, 2020 from the Minister of Mental Health and Addictions be received for information.

CARRIED UNANIMOUSLY

E.6 Letter from the President of the Queen's Privy Council for Canada

A letter of response dated February 11, 2020, thanking the Mayor for congratulating them on their appointment as President of the Queen's Privy Council for Canada.

Moved By Councillor Alto
Seconded By Councillor Young

That the correspondence dated February 11, 2020 from the President of the Queen's Privy Council for Canada be received for information.

CARRIED UNANIMOUSLY

E.7 Letter from the Minister of Employment, Workforce Development and Disability Inclusion

A letter of response dated February 12, 2020, thanking the Mayor for congratulating them on their appointment as Minister.

Moved By Councillor Young
Seconded By Councillor Alto

That the correspondence dated February 12, 2020 from the Minister of Employment, Workforce Development and Disability Inclusion be received for information.

CARRIED UNANIMOUSLY

E.8 Letter from the Town of View Royal

A letter of response dated February 20, 2020, regarding an amendment to the Capital Regional District's Hartland Landfill Tipping Fee and Regulation Bylaw.

Moved By Councillor Dubow
Seconded By Councillor Alto

That the correspondence dated February 20, 2020 from the Town of View Royal be received for information.

CARRIED UNANIMOUSLY

E.9 Letter from the Capital Regional District

A letter of response dated March 12, 2020, advising that the Capital Regional District Board has accepted the regional context statement submitted by the City.

Moved By Councillor Alto
Seconded By Councillor Young

That the correspondence dated March 12, 2020 from the Capital Regional District be received for information.

CARRIED UNANIMOUSLY

F. REPORTS OF COMMITTEE

F.1 Committee of the Whole

F.1.a Report from the March 19, 2020 COTW Meeting

F.1.a.a Water Conservation Plan in Support of the Grant Application to the Investing in Canada Infrastructure Program

Moved By Councillor Alto
Seconded By Councillor Young

That Council approve the City of Victoria's water conservation plan, which is a requirement for the Investing in Canada Infrastructure Program grant application.

CARRIED UNANIMOUSLY

F.1.b Report from the March 26, 2020 COTW Meeting

F.1.b.a COVID-19 Update (Verbal)

Moved By Councillor Dubow
Seconded By Councillor Alto

That Council receive this report for information.

CARRIED UNANIMOUSLY

Councillor Isitt withdrew from the meeting at 12:46 p.m. due to a pecuniary conflict of interest with the following item, as his father lives within 100 meters of the subject property.

Councillor Potts withdrew from the meeting at 12:46 p.m. due to a pecuniary conflict of interest with the following item, as she lives close to the subject property.

F.1.b.b330-336 Michigan Street: Revised Victoria Housing Reserve Fund Grant Application (James Bay)

Moved By Councillor Alto
Seconded By Councillor Dubow

That Council:

1. Revise the Victoria Housing Reserve Fund (VHRF) grant, approved on February 27, 2020, to the Capital Region Housing Corporation for the Michigan Square project located at 330-336 Michigan Street from \$990,000 to \$1,020,000 to reflect a shift from market to moderate (affordable) income rent for two of the eight proposed 3-bedroom units.
2. Issue the VHRF grant funding subject to the applicant executing a Housing Grant Agreement and a Housing Agreement to the satisfaction of the City Solicitor and Director of Sustainable Planning and Community Development to secure the provision of the affordable units pursuant to the

VHRF Guidelines as of March 21, 2019 on terms consistent with BC Housing's operating funding:

- a. 7 studio units for very low income level;
- b. 12 one-bedroom units for very low income level;
- c. 1 two-bedroom unit for very low income level;
- d. 9 one-bedroom units for low income level;
- e. 11 two-bedroom units for low income level;
- f. 2 three-bedroom units for low income level;
- g. 12 one-bedroom units for moderate income levels
- h. 4 two-bedroom units for moderate income levels;
- i. 11 two-bedroom units for moderate income levels;
- j. 20 two-bedroom units for moderate income levels; and
- k. 2 three-bedroom units for moderate income levels.

CARRIED UNANIMOUSLY

F.1.b.c Partnering Agreement to Support the Supply of Electric Vehicles Charging Infrastructure

Moved By Councillor Isitt

Seconded By Councillor Dubow

That Council authorise:

1. the City to enter into a partnering agreement for a term of one year until March 31, 2021 with the Government of British Columbia and the BC Hydro and Power Authority to provide a service, the CleanBC Home and Workplace EV Charging Program, on behalf of the City, subject to Council providing notice to the public pursuant to s. 24 of the Community Charter, and
2. any amendments to the partnering agreement that are substantially in accordance with the terms and conditions of the agreement, provided that the form and contents are satisfactory to the City Solicitor and the Acting Director of Engineering and Public Works; and
3. the City to renew the partnering agreement for further successive periods of one year each.

CARRIED UNANIMOUSLY

G. BYLAWS

G.1 Bylaw Amendment for Victoria Subdivision and Servicing

Moved By Councillor Young

Seconded By Councillor Alto

That the following bylaw **be adopted**:

1. Victoria Subdivision and Servicing Bylaw, Amendment Bylaw (No. 3) No. 20-040

CARRIED UNANIMOUSLY

G.2 Bylaw Amendment for Development Cost Charges

Moved By Councillor Isitt
Seconded By Councillor Young

That the following bylaw **be adopted**:

1. Development Cost Charges Bylaw, Amendment Bylaw (No. 2) No. 20-013

CARRIED UNANIMOUSLY

G.3 Bylaw for Alternative Municipal Tax Collection Scheme

Moved By Councillor Alto
Seconded By Councillor Young

That the following bylaw **be adopted**:

1. Alternative Municipal Tax Collection Scheme Bylaw No. 20-039

CARRIED UNANIMOUSLY

H. CORRESPONDENCE

H.1 Letter from the Association of Vancouver Island and Coastal Communities

A letter dated January 16, 2020, in which the City as carbon-copied, regarding a resolution on Revitalizing Island Rail that was endorsed by AVICC at their 2019 Convention.

Moved By Councillor Isitt
Seconded By Councillor Dubow

That the correspondence dated January 16, 2020 from the Association of Vancouver Island and Coastal Communities be received for information.

Amendment:

Moved By Councillor Isitt
Seconded By Councillor Dubow

That the motion be amended as follows:

That the correspondence dated January 16, 2020 from the Association of Vancouver Island and Coastal Communities be received for information, **and request that the Mayor write, on behalf of Council, to the President of AVICC expressing appreciation for AVICC advocating on this issue.**

CARRIED UNANIMOUSLY

Main motion as amended:

That the correspondence dated January 16, 2020 from the Association of Vancouver Island and Coastal Communities be received for information and

request that the Mayor write, on behalf of Council, to the President of AVICC expressing appreciation for AVICC advocating on this issue.

CARRIED UNANIMOUSLY

Mayor Helps recessed the meeting at 12:52 p.m.

Mayor Helps reconvened the meeting at 3:10 p.m.

Moved By Councillor Alto
Seconded By Councillor Isitt

That the agenda be amended to add three items from the April 2, 2020 Committee of the Whole agenda.

CARRIED UNANIMOUSLY

F. REPORTS OF COMMITTEE

F.1 Committee of the Whole

F.1.c Report from the April 2, 2020 COTW Meeting

F.1.c.a Council Member Motion: Scaling Up Growing in the City for Community Resilience

Moved By Councillor Isitt
Seconded By Councillor Loveday

That Council authorize the scaling up of the Growing in the City initiative with the following actions, to increase community resilience and food security in response to Covid-19:

1. Temporarily reprioritize the focus of some Parks Department capacity as outlined in Option 2 to grow food plants from seed in the municipal nursery and greenhouses for planting in the 2020 growing season, harnessing expertise on appropriate plant selection from stakeholders in the Urban Food Table.
2. Work with stakeholder organizations in the Urban Food Table, School District 61 and local farmers to develop a distribution plan for food plants, soil and educational resources to scale up food production and increase community resilience and food security.
3. Adhere strictly to workplace safety and public health guidelines during the implementation of this program.

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

CARRIED (7 to 1)

Moved By Councillor Isitt
Seconded By Councillor Loveday

Motion Arising:

That staff report back on options for reallocating funds within the food systems budget to expand the distribution of gardening materials to neighborhoods.

CARRIED UNANIMOUSLY

F.1.c.b Development Application Processes - Considerations to Address COVID-19 Pandemic

Moved By Mayor Helps
Seconded By Councillor Alto

That Council direct staff to report back on modifications to development application processes, as detailed in this report and including consideration of electronic participation of the public, in order to continue to process applications through the COVID-19 pandemic, while complying with public health orders and meeting the transparency and accountability of land use processes:

- the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications, particularly regarding the pre-submission requirement for CALUC Community Meetings
- processes and referrals to advisory committees
- processes related to the requirement for an Opportunity for Public Comment (OPC) that is linked with variance applications
- opportunities to expand delegated authority to staff to deal with minor variances and some subsets of development, particularly in relation to affordable housing
- opportunities to reconsider the requirement for public hearings associated with rezoning applications both in terms of the form they take and when they are required.

FOR (7): Mayor Helps, Councillor Alto, Councillor Potts, Councillor Thornton-Joe, Councillor Dubow, Councillor Young, and eSCRIBE Admin

OPPOSED (2): Councillor Isitt, and Councillor Loveday

CARRIED (7 to 2)

F.1.c.c COVID-19 Update (Verbal)

Moved By Councillor Loveday
Seconded By Councillor Alto

That Council receive this report for information and allocate up to \$200,000 from the 2020 Contingency, to the City Manager and

Fire Chief, to provide adequate supports to vulnerable populations without any further delay and mitigate risks to city facilities, with the City working to recover all costs from upper levels of government.

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

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

F.1.c.c Consideration of a Declaration of a State of Local Emergency

Moved By Councillor Isitt

That the following motion be lifted from the table:

Resolution: Request for Ministerial Authorization for State of Local Emergency if Required

The City of Victoria requests authorization from the provincial Minister of Public Safety to give effect to the following order, effective March 30, 2020, if the Provincial government deems that Province-wide action is not necessary:

Declaration of State of Local Emergency

ORDER

WHEREAS there is a global COVID-19 pandemic and associated social and economic disruption within the jurisdiction of the City of Victoria;

AND WHEREAS the social and economic disruption, which results in immediate hardship to many residents and businesses in the City of Victoria, including loss of income for thousands of residents, closures of hundreds of businesses and risk of widespread illness and suffering, poses an existing or imminent threat to people and property within the City of Victoria;

AND WHEREAS this medical, social and economic emergency requires prompt coordination of action or special regulation of persons or property to protect the health, safety, and welfare of people or to limit damage to property;

NOW THEREFORE:

IT IS HEREBY ORDERED pursuant to Section 12 (1) of the Emergency Program Act that a state of local emergency exists in the City of Victoria due to COVID-19 pandemic and associated social and economic disruption;

IT IS FURTHER ORDERED THAT the City Manager, Jocelyn Jenkyns, and the Deputy City Manager, Susanne Thompson, and any person acting under their direction are empowered pursuant to Section 13 (1) of the Emergency Program Act to introduce the following measure to alleviate the effects of the emergency:

- a. pursuant to section 10(1)(e) and (l), to require all persons in the City of Victoria currently providing commercial rental premises to others to render assistance to alleviate the effects of the current emergency by:
 - i. continuing to provide the commercial rental premises for the duration of the emergency on the same terms and conditions (including rent) as existed on March 1, 2020; and
 - ii. not take any action (including evictions, distress, or other remedy whether in law or equity) based on failure of tenant to pay rent during the duration of the emergency.

Failed to proceed due to no seconder

I. CLOSED MEETING

Moved By Councillor Dubow
Seconded By Councillor Alto

MOTION TO CLOSE THE APRIL 2 COUNCIL 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;

Section 90(1)(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.

CARRIED UNANIMOUSLY

J. APPROVAL OF CLOSED AGENDA

Moved By Councillor Alto
Seconded By Councillor Isitt

That the closed agenda be approved.

Amendment:

Moved By Councillor Alto
Seconded By Councillor Young

That the agenda of the April 2, 2020 Closed Council meeting be amended as follows:

Consent Agenda:

B.1 Minutes from the closed meeting held March 12, 2020

B.2 Minutes from the closed Committee of the Whole meeting held March 12, 2020

CARRIED UNANIMOUSLY

K. CONSENT AGENDA

Moved By Councillor Alto
Seconded By Councillor Young

That the following items be approved without further debate.

CARRIED UNANIMOUSLY

K.1 Minutes from the closed meeting held March 12, 2020

Moved By Councillor Alto
Seconded By Councillor Young

That the minutes from the closed meeting held March 12, 2020 be adopted.

CARRIED UNANIMOUSLY

K.2 Minutes from the closed Committee of the Whole meeting held March 12, 2020

Moved By Councillor Alto
Seconded By Councillor Young

That the minutes from the closed Committee of the Whole meeting held March 12, 2020 be adopted.

CARRIED UNANIMOUSLY

N. NEW BUSINESS

N.1 Proposed Municipal Service - Community Charter Section 90(1)(k)

Council discussed a proposed municipal service.

N.2 Employee Relations - Community Charter Section 90(1)(c)

Council discussed an employee relations matter.

The motion was recorded and kept confidential.

N.3 Employee Relations/Legal Advice - Community Charter Sections 90(1)(c) and 90(1)(i)

Council discussed an employee relations/legal advice matter.

All staff except for the City Manager withdrew from the meeting at 4:30 p.m.

N.4 Employee Relations - Community Charter Section 90(1)(c)

Council discussed an employee relations matter.

P. ADJOURNMENT

Moved By Councillor Alto
Seconded By Councillor Dubow

That the Council Meeting be adjourned at 5:39 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR