



REVISED AGENDA - VICTORIA CITY COUNCIL

Thursday, January 7, 2021

COUNCIL CHAMBERS - 1 CENTENNIAL SQUARE, VICTORIA BC

To be held immediately following the Committee of the Whole Meeting

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

Due to the COVID-19 Pandemic, public access to City Hall is not permitted. This meeting may be viewed on the City's webcast at www.victoria.ca

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E.1.a.a. 1171 Rockland Avenue: Development Variance Permit
Application No. 00253 (Fairfield)

E.1.a.b. Victoria Housing Strategy Annual Review

- E.1.a.c. Zero Waste Victoria
 - E.1.a.d. 3120 Washington Avenue: Rezoning Application No. 00735 (Burnside)
 - E.1.a.e. 131, 137 Skinner Street and 730 - 736 Tyee Road: Rezoning Application No. 00747 (Victoria West)
 - E.1.a.f. 1244 Wharf Street: Heritage Alteration Permit with Variances Application No. 00023 (Downtown)
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- *E.1.b.a. Appointment of Animal Control Officer
 - *E.1.b.b. Council Member Motion: Refer proposed Jubilee Route to Oak Bay Council for Input

F. BYLAWS

F.1. Bylaw for Council Remuneration Amendment Bylaw 81

A report recommending:

1st, 2nd, and 3rd readings of: Council Remuneration Amendment (No. 1) Bylaw No. 21-015

The purpose of this bylaw is to amend the Council Remuneration Bylaw.

F.2. Bylaw for Temporary Borrowing, 2021 85

A report recommending:

- **1st, 2nd, and 3rd readings of:**
 - Temporary Borrowing Bylaw, 2021 No. 21-004

The purpose of this Bylaw is to provide for the borrowing of money that may be necessary to meet the current lawful expenditures of the City.

F.3. Bylaw for Vehicles for Hire Bylaw Amendment 88

- **Adoption of:**
 - Vehicles for Hire Bylaw, Amendment Bylaw (No. 22) No. 20-126

The purpose of this Bylaw is to amend the Vehicles for Hire Bylaw with relation to fees paid by horse-drawn carriages, pedi-cabs, and sight-seeing vehicles.

***F.4. Bylaw for Park Dedication (1850 Leighton Road)**

89

Addendum: New Item

A report recommending:

- **1st, 2nd, and 3rd readings of:**
 - Park Dedication (1850 Leighton Road) Bylaw No. 21-009

The purpose of this bylaw is to dedicate lands known as 1850 Leighton Road for park purposes.

G. CORRESPONDENCE

G.1. Letter from the City of Port Moody

91

A letter from the City of Port Moody regarding Flood Risk Mitigation through Green Infrastructure and Natural Assets.

G.2. Letter from the Corporation of the City of Vernon

95

A letter from the Corporation of the City of Vernon regarding universal no-cost access to all prescription contraception available in BC under the the Medical Services Plan.

***H. NEW BUSINESS**

***H.1. Council Member Motion: Working Lunches**

***I. CLOSED MEETING**

MOTION TO CLOSE THE JANUARY 7, 2021 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)(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- Section 90(1)(c) labour relations or other employee relations;
- Section 90(1)(f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;
- Section 90(1)(g) litigation or potential litigation affecting the municipality;
- 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.

Section 90(2) A part of a council meeting may be closed to the public if the subject matter being considered relates to one or more of the following:

- Section 90(2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

J. APPROVAL OF CLOSED AGENDA

K. READING OF CLOSED MINUTES

L. UNFINISHED BUSINESS

M. CORRESPONDENCE

N. NEW BUSINESS

N.1. Legal Advice/Litigation - Community Charter Sections 90(1)(i) and 90(1)(g)

***N.2. Intergovernmental Negotiations - Community Charter Section 90(2)(b)**

***N.3. Proposed Municipal Service - Community Charter Section 90(1)(k)**

***N.4. Appointment - Community Charter Section 90(1)(a)**

***N.5. Law Enforcement - Community Charter Section 90(1)(f)**

N.6. Employee Relations - Community Charter Section 90(1)(c)

N.7. Employee Relations - Community Charter Section 90(1)(c)

O. CONSIDERATION TO RISE & REPORT

P. ADJOURNMENT



MINUTES - VICTORIA CITY COUNCIL

October 22, 2020, 11:43 A.M.

Council Chambers, City Hall, 1 Centennial Square

The City of Victoria is located on the homelands of the Songhees and Esquimalt People
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may be viewed on the City's webcast at www.victoria.ca.

PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Dubow,
Councillor Loveday, Councillor Potts, Councillor Young

PRESENT
ELECTRONICALLY: Councillor Thornton-Joe

ABSENT: Councillor Isitt

STAFF PRESENT: J. Jenkyns - City Manager, C. Coates - City Clerk, P. Bruce - Fire
Chief, S. Thompson - Director of Finance, T. Soulliere - Director of
Parks, Recreation & Facilities, P. Bellefontaine - Director
Engineering and Public Works, B. Eisenhauer - Head of
Engagement, J. Jensen - Head of Human Resources, C. Havelka -
Deputy City Clerk, C. Mycroft - Manager of Executive Operations,
AK Ferguson - Committee Secretary

B. APPROVAL OF AGENDA

Council requested that the wording from today's Committee of the Whole agenda item
E.2 replace the wording of today's Council to follow item E.1.a.g.

Moved By Councillor Loveday

Seconded By Councillor Alto

That the agenda be approved with the addition of the wording change for E.1.a.g.

CARRIED UNANIMOUSLY

C. READING OF MINUTES

C.1 Minutes from the evening meeting held September 17, 2020

Moved By Councillor Alto

Seconded By Councillor Potts

That the minutes from the evening meeting held September 17, 2020 be adopted.

CARRIED UNANIMOUSLY

C.2 Minutes from the daytime meeting of October 8, 2020

Moved By Councillor Alto

Seconded By Councillor Potts

That the minutes from the daytime meeting held October 8, 2020 be adopted.

CARRIED UNANIMOUSLY

D. PROCLAMATIONS

D.1 Respiratory Therapy Week - October 25-31, 2020

Moved By Councillor Dubow

Seconded By Councillor Alto

That the following proclamation be endorsed:

Respiratory Therapy Week - October 25 - 31, 2020

CARRIED UNANIMOUSLY

E. REPORTS OF COMMITTEE

E.1 Committee of the Whole

E.1.a Report from the October 15, 2020 COTW Meeting

E.1.a.a 202 Harbour Road: Development Permit Application No. 000549 (Victoria West)

Moved By Councillor Loveday

Seconded By Councillor Alto

That Council authorize the issuance of Development Permit Application No. 000549 for 202 Harbour Road, in accordance with:

1. Plans date stamped July 22, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements.
3. Registration of the following legal agreements on the property's title:
 - a. Section 219 Covenant requiring that the development be constructed to achieve LEED Gold certification, to the satisfaction of the Director of Sustainable Planning and Community Development

- b. an extension to the Statutory Right of Way along the property frontage on Harbour Road, to the south property line, to the satisfaction of the Director of Engineering and Public Works
 - c. a Statutory Right of Way over the south plaza area to allow future access through the site to the Vic West Gateway footpath, to the satisfaction of the Director of Sustainable Planning and Community Development.
4. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

E.1.a.b Youth Council

Moved By Councillor Dubow

Seconded By Councillor Loveday

That the report be received for information.

CARRIED UNANIMOUSLY

E.1.a.c Accountability Report - Period Two 2020

Moved By Councillor Dubow

Seconded By Councillor Loveday

That Council:

- A. Recognize the experiences of Black communities by fulfilling the calls of the International Decade of People of African Descent (IDPAD); and
- B. Form an International Decade People African Descent Advisory Committee by the first quarter of 2021 and that:
 - a. The advisory committee membership be compensated for their participation; and
 - b. The advisory committee be asked to report to the City Council by May 2021 on an action plan for the City to address anti-Black racism and
 - c. The action plan be informed by community consultation.
- C. Approve the inclusion of \$18k in the 2021 budget to hire a consultant to develop and implement anti-black anti-racism training for all City staff, beginning with Council and senior management, and that the City Manager provide an update by Q4 of 2021 on the status and outcomes of this training including a breakdown of who received the training by department.

- D. Approve \$ 25k to be included in the 2021 budget to support Black children and youth leadership opportunities by providing grant funding to Black-led organizations, with the grant program to be co-designed by the IDPAD advisory committee.
- E. Include \$10,000 in the 2021 budget to engage a consultant to provide the capacity and expertise to establish and track workforce metrics in order to remove barriers to employment for underrepresented groups.
- F. Include \$7000 in the 2021 budget to engage a consultant with the expertise required to develop an internship program.
- G. And that Council include address systemic racism and fulfill the calls of the International Decade of People of African Descent (IDPAD) as an action item in the Strategic Plan as a 2021 action item.

CARRIED UNANIMOUSLY

Moved By Councillor Dubow

Seconded By Councillor Loveday

That Council:

1. Receive this report for information.
2. That Council forward the information contained in Attachment K and this motion to the 2021 Financial Planning process.
3. Staff provide draft terms of reference by November 23 of 2020 for the International Decade People African Descent Advisory Committee.

CARRIED UNANIMOUSLY

Moved By Councillor Alto

Seconded By Councillor Dubow

That the AWG motion on Human Health Considerations be forwarded for discussion at the next Urban Forest Master Plan.

CARRIED UNANIMOUSLY

E.1.a.d Checkout Bag Regulation Bylaw Adoption

Moved By Councillor Alto

Seconded By Councillor Potts

That Council consider adoption of checkout Bag Regulation Bylaw 20-025 at the April 15, 2021 Council meeting.

FOR (6): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe

OPPOSED (1): Councillor Young

CARRIED (6 to 1)

E.1.a.e 2021 Committee and Council Meeting Schedule

Moved By Councillor Alto

Seconded By Councillor Potts

That Council approve the 2021 Committee of the Whole and Council meeting schedule attached to this report with a January 7, 2021 Meeting and make it available to the public as required under Section 127 of the Community Charter.

Amendment:

Moved By Mayor Helps

Seconded By Councillor Alto

That Council approve the 2021 Committee of the Whole and Council meeting schedule attached to this report with a January 7, 2021 Meeting and make it available to the public as required under Section 127 of the Community Charter; **and**

That staff report back to Council once FCM conference dates are established so that Council can consider adjusting the schedule accordingly.

CARRIED UNANIMOUSLY

On the main motion as amended:

CARRIED UNANIMOUSLY

E.1.a.f Council Member Motion: Bastion Square Mural

Moved By Councillor Thornton-Joe

Seconded By Councillor Young

1. That the City of Victoria formally recognizes the prevalence of systemic racism in the City of Victoria both as an organization and as a community and that the City of Victoria commits to address and undo systemic racism everywhere that it exists.
2. That staff facilitate further dialogue among AHAVI, the artists, staff, and the police chief, and
3. That the letters ACAB be removed at the earliest opportunity possible, and

4. If the artists choose to replace the removed letters with another design, that they submit their proposal for the staff's approval.

Amendment:

Moved By Councillor Young

Seconded By Councillor Thornton-Joe

1. That the City of Victoria formally recognizes the prevalence of systemic racism in the City of Victoria both as an organization and as a community and that the City of Victoria commits to address and undo systemic racism everywhere that it exists.
2. That staff facilitate further dialogue among AHAVI, the artists, staff, and the police chief, and
3. That the letters ACAB be removed at the earliest opportunity possible, and **that they be covered with removable street furniture until a decision has been reached.**
4. If the artists choose to replace the removed letters with another design, that they submit their proposal for the staff's approval.

FOR (2): Councillor Thornton-Joe, and Councillor Young

OPPOSED (5): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Loveday, and Councillor Potts

DEFEATED (2 to 5)

Councillor Potts requested the motion be separated.

On the main motion:

1. That the City of Victoria formally recognizes the prevalence of systemic racism in the City of Victoria both as an organization and as a community and that the City of Victoria commits to address and undo systemic racism everywhere that it exists.
2. That staff facilitate further dialogue among AHAVI, the artists, staff, and the police chief, and
4. If the artists choose to replace the removed letters with another design, that they submit their proposal for the staff's approval.

CARRIED UNANIMOUSLY

On the main motion:

3. That the letters ACAB be removed at the earliest opportunity possible.

FOR (6): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Loveday, Councillor Thornton-Joe, and Councillor Young

OPPOSED (1): Councillor Potts

CARRIED

E.1.a.g Shower Use at Royal Athletic Park

Moved By Councillor Alto

Seconded By Councillor Potts

That Council receive the report for information.

Request that Councillor Thornton-Joe check with Our Place for potential extended of hours for showers or other services and for Councillor Potts to check through the work she is doing with Outreach on more showers.

CARRIED UNANIMOUSLY

G. NEW BUSINESS

G.1 Short Term Rental Business Licence Appeal

G.1.a 1743 Pembroke Street

Councillor Dubow withdrew from the meeting at 12:17 p.m.

Council received a report dated October 13, 2020 from the City Clerk regarding the short term rental unit at 1743 Pembroke Street which was denied a license and has exercised the Community Charter right to have council reconsider the matter. The submissions of both the operator and the License Inspector were attached to the report.

The City Clerk provided an overview of the short term rental business licence appeal process and advised that this is a statutory process that the process needs to be abided by.

Council decided unanimously, based on the inspector's evidence, to deny the short term business licence for the premises at 1743 Pembroke Street.

Moved By Councillor Alto

Seconded By Councillor Loveday

That Council deny the reconsideration request of Phil Greet and uphold the Licence Inspector's decision to deny a short-term rental business licence for premises at 1743 Pembroke Street.

CARRIED UNANIMOUSLY

H. CLOSED MEETING

Moved By Councillor Potts

Seconded By Councillor Loveday

MOTION TO CLOSE THE OCTOBER 22, 2020 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; and*
- *Section 90(1)(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;*
- *Section 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;*

Section 90(2) A part of a council meeting must be closed to the public if the subject matter being considered relates to one or more of the following:

- *Section 90(2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party;*

CARRIED UNANIMOUSLY

I. APPROVAL OF CLOSED AGENDA

J. READING OF CLOSED MINUTES

M. NEW BUSINESS

M.1 Land - Community Charter section 90(1)(e)

Council received a report regarding Land.

The discussion was kept confidential.

M.2 Land - Community Charter Section 90(1)(e)

Council received a report regarding Land.

The discussion was kept confidential.

M.3 Legal Advice - Community Charter Section 90(1)(i)

Council received a report regarding Legal Advice.

The discussion was kept confidential.

M.4 Late Item

M.4.a Land/Intergovernmental Relations - Community Charter Section 90(1)(e) and 90(2)(b)

Council received a report regarding Land and Intergovernmental Relations.

The discussion and motion were kept confidential.

The recording secretary left the meeting at 1:38 p.m.

M.5 Employee Relations - Community Charter Section 90(1)(c)

Council received a report regarding Employee Relations.

The discussion was kept confidential.

M.6 Employee Relations - Community Charter Section 90(1)(c)

Council received a verbal report regarding Employee Relations.

The discussion was kept confidential.

O. ADJOURNMENT

Moved By Councillor Alto

Seconded By Councillor Young

That the Council meeting adjourn.

Time: 12:55 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



MINUTES - VICTORIA CITY COUNCIL

November 12, 2020, 6:30 P.M.

Council Chambers, City Hall, 1 Centennial Square

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PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Dubow, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young

ABSENT: Councillor Isitt

STAFF PRESENT: J. Jenkyns - City Manager, C. Coates - City Clerk, T. Soulliere - Director of Parks, Recreation & Facilities, T. Zworski - City Solicitor, K. Hoese - Director of Sustainable Planning and Community Development, C. Havelka - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, J. Handy - Senior Planner, P. Martin - Council Secretary, P. Bellefontaine - Director of Engineering & Public Works

A. APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Moved By Councillor Alto

Seconded By Councillor Dubow

That the agenda be approved as amended.

CARRIED UNANIMOUSLY

B. Poetry Reading

The Youth Poet Laureate, Neko Smart read a poem titled "My mother is selling our home".

D. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Alto

Seconded By Councillor Dubow

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

- D.1 Savi Hanning-Brown: Lights at the Vic West Skatepark**
Outlined why Council should create a plan to implement lighting infrastructure at Vic West Skate-park.
- D.2 Desike-akin Raquel Akingbehin: Treatment for Sickle Cell Disease in Victoria**
Outlined why Council should look into an amendment to the response of the healthcare system, for patients living with Sickle Cell disease.
- D.3 Joanne Newell: Noise From Equipment on the Roof of The Summit Care Facility, 955 Hillside Avenue**
Outlined why Council should add the issue of noise from equipment on the roof of The Summit Care Facility to the Capital Regional District Board, so that an investment can be made to eliminate the noise.
- D.4 Jennifer Ferris: Noise Pollution From the Equipment on Top of The Summit**
Outlined why Council should add the issue of noise from equipment on the roof of The Summit Care Facility to the Capital Regional District Board, so that an investment can be made to eliminate the noise.
- D.5 Kathy Gillis: Noise Associated with The Summit, Senior's Facility, Hillside Road**
Outlined why Council should add the issue of noise from equipment on the roof of The Summit Care Facility to the Capital Regional District Board, so that an investment can be made to eliminate the noise.
- D.6 Patti Dewhurst: Summit Care Facility**
Outlined why Council should add the issue of noise from equipment on the roof of The Summit Care Facility to the Capital Regional District Board, so that an investment can be made to eliminate the noise.

F. PUBLIC AND STATUTORY HEARINGS

Councillor Dubow withdrew from the meeting at 6:57 p.m. due to a non-pecuniary conflict of interest with the following item, as he knows the owner of the neighbouring business that is facing an eviction.

F.1 1881 Fort Street: Rezoning Application No. 00713

This Public Hearing is a continuation of the hearing held October 8, 2020. The hearing was adjourned to this November 12, 2020 meeting in order to seek information from the landowner on potential implications of this rezoning on other lease holders at this location.

Zoning Regulation Bylaw, Amendment Bylaw (No. 1213) No. 20-009:

To rezone the land known as 1881 Fort Street from the C-1 Zone, Limited Commercial District, to the C1-4 Zone, Fort Street Commercial (Cannabis) District, to permit a storefront cannabis retailer.

F.1.a Public Hearing & Consideration of Approval

Mayor Helps reconvened the public hearing at 7:00 p.m.

Matt Dell (Lee Avenue): Expressed support for the application as it will be a good addition to the neighbourhood.

David Bruun (Resident): Expressed support for the application as a cannabis shop will be a positive addition to the neighbourhood.

Council recessed from 7:05 p.m. until 7:10 p.m. to provide an opportunity for members of the public to call to speak live.

Neil Schuyler (View Street): Expressed support for the application as it will be a wonderful addition to the neighbourhood.

Pam Schivick (Fort Street): Expressed concerns with the application due to concerns with the landlord.

Mohamed Aziz (Fort Street): Expressed concerns with the application in relation to his neighbouring business.

Council discussed the following:

- *That this application does not have any impact on the neighbouring business as the businesses are located on different properties.*

Mayor Helps closed the public hearing at 7:20 p.m.

Moved By Mayor Helps
Seconded By Councillor Loveday

That the following bylaw **be given third reading**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1213) No. 20-009

CARRIED UNANIMOUSLY

Moved By Mayor Helps
Seconded By Councillor Loveday

That the following bylaw **be adopted**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1213) No. 20-009

CARRIED UNANIMOUSLY

Councillor Dubow returned to the meeting at 7:24 p.m.

F.2 2639 Fifth Street: Development Variance Permit Application No. 00244

Development Variance Permit Application No. 00244

The City of Victoria will be considering the issuance of a Development Variance Permit for the land known as 2639 Fifth Street for the purpose of varying certain requirements of the *Zoning Regulation Bylaw*, namely: reducing the vehicle

parking requirement by two additional stalls, for a total of 50 stalls, to construct a new residential unit within the existing building.

F.2.a Opportunity for Public Comment & Consideration of Approval:

Jim Handy (Senior Planner): *Advised that the application is to approve an additional unit to the existing apartment building.*

Mayor Helps opened the opportunity for public comment at 7:26 p.m.

Michael Moody (Applicant): Provided information regarding the application.

Council recessed from 7:32 p.m. until 7:37 p.m. to provide an opportunity for members of the public to call to speak live.

No persons called in to speak to the proposed application.

Mayor Helps closed the opportunity for public comment at 7:37 p.m.

Moved By Councillor Alto
Seconded By Councillor Loveday

That Council authorize the issuance of Development Variance Permit Application No. 00244 for 2639 Fifth Street, in accordance with:

1. Plans date stamped June 8, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the residential vehicle parking requirement from 61 stalls to 50 stalls.
3. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

G. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Alto
Seconded By Councillor Dubow

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

G.1 Stephen Dorsey: Equity and Equality in the City of Victoria

Outlined why Council should ensure their decision making addresses systemic issues related to equity and equality in the City of Victoria.

G.3 Diane Thompson: Concerns with Closing Roads in Beacon Hill

Outlined why Council should take into consideration the many people who will be excluded from enjoying and accessing Beacon Hill Park if the roads are closed.

G.4 Linda Walsh: Proposed Setback from Private Property for Park Shelters

Outlined why Council should approve a bylaw amendment, applicable to all Victoria parks, to introduce a setback from private property boundaries to address the concerns of residents regarding privacy and security.

G.5 Jason Chadwick: Encampment Basic Needs

Outlined why Council should provide a heat source, drinking water, and showers for the homeless encampments.

G.6 Michael Knife: Positive Action with Homelessness

Offered to work with Council to help provide positive actions on behalf of the homeless encampments to improve community relations.

O. ADJOURNMENT

Moved By Councillor Alto

Seconded By Councillor Loveday

That the Council meeting adjourn.

TIME: 8:04 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



MINUTES - VICTORIA CITY COUNCIL

November 19, 2020, 12:00 P.M.

COUNCIL CHAMBERS - 1 CENTENNIAL SQUARE, VICTORIA BC

To be held immediately following the Committee of the Whole Meeting

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

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

PRESENT
ELECTRONICALLY: Councillor Dubow, Councillor Loveday,

ABSENT: Councillor Isitt

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager /
Director of Finance, C. Coates - City Clerk , 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, C. Havelka - Deputy City Clerk, J.
O'Connor - Deputy Director of Finance, C. Mycroft - Manager of
Executive Operations, M. Heiser - Committee Secretary, A. James
- Head of Strategic Operations

A. CONVENE COUNCIL MEETING

B. APPROVAL OF AGENDA

Moved By Councillor Alto
Seconded By Councillor Potts

That the agenda be approved.

CARRIED UNANIMOUSLY

E. REPORTS OF COMMITTEE

E.1 Committee of the Whole

E.1.a Report from the November 12, 2020 COTW Meeting

E.1.a.a Regional Evacuation Planning Grant

Moved By Councillor Alto
Seconded By Councillor Young

1. That Council approve the \$75,000 joint grant application submitted by staff on November 5th, 2020 to the Union of BC Municipalities (UBCM) Community Emergency Preparedness Fund (CEPF) for Regional Evacuation Planning. The partners in the joint grant application include the Township of Esquimalt (\$25,000), the District of Oak Bay (\$25,000), and the City of Victoria (\$25,000).
2. That Council authorize the Mayor and City Clerk to execute any agreements related to a successful grant application.

CARRIED UNANIMOUSLY

E.1.a.b Q3 VicPD Report

Moved By Councillor Thornton-Joe
Seconded By Councillor Young

That Council received the report from Victoria Police for information.

CARRIED UNANIMOUSLY

E.1.a.c 1114 Rockland Avenue: Rezoning Application No. 00711 and Development Permit with Variances Application No. 00140 (Fairfield)

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

Rezoning Application No. 00711

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00711 for 1114 Rockland 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. Secure an amenity contribution in the amount of \$144,021.20 towards the Victoria Housing Reserve Fund (70%) and Local Amenities Fund (30%), to the satisfaction of the Director of Sustainable Planning and Community Development.
2. Secure two one-bedroom units to be sold at a minimum of 10% below market rate (below-market ownership units) in perpetuity, to the satisfaction of the Director of Sustainable Planning and Community Development.
3. Preparation and execution of legal agreements for the following:
 - a. to ensure that future strata bylaws cannot restrict the rental of units to non-owners (with the exception of two below-

- market ownership units), to the satisfaction of the Director of Sustainable Planning and Community Development.
- b. to secure the following transportation demand management measures, to the satisfaction of the Director of Engineering and Public Works:
- i. one car share membership per dwelling unit;
 - ii. one hundred dollars in car share usage credits per membership;
 - iii. 20 long term bicycle parking stalls in addition to the requirements under Schedule C of the Zoning Regulation Bylaw;
 - iv. a bicycle maintenance area; and
 - v. a BC Transit bus pass subsidy of at least \$22,500 for future residents.

Development Permit with Variances Application No. 00140

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. 00711, if it is approved, consider the following motion:

That Council authorize the issuance of Development Permit with Variance Application No. 00140 for 1114 Rockland Avenue, in accordance with:

1. Plans date stamped June 29, 2020.
2. Revisions to the plans to shift the location of the sidewalk to the property line and adjust the landscaping along the street frontage to the satisfaction of the Director of Sustainable Planning and Community Development.
3. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the vehicle parking from 17 stalls to 12 stalls;
 - ii. reduce the west side setback from 3 metres to 2 metres;
 - iii. reduce the east side setback from 3 metres to 0.35 metres (lobby only)
4. The Development Permit lapsing two years from the date of this resolution.

FOR (6): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Thornton-Joe, Councillor Potts, Councillor Loveday,

OPPOSED (1): Councillor Young

CARRIED (6 to 1)

E.1.a.d Council Member Motion: Seniors Action Plan

Moved By Councillor Young

Seconded By Councillor Alto

That Council:

1. Adopt the City of Victoria Seniors' Action Plan 2020
2. Refer the plan for Council's consideration in the 2021 Financial Planning process

3. Direct staff to apply for the UBCM Age-Friendly grant to create a list of actions that overlap between the Seniors' Action Plan, the Accessibility Framework and other city programs, and create an age-friendly implementation plan.
4. Approve the formation of a Seniors' Advisory Committee and direct staff to report back with draft Terms of Reference and resource requirements for this committee, and additionally on resources required to work with partner Seniors' Serving agencies in convening an annual Seniors' Summit.

CARRIED UNANIMOUSLY

E.1.b Report from the November 10, 2020 Special COTW Meeting

E.1.b.a 2021 Draft Financial Plan – Department Presentations

E.1.b.a.a Real Estate

Moved By Councillor Alto
Seconded By Councillor Potts

That Council direct staff to provide an annual update by the end of Q2 2021 on Parks and Greenways Acquisitions, informed by the equity framework.

CARRIED UNANIMOUSLY

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That Council direct staff to provide an annual update by the end of Q2 2021 on Housing Acquisitions.

CARRIED UNANIMOUSLY

E.1.b.a.b Parks, Recreation, and Facilities

Moved By Councillor Young
Seconded By Councillor Thornton-Joe

That Council request staff to report back with information regarding the potential for paid parking along a portion of Dallas Road with exemption for accessible parking spaces.

CARRIED UNANIMOUSLY

Moved By Councillor Loveday
Seconded By Councillor Alto

That Council direct staff to report back before the end of 2020 on the options and implications for security services.

CARRIED UNANIMOUSLY

F. BYLAWS

F.1 Bylaw for Rental Property Standards of Maintenance Bylaw

Moved By Councillor Potts

Seconded By Councillor Thornton-Joe

That the following bylaw **be adopted**:

1. Rental Property Standards of Maintenance Bylaw No. 20-091

FOR (6): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Thornton-Joe, Councillor Potts, Councillor Loveday,

OPPOSED (1): Councillor Young

CARRIED (6 to 1)

G. CLOSED MEETING

Moved By Councillor Potts

Seconded By Councillor Thornton-Joe

MOTION TO CLOSE THE NOVEMBER 19, 2020 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;*

H. APPROVAL OF CLOSED AGENDA

L. NEW BUSINESS

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

Council discussed an employee relations matter.

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

Council discussed an employee relations matter.

L.3 Employee Relations - Community Charter Section 90(1)(c)

Council discussed an employee relations matter.

N. **ADJOURNMENT**

Moved By Councillor Potts
Seconded By Councillor Alto

That the Closed Council Meeting be adjourned at 2:48 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



MINUTES - VICTORIA CITY COUNCIL

November 26, 2020, 6:30 P.M.

Council Chambers, City Hall, 1 Centennial Square

The City of Victoria is located on the homelands of the Songhees and Esquimalt People
Due to the COVID-19 Pandemic, public access to City Hall is not permitted. This meeting
may be viewed on the City's webcast at www.victoria.ca.

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

PRESENT
ELECTRONICALLY: Councillor Dubow, Councillor Isitt (*joined at 6:44 p.m.*), Councillor
Loveday, Councillor Potts, and Councillor Thornton-Joe

STAFF PRESENT: J. Jenkyns - City Manager, C. Coates - City Clerk, T. Soulliere -
Director of Parks, Recreation & Facilities, T. Zworski - City Solicitor,
K. Hoese - Director of Sustainable Planning and Community
Development, C. Havelka - Deputy City Clerk, C. Mycroft -
Manager of Executive Operations, A. Johnston - Planner, P. Martin
- Council Secretary, P. Bellefontaine - Director of Engineering &
Public Works

B. APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Moved By Councillor Alto
Seconded By Councillor Young

That the agenda be approved as amended.

CARRIED UNANIMOUSLY

D. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Alto
Seconded By Councillor Young

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

D.1 Kelly Greenwell: Suspension and/or Extension of the Villages and Corridors Planning Process

Outlined why Council should extend the Villages and Corridors planning process
to include in person outreach, events, and other engagement opportunities until
June 2021.

D.3 Marina Aitcheson: Villages and Corridors Local Area Planning

Outlined why Council should delay the Local Area Plan process until Spring 2021 so that more meaningful and equitable engagement can occur in person with broader neighbourhood engagement.

Councillor Isitt joined the meeting electronically at 6:44 p.m.

D.4 Hans De Goede: Equity and Equality

Outlined why Council should take concrete steps to proactively eliminate systemic inequalities.

D.5 Esther Callo: Equity

Outlined why Council should give children a voice in their schools.

F. PUBLIC AND STATUTORY HEARINGS

F.1 324/328 Cook Street and 1044, 1048, and 1052/1054 Pendergast Street: Rezoning Application No. 00634 and Development Permit with Variances Application No. 00527

Zoning Regulation Bylaw, Amendment Bylaw (No. 1233) No. 20-081:

To rezone the lands known as 324/328 Cook Street and 1044, 1048 and 1052/1054 Pendergast Street from the CR-3M Zone, Commercial Residential Apartment Modified District, and the R-K Zone, Medium Density Attached Dwelling District, to the CR-CP Zone, Cook and Pendergast District, to permit ground floor commercial uses and multi-unit residential dwellings.

Development Permit Application:

The Council of the City of Victoria will also consider issuing a development permit for the land known as 324/328 Cook Street and 1044, 1048 and 1052/1054 Pendergast Street, in Development Permit Area 5: Large Urban Village, for the purposes of approving the exterior design and finishes for the mixed-use building as well as landscaping.

F.1.a Public Hearing & Consideration of Approval

Alec Johnston (Senior Planner): *Advised that the application is to construct a four-storey, mixed-use building with ground-floor commercial uses and residential units above.*

Mayor Helps opened the public hearing at 6:59 p.m.

Council discussed the following:

- *The amenity contributions included in the project.*

Luke Ramsay, Peter Johannknecht, Scott Murdoch, and Chris Paul (Applicants): Provided information regarding the application.

Amy White (Pendergast Street): Expressed concerns with the application due to the loss of homes in order to build the proposed building.

Anna Hammond (Goodson Street): Expressed support for the application due to their support and expanded space of the Cook Street Village Community Centre.

Bev Rule (Moss Street): Expressed support for the application due to their support and expanded space of the Cook Street Village Community Centre.

Carol Turnbull (Hillside Avenue): Expressed support for the application due to their support and expanded space of the Cook Street Village Community Centre.

Lucille Prue (Palmer Road): Expressed support for the application due to their support and expanded space of the Cook Street Village Community Centre.

Bridget Harris (Cook Street): Expressed concerns with the application due to the loss of homes in order to build the proposed building.

Resident: Expressed concerns with the application due to the increased traffic in Cook Street Village.

Cleo Gagner (Resident): Expressed concerns with the amount of the amenity contributions in relation to the loss of homes in order to build the proposed building.

Council recessed from 7:40 p.m. until 7:46 p.m. to provide an opportunity for members of the public to call to speak live.

Doris Maddaford (Resident): Expressed concerns with the application as the space the Cook Street Village Community Centre will gain is not located at the proposed property, and concerns with the lack of affordable housing.

Mayor Helps closed the public hearing at 8:06 p.m.

Moved By Councillor Young
Seconded By Mayor Helps

That the following bylaw **be given third reading**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1233) No. 20-081

Council discussed the following:

- *Concerns with the loss of housing in order to build the proposed building.*

Amendment:

Moved By Councillor Isitt
Seconded By Mayor Helps

That the bylaw be amended as follows:

That schedule 1 be amended by adding to part 4.102.4 c the words "within 200 meters of this zone" immediately after the words "a building in the City".

CARRIED UNANIMOUSLY

On the main motion as amended:

That the following bylaw be given third reading:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1233) No. 20-081, as amended as follows:

That schedule 1 be amended by adding to part 4.102.4 c the words "within 200 meters of this zone" immediately after the words "a building in the City".

Council discussed the following:

- *That the applicant will help with any increased rent costs for the two tenants losing their homes.*
- *The amount of new family housing units that will be created.*
- *Concerns with the lack of inclusion of affordable housing with this project.*
- *The need for affordable rental properties for the City.*

Moved By Councillor Alto

Seconded By Councillor Loveday

That Mayor Helps be allowed to speak a second time.

CARRIED UNANIMOUSLY

Council discussed the following:

- *How the building fits with the neighbourhood plan.*
- *The importance of the amenity contributions for the City.*
- *The amenities being provided through the tenant assistant policy.*

Moved By Councillor Alto

Seconded By Councillor Dubow

That Councillor Isitt be allowed to speak a second time.

CARRIED UNANIMOUSLY

Council discussed the following:

- *The wish to have the applicant provide affordable and inclusive housing to offset the creation of strata housing.*

Moved By Councillor Dubow

Seconded By Councillor Alto

That Councillor Thornton-Joe be allowed to speak a second time.

CARRIED UNANIMOUSLY

Council discussed the following:

- *The importance of creating housing to allow new families to move into the neighbourhood.*

FOR (4): Mayor Helps, Councillor Alto, Councillor Thornton-Joe, and Councillor Young

OPPOSED (4): Councillor Dubow, Councillor Isitt, Councillor Loveday, and Councillor Potts

DEFEATED (4 to 4)

Council recessed from 9:04 p.m. until 9:11 p.m.

F.2 611 and 629 Speed Avenue: Development Variance Permit Application No. 00243

Development Variance Permit Application No. 00243

The City of Victoria will be considering the issuance of a Development Variance Permit for the land known as 611 and 629 Speed Avenue for the purpose of varying certain requirements of the *Zoning Regulation Bylaw* namely: site area and the number of residential and visitor parking spaces in order to facilitate a phased strata development that would allow for phased building occupancy for an already approved multi-unit residential building.

F.2.a Opportunity for Public Comment & Consideration of Approval:

Michael Angrove (Senior Planner): *Advised that the application is to permit a phased development with variances for site area and parking at completion of phase one.*

Mayor Helps opened the opportunity for public comment at 9:13 p.m.

Erica Sangster (Applicant): Provided information regarding the application.

Council recessed from 9:18 p.m. until 9:23 p.m. to provide an opportunity for members of the public to call to speak live.

Ron Sullivan (Speed Avenue): Expressed concerns with the application due to parking and traffic congestion issues.

Josh Gardner (Speed Avenue): Expressed concerns with the application due to parking and traffic congestion issues.

Council discussed the following:

- *The traffic assessment that was undertaken by the applicant, that shows the traffic is typical for that type of area.*

Mayor Helps closed the opportunity for public comment at 9:31 p.m.

Moved By Councillor Alto
Seconded By Councillor Young

That Council authorize the issuance of Development Variance Permit Application No. 00243 for 611 and 629 Speed Avenue, in accordance with:

1. Plans date stamped October 14, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the site area of proposed strata lot 1 from 5340m² to 2112m²;
 - ii. reduce the site area of proposed strata lot 2 from 5340m² to 3237m²;
 - iii. reduce the required number of residential parking spaces from 65 to 16 for strata lot 1;
 - iv. reduce the required number of visitor parking spaces from 7 to 4 for strata lot 1.
3. The applicant must provide two car share vehicles, two designated car share parking spaces with energized electrical outlets each capable of 240 volts and 30 amps, 100 car share memberships and usage credits in Phase 1, to the satisfaction of the Director of Sustainable Planning and Community Development.
4. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

O. ADJOURNMENT

Moved By Councillor Alto
Seconded By Councillor Young

That the Council meeting adjourn.
TIME: 9:33 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



MINUTES - VICTORIA CITY COUNCIL

December 10, 2020, 6:30 P.M.

Council Chambers, City Hall, 1 Centennial Square

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may be viewed on the City's webcast at www.victoria.ca.**

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

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

ABSENT: Councillor Dubow

STAFF PRESENT: J. Jenkyns - City Manager, C. Coates - City Clerk, T. Soulliere -
Director of Parks, Recreation & Facilities, T. Zworski - City Solicitor,
K. Hoese - Director of Sustainable Planning and Community
Development, C. Havelka - Deputy City Clerk, C. Mycroft -
Manager of Executive Operations, P. Bellefontaine - Director of
Engineering & Public Works, R. Bateman – Senior Planner, L.
Taylor - Senior Planner, P. Martin - Council Secretary

A. APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Moved By Councillor Alto
Seconded By Councillor Young

That the agenda be approved as amended.

CARRIED UNANIMOUSLY

B. Poetry Reading

The Poet Laureate, John Barton, read a poem titled "HIV: A History".

The Youth Poet Laureate, Neko Smart, read a poem titled "Photographs on my wall are disappearing".

D. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Alto
Seconded By Councillor Loveday

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

D.1 Bridget Pillar: Gonzales Community Development Plans

Outlined why Council should reconsider the needs noted in the Gonzales Neighbourhood Plan.

D.2 Josh McStravick: Proposed Changes to the Gonzales Neighbourhood

Outlined why Council should reconsider the needs noted in the Gonzales Neighbourhood Plan.

D.3 Deborah Scott: Saving the Vic High Track

Outlined why Council should not allow the Victoria High School track and facility to be downsized due to the development of housing.

D.5 Kimberley Colpman: 2700 Avebury Small Lot Rezoning and DP Applications

Outlined why Council should move the application for 2700 Avebury Street forward to a Public Hearing.

D.6 Nigel Deacon: Pigeon Feeding

Outlined why Council should adjust the Animal Control bylaw to include multiple family dwellings in VicWest so that bylaw officers can fine those who feed pigeons.

F. PUBLIC AND STATUTORY HEARINGS

F.1 2800 Bridge Street: Development Permit with Variance Application No. 00139

Development Permit with Variances Application:

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 2800 Bridge Street, in Development Permit Area 16: General Form and Character, for purposes of approving the exterior design and finishes of a proposed a raw materials receiving and storage facility (silo).

Councillor Isitt left the meeting at 7:01 p.m.

F.1.a Opportunity for Public Comment & Consideration of Approval

Leanne Taylor (Senior Planner): *Advised that the application is to construct a new raw-material receiving and storage facility.*

Mayor Helps opened the opportunity for public comment at 7:03 p.m.

Sage Berryman and Stephen Hay (Applicants): Provided information regarding the application.

John Alexander (Solicitor for Pt. Ellice properties Ltd.): Expressed concerns with the application due to the need for further consultation as the height variance requested is too much.

Council recessed from 7:23 p.m. until 7:28 p.m. to provide an opportunity for members of the public to call to speak live.

No further persons called in to speak to the proposed application.

Council discussed the following:

- *The reason for the height variance request.*

Mayor Helps closed the opportunity for public comment at 7:35 p.m.

Moved By Mayor Helps
Seconded By Councillor Young

That Council authorize the issuance of Development Permit with Variance Application No. 00139 for 2800 Bridge Street, in accordance with:

1. Plans date stamped June 18, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - a. increase the height of a raw materials receiving and storage facility (silo) from 15m to 31.83m.
3. Registration of a legal agreement on the property's title to restrict the illumination levels and hours of operation (to midnight) of the light installation on the north elevation of the raw materials receiving and storage facility (silo), to the satisfaction of the Director of Community Planning and Sustainable Development.
4. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

F.2 1050-1058 Pandora Avenue and 1508-1518 Cook Street (Wellburn's Site): Rezoning Application No. 00695, Heritage Designation Application No. 000188, and Heritage Alteration Permit Application No. 00016

Zoning Regulation Bylaw, Amendment Bylaw (No. 1220) No. 20-041:

To rezone the land known as 1050-1058 Pandora Avenue, 1508, 1514 and 1516 Cook Street and 1518 Cook Street from the CA-1 Zone, Pandora Avenue Special Commercial District, and R-2 Zone, Two Family Dwelling District, to the CR-P2 Zone, Parkway District, to increase the density and construct a new four- and six-storey mixed-use addition consisting of ground floor commercial uses and residential above.

Heritage Alteration Permit:

The Council of the City of Victoria will also consider issuing a Heritage Alteration Permit for the land known as 1050-1058 Pandora Avenue, 1508, 1514 and 1516 Cook Street and 1518 Cook Street, in Development Permit Area 3 (HC) – Core

Mixed-Use Residential (HC), for the purposes of approving the exterior design and finishes for the mixed-use building as well as landscaping.

Heritage Designation Bylaw:

The Council of the City of Victoria will also consider approving the designation of the exterior of the building at 1050-1058 Pandora Avenue and 1508, 1514 and 1516 Cook Street.

F.2.a Public Hearing & Consideration of Approval

Leanne Taylor (Senior Planner): *Advised that the application proposes for a six-storey, mixed-use development consisting of commercial and residential uses.*

Mayor Helps opened the public hearing at 7:40 p.m.

Michael Nygren and Michael Green (Applicants): Provided information regarding the application.

Christian Trotter (North Park): Expressed concerns with the application due to the inclusion of a facade on the face of a modern building.

Alan (Johnson Street): Expressed support for the application as it will provide much needed rental housing.

Council recessed from 8:05 p.m. until 8:10 p.m. to provide an opportunity for members of the public to call to speak live.

No further persons called in to speak to the proposed bylaw.

Council discussed the following:

- *The breakdown of unit sizes in the proposed building.*
- *How the facade will be kept in connection with the new building.*

Mayor Helps closed the public hearing at 8:26 p.m.

Moved By Mayor Helps

Seconded By Councillor Alto

That the following bylaws **be given third reading:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1220) No. 20-041
2. Heritage Designation (1050-1058 Pandora Avenue and 1508, 1514 and 1516 Cook Street and 1518 Cook Street) Bylaw No. 20-007

Council discussed the following:

- *The importance of keeping the façade of the building as heritage property.*
- *The lack of affordability included in the project.*

FOR (5): Mayor Helps, Councillor Alto, Councillor Loveday, Councillor Thornton-Joe, and Councillor Young
OPPOSED (1): Councillor Potts

CARRIED (5 to 1)

Moved By Councillor Alto
Seconded By Councillor Young

That the following bylaws **be adopted**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1220) No. 20-041
2. Heritage Designation (1050-1058 Pandora Avenue and 1508, 1514 and 1516 Cook Street and 1518 Cook Street) Bylaw No. 20-007
3. Housing Agreement (1050-1058 Pandora Avenue and 1508, 1514 and 1516 Cook Street and 1518 Cook Street) Bylaw (2020) No. 20-042

FOR (5): Mayor Helps, Councillor Alto, Councillor Loveday, Councillor Thornton-Joe, and Councillor Young
OPPOSED (1): Councillor Potts

CARRIED (5 to 1)

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

1. That Council authorize the issuance of Heritage Alteration Permit Application No. 00016 for 1050-1058 Pandora Avenue and 1508-1518 Cook Street, in accordance with:
 - a. Plans, date stamped November 16, 2020;
 - b. The Conservation Plan for the Parkway Apartments, date stamped July 16, 2019;
 - c. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development; and
 - d. Heritage Alteration Permit lapsing two years from the date of this resolution.
2. That Council approve the designation of the heritage-registered property located at 1050-1058 Pandora Avenue and 1508-1516 Cook Street, pursuant to Section 611 of the Local Government Act, as a Municipal Heritage Site, consistent with the plans dated July 15, 2020."

FOR (5): Mayor Helps, Councillor Alto, Councillor Loveday, Councillor Thornton-Joe, and Councillor Young
OPPOSED (1): Councillor Potts

CARRIED (5 to 1)

**F.3 43, 45, and 55 Gorge Road East and 2827, 2829, and 2831 Irma Street:
Rezoning Application No. 00720 and Development Permit with Variances
Application No. 00135**

Zoning Regulation Bylaw, Amendment Bylaw (No. 1236) No. 20-094:

To rezone the land known as 43, 45 and 55 Gorge Road East and 2827, 2829 and 2831 Irma Street from the R1-B Zone, Single Family Dwelling District, to the CR-GI Zone, Gorge and Irma District, to increase the density and permit an approximately six-storey, mixed-use building consisting of ground floor commercial uses and approximately 153 rental dwelling units.

Development Permit Application:

The Council of the City of Victoria will also consider issuing a development permit for the land known as 43, 45 and 55 Gorge Road East and 2827, 2829 and 2831 Irma Street, in Development Permit Area 5: Large Urban Villages – Gorge at Irma and Development Permit Area 7A: Corridors – Gorge Road East for the purposes of approving the exterior design and finishes for the mixed-use building as well as landscaping.

Councillor Isitt returned to the meeting at 8:43 pm.

F.3.a Public Hearing & Consideration of Approval:

Leanne Taylor (Senior Planner): *Advised that the application proposes to increase the density and construct a five-storey, mixed-use building consisting of ground floor commercial and residential uses above.*

Mayor Helps opened the public hearing at 8:45 p.m.

Chris Karu, Robert Cadez, Brent Sawchyn, and Neil Banich (Applicant): Provided information regarding the application.

Doug Brown (Gorge Road East): Expressed support for the application due to the need for new housing in this area and as the proposed development will revitalize the corridor.

Brendan Selina (Resident): Expressed support for the application due to the need for mixed demographics and mixed housing in the area.

Kevin Wade (Irma Street): Expressed support for the application as it will help create a walkable and usable neighbourhood.

Jaideep Pannu (Resident): Expressed support for the application as it will be a benefit to the area.

Marnie Denham-Claire (Oliphant Avenue): Expressed support for the application due to the need for rental accommodation in the City.

Paul Hanson (Elford Street): Expressed support for the application due to the need for rental accommodation in the City.

Tasha Henry (Kipling Street): Expressed support for the application due to the need for rental accommodation in the City.

Jaideep Pannu (Resident): Expressed support for the application as it will be a benefit to the area.

Marnie Denham-Claire (Oliphant Avenue): Expressed support for the application due to the need for rental accommodation in the City.

Paul Hanson (Elford Street): Expressed support for the application due to the need for rental accommodation in the City.

Tasha Henry (Kipling Street): Expressed support for the application due to the need for rental accommodation in the City.

Kira Star (Cecil Road): Expressed support for the application due to the need for rental accommodation in the City.

Mario Gedicke (Oscar Street): Expressed support for the application due to the need for rental accommodation in the City.

Julia Chenowith (Johnson Street): Expressed support for the application due to the need for rental accommodation in the City.

Kate Gray (Resident): Expressed support for the application due to the need for rental accommodation in the City.

Kaytee Davis (Johnson Street): Expressed support for the application due to the need for rental accommodation in the City.

Kelly Kurta (North Saanich Resident): Expressed support for the application due to the need for rental accommodation in the City.

Gordon Kerr (Howe Road): Expressed support for the application due to the need for rental accommodation in the City.

Haida Gucci (Haultain Street): Expressed support for the application due to the need for rental accommodation in the City.

Ella Marshall (Gordon Head Resident): Expressed support for the application due to the need for rental accommodation in the City.

Brad Norris-Jones (Saghalie Road): Expressed support for the application due to the need for rental accommodation in the City.

Brandy Sistili (Empire Street): Expressed support for the application due to the need for rental accommodation in the City.

Danica Jeffrey (Collinson Street): Expressed support for the application due to the need for rental accommodation in the City.

Adam Kostanuick (Vancouver Street): Expressed support for the application due to the need for rental accommodation in the City.

Allan Lingwood (Richmond Road): Expressed support for the application due to the need for rental accommodation in the City.

Zoe Breen (Rockland Avenue): Expressed support for the application due to the need for rental accommodation in the City.

Council recessed from 9:18 p.m. until 9:24 p.m. to provide an opportunity for members of the public to call to speak live.

No further persons called in to speak to the proposed bylaw.

Council discussed the following:

- *The community consultation that was undertaken and how that affected the design of the proposed building.*

Mayor Helps closed the public hearing at 9:29 p.m.

Moved By Councillor Loveday

Seconded By Councillor Alto

That the following bylaw **be given third reading**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1236) No. 20-094

Council discussed the following:

- *The importance of the inclusion of rental housing in the Burnside/Gorge neighbourhood.*

CARRIED UNANIMOUSLY

Moved By Councillor Alto

Seconded By Councillor Young

That the following bylaws **be adopted**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1236) No. 20-094
2. Housing Agreement (43 Gorge Road East) Bylaw (2020) No. 20-095
3. Housing Agreement (45 Gorge Road East) Bylaw (2020) No. 20-096
4. Housing Agreement (55 Gorge Road East) Bylaw (2020) No. 20-097
5. Housing Agreement (2827 Irma Street) Bylaw (2020) No. 20-098
6. Housing Agreement (2829 Irma Street) Bylaw (2020) No. 20-099
7. Housing Agreement (2831 Irma Street) Bylaw (2020) No. 20-100

CARRIED UNANIMOUSLY

Moved By Councillor Alto

Seconded By Councillor Young

That Council authorize the issuance of Development Permit with Variances Application No. 00135 for 43, 45 and 55 Gorge Road East and 2827, 2829 and 2831 Irma Street, in accordance with:

1. Plans date stamped May 22, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the required number of residential parking spaces from 141 to 106
 - ii. reduce the required number of visitor parking spaces from 15 to 7 parking spaces
 - iii. reduce the rear yard setback from 6m to 2.93m.
3. The applicant provide the details of the proposed public art to be installed on the brick facade on the west elevation drawing to the satisfaction of the Director of Community Planning and Sustainable Development.
4. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

F.4 1908, 1916, and 1920 Oak Bay Avenue: Rezoning Application No. 00694 and Development Permit with Variances Application No. 000551

Zoning Regulation Bylaw, Amendment Bylaw (No. 1237) - No. 20-103

To rezone the land known as 1908, 1916, 1920 Oak Bay Avenue from the CR-3 Zone, Commercial Residential Apartment District, to the CR-OR Zone, Oak Bay and Redfern District, to permit an increased density for a building with ground floor commercial uses and multi-unit residential dwellings above.

Development Permit with Variances Application:

The Council of the City of Victoria will also consider issuing a development permit for the land known as 1908, 1916, and 1920 Oak Bay Avenue in Development Permit Area 6A: Small Urban Villages, for the purposes of approving the exterior design and finishes for the mixed-use building as well as landscaping.

F.4.a Public Hearing & Consideration of Approval

Rob Bateman (Senior Planner): *Advised that the application is to increase the density of an approximately four-storey, mixed-use building with ground-floor commercial and residential above.*

Mayor Helps opened the public hearing at 9:38 p.m.

Greg Damant, Peter Jawl, and Scott Murdoch (Applicants): Provided information regarding the application.

Gail Anthony (Davies Street): Expressed concerns with the application due to the proposed height and density of the building.

Christine Fearing (Redfern Street): Expressed concerns with the application due to the lack of a village plan and the potential increase of traffic.

Peter Emmings (Davies Street): Expressed concerns with the application

Rebecca Kristein-Rush (Redfern Street): Expressed support for the application due to the attention to detail and community amenities.

Heather Cochran (Resident): Expressed concerns with the application due to the loss of the Garden Works business.

Shayne Jessop (Cardiff Place): Expressed support for the application due to the need for new homes in the village.

Lister Fair (Resident): Expressed support for the application as it will add life to the area.

Victoria Courtnall (Oak Bay Avenue): Expressed support for the application as it will provide support for neighbouring businesses.

Eli Mavrikos (Oak Bay Avenue): Expressed support for the application as it will be a good fit for the City and the area.

Scott Travers (Oak Bay Avenue): Expressed support for the application as it will be helpful to the City and area to add new residential and commercial spaces.

Ty Whittaker (St. Charles Street): Expressed support for the application as the design will be a good fit for the neighbourhood.

Tim Petropolous (Oak Bay Avenue): Expressed support for the application balances the concerns of the neighbourhood while supporting it's needs.

Logan Gray (Oak Bay Avenue): Expressed support for the application as it will enhance the neighbourhood.

Marc Foucher (View Street): Expressed support for the application due to the need for new residential housing in the City.

Craig Young (Brighton Avenue): Expressed support for the application as it will be a good fit for the neighbourhood.

Julia Bump (Resident): Expressed support for the application due to the positive work of the development for the neighbourhood.

Daniel Warnock & Debra Willis (Resident): Expressed support for the application as it will help with the walk-ability of the neighbourhood.

Ed Adam (Johnson Street): Expressed support for the application as it will help provide some vibrancy to the neighbourhood.

Jayne Bradbury (Broughton Street): Expressed support for the application as it will help create a vibrant village.

Council recessed from 10:30 p.m. until 10:40 p.m. to provide an opportunity for members of the public to call to speak live.

No further persons called in to speak to the proposed bylaw.

Council discussed the following:

- *The affordability provisions included in the project through the community amenity contributions.*
- *Sound mitigation structures between the proposed development and the properties to the North.*
- *The impact of the City requested statutory right-of-way on the design of the building.*

Mayor Helps closed the public hearing at 10:54 p.m.

Moved By Mayor Helps

Seconded By Councillor Potts

That the following bylaw **be given third reading**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1237) No. 20-103

Council discussed the following:

- *How the applicant worked with the current business to find a new location.*
- *The importance of the creation of new housing in this area.*
- *The concerns outlined by the most immediate neighbours to the North of the proposed building.*

Motion to extend:

Moved By Councillor Alto

Seconded By Councillor Young

That the meeting be extended to 12:00 a.m.

CARRIED UNANIMOUSLY

Council discussed the following:

- *The lack of rental and affordable housing.*
- *The support received by neighbouring businesses.*

FOR (6): Mayor Helps, Councillor Alto, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, and Councillor Young

OPPOSED (1): Councillor Isitt

CARRIED (6 to 1)

Moved By Councillor Alto

Seconded By Councillor Young

That the following bylaws **be adopted**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1237) No. 20-103
2. Housing Agreement (1908, 1916, and 1920 Oak Bay Avenue) Bylaw (2020) No. 20-119

Councillor Isitt requested that the motion be split.

That the following bylaw **be adopted**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1237) No. 20-103

FOR (6): Mayor Helps, Councillor Alto, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, and Councillor Young

OPPOSED (1): Councillor Isitt

CARRIED (6 to 1)

That the following bylaw **be adopted**:

1. Housing Agreement (1908, 1916, and 1920 Oak Bay Avenue) Bylaw (2020) No. 20-119

CARRIED UNANIMOUSLY

Moved By Councillor Young

Seconded By Councillor Alto

That Council authorize the issuance of Development Permit with Variances Application No. 000551 for 1908, 1916, and 1920 Oak Bay Avenue, in accordance with:

1. Plans date stamped September 29, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the front setback (south) for the upper storeys from 6.00m to 2.30m;
 - ii. reduce the rear setback (north) from 6.00m to 5.30m;
 - iii. reduce the interior lot line setback (west) for the second and third storeys from 2.40m to 1.00m;
 - iv. reduce the interior lot line setback (west) for the second storeys from 2.40m to 0.15m for planter boxes;
 - v. reduce the flanking street setback (east) from 2.40 m to 0.35m;
 - vi. reduce the number of commercial vehicle parking spaces from 26 to 10;
 - vii. reduce the number of residential vehicle parking spaces from 44 to 43;

- viii. increase the distance between entrances and the short term bicycle parking from 15m to 48.1m;
 - ix. increase the number of storeys from 4 to 5;
 - x. increase the height from 15m to 17.68m.
3. The Development Permit lapsing two years from the date of this resolution.

FOR (6): Mayor Helps, Councillor Alto, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, and Councillor Young
OPPOSED (1): Councillor Isitt

CARRIED (6 to 1)

F.5 1023 Tolmie Avenue: Rezoning Application No. 00672 and Development Permit with Variances Application No. 00097

Zoning Regulation Bylaw, Amendment Bylaw (No. 1227) No. 20-064:

To rezone the land known as 1023 Tolmie Avenue from the R1-B Zone, Single Family Dwelling District, to the R1-S1 Zone, Restricted Small Lot (One Storey) District, to subdivide the property and construct a new single family dwelling to the south of the existing building.

Development Permit with Variances Application:

The Council of the City of Victoria will also consider issuing a development permit for the land known as 1023 Tolmie Avenue, in Development Permit Area 15A: Intensive Residential – Small Lot for the purposes of approving the exterior design and finishes for the small lot house as well as landscaping.

F.5.a Public Hearing & Consideration of Approval

Rob Bateman (Senior Planner): *Advised that the application proposes to subdivide the lot into two small lots and construct a new small lot house on the southern portion of the lot.*

Mayor Helps opened the public hearing at 11:11 p.m.

Vincent Portal (Applicant): Provided information regarding the application.

Matt Garvey (Resident): *Expressed concerns with the application due to the and noted the lack of support by the immediate neighbours.*

Council recessed from 11:25 p.m. until 11:30 p.m. to provide an opportunity for members of the public to call to speak live.

No further persons called in to speak to the proposed bylaw.

Mayor Helps closed the public hearing at 11:30 p.m.

Moved By Councillor Young
Seconded By Councillor Alto

That the following bylaw **be given third reading:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1227) No. 20-064

Council discussed the following:

- *The lack of support by the immediately affected neighbours.*
- *That the application is a reasonable use of the small lot.*

CARRIED UNANIMOUSLY

Moved By Councillor Young

Seconded By Councillor Alto

That the following bylaw **be adopted:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1227) No. 20-064

CARRIED UNANIMOUSLY

Moved By Councillor Young

Seconded By Councillor Alto

That Council authorize the issuance of Development Permit with Variance Application No. 00097 for 1023 Tolmie Avenue, in accordance with:

1. Plans date stamped July 20, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the front yard setback on the south lot from 6.00m to 4.30m to the building and 3.40m to the deck;
 - ii. reduce the rear yard setback on the south lot from 6.00m to 4.60m to the stairs and 5.40m to the building;
 - iii. reduce the south side yard setback on the north lot from 2.40m to 1.73m for any portion of a dwelling used for habitable space and which has a habitable window.
3. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

G. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Alto

Seconded By Councillor Young

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

G.1 Robert Tornack: New Build on Kings Rd at 2700 Avebury: Pls Grant a Public Hearing

Outlined why Council should allow the application for 2700 Avebury Road to proceed to a Public Hearing.

G.2 John O'Brien: Public Hearing in Relation to a Proposed Development (2700 Avebury)

Outlined why Council should allow the application for 2700 Avebury Road to proceed to a Public Hearing.

G.3 Dave Campbell: Lot Subdivisions in My Neighbourhood

Outlined why Council should allow the application for 2700 Avebury Road to proceed to a Public Hearing.

G.4 Elle Satok: Application for 2700 Avebury Avenue

Caroline Picard read the statement on Elle Satok's behalf, which outlined why Council should allow the application for 2700 Avebury Road to proceed to a Public Hearing.

H. UNFINISHED BUSINESS

H.1 2700 Avebury Avenue: Rezoning Application No. 0700, Development Permit Application No. 000583, Development Variance Permit Application No. 00230, Development Variance Permit No. 000229

This item was introduced at the November 26, 2020 COTW meeting. Consideration of this item was postponed at the December 3, 2020 Daytime Council Meeting.

Moved By Councillor Young
Seconded By Councillor Isitt

Rezoning Application No. 00700 for 2700 Avebury Avenue:

That Council decline Application No. 00700 for the property located at 2700 Avebury Avenue.

Development Permit Application No. 000583 for 2700 Avebury Avenue:

That Council decline Development Permit Application No. 000583 for the property located at 2700 Avebury Avenue.

Development Variance Permit No. 000229 - 2700 Avebury Avenue:

That Council decline application No. DVP000229 for the property located at 2700 Avebury Avenue.

Development Variance Permit No. 00230 for 2700 Avebury Avenue:

That Council decline Development Variance Permit Application No. 00230 for the property located at 2700 Avebury Avenue.

Council discussed the following:

- *That the neighbours who object the proposal are the ones who will be most affected by the development.*
- *That the proposal is inconsistent with City policy that requires 75% of neighbour support.*
- *The support received by the wider neighbourhood residents.*

- *How a Public Hearing will allow for community feedback from all those who would be affected by the subject property.*

FOR (2): Councillor Isitt, and Councillor Young

OPPOSED (5): Mayor Helps, Councillor Alto, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe

DEFEATED (2 to 5)

Motion to extend:

Moved By Councillor Alto

Seconded By Councillor Potts

That the meeting be extended to 12:15 a.m.

CARRIED UNANIMOUSLY

Moved By Councillor Alto

Seconded By Councillor Loveday

Rezoning Application No. 00700 for 2700 Avebury Avenue:

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00700 for 2700 Avebury Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Development Permit Application No. 000583 for 2700 Avebury Avenue:

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. 00700, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000583 for 2700 Avebury Avenue, in accordance with:

1. Plans date stamped August 8, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements.
3. The Development Permit lapsing two years from the date of this resolution."

Development Variance Permit No. 000229 - 2700 Avebury Avenue:

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. 2700 Avebury Avenue if it is approved, consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 2700 Avebury Avenue, in accordance with:

1. Plans date stamped August 8, 2019.
2. Development meeting all Victoria Subdivision and Development Servicing Bylaw requirements, except for the following variances:
 - i. Remove the requirement to construct frontage improvements as described within the Victoria Subdivision and Development Servicing Bylaw.

3. Provision of a non-refundable \$30,120.00 payment equivalent to the costs of installing frontage improvements to be used toward the implementation of future public realm improvements on Kings Road to the satisfaction of the Director of Engineering and Public Works.
4. The Development Permit lapsing two years from the date of this resolution.”

Development Variance Permit No. 00230 for 2700 Avebury Avenue:

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. 00700, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Variance Permit Application No. 00230 for 2700 Avebury Avenue, in accordance with:

1. Plans date stamped August 8, 2019
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - i. reduce the rear yard setback from 7.5m to 6.81m.
3. The Development Permit lapsing two years from the date of this resolution.”

Amendment:

Moved By Councillor Isitt

That the matter be referred to staff to work with the applicant to address concerns raised by the most immediate neighbours.

Failed to proceed due to no seconder

On the motion:

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

OPPOSED (2): Councillor Isitt, and Councillor Young

CARRIED (5 to 2)

O. ADJOURNMENT

Moved By Councillor Alto

Seconded By Councillor Young

That the Council meeting adjourn.

TIME: 12:03 a.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



MINUTES - VICTORIA CITY COUNCIL

December 3, 2020, 2:15 P.M.

COUNCIL CHAMBERS - 1 CENTENNIAL SQUARE, VICTORIA BC

To be held immediately following the Committee of the Whole Meeting

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

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

PRESENT ELECTRONICALLY: Councillor Isitt, Councillor Loveday, Councillor Potts

PRESENT ELECTRONICALLY FOR A PORTION OF THE MEETING: Councillor Dubow

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, J. Jensen - Head of Human Resources, K. Hoese - Director of Sustainable Planning and Community Development, J. O'Connor - Deputy Director of Finance, K. Moore - Head of Business and Community Relations, C. Mycroft - Manager of Executive Operations, M. Fedyczkowska - Legislation & Policy Analyst, M. Heiser - Committee Secretary, A. James - Head of Strategic Operations, P. Bellefontaine - Director of Engineering & Public Works

A. CONVENE COUNCIL MEETING

B. APPROVAL OF AGENDA

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the agenda be approved.

CARRIED UNANIMOUSLY

D. PROCLAMATIONS

D.1 "National Day of Remembrance and Action on Violence Against Women" - December 6, 2020

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That the following proclamation be endorsed:

1. "National Day of Remembrance and Action on Violence Against Women" - December 6, 2020

CARRIED UNANIMOUSLY

E. REPORTS OF COMMITTEE

E.1 Committee of the Whole

E.1.a Report from the November 26 COTW Meeting

E.1.a.a Modification of Rock Bay Stormwater Outfall License Agreement with Transport Canada

Moved By Councillor Alto
Seconded By Councillor Young

That Council authorize the Mayor and City Clerk to execute the Modification of the Rock Bay Stormwater Outfall License Agreement to update the City's existing Rock Bay License Agreement with Transport Canada to include the newly installed stormwater outfall 626A at the north end of Store Street.

CARRIED UNANIMOUSLY

E.1.a.b Council Member Motion: Appointing New Members to the Victoria Welcoming Cities Task Force

Moved By Councillor Dubow
Seconded By Councillor Thornton-Joe

1. That Council amend the Welcoming Cities Task Force terms of reference to add one representative from the Victoria Police Department and one representative from the Downtown Victoria Business Association.
2. That Council direct staff to recruit the above representatives and bring back to Council for approval.

CARRIED UNANIMOUSLY

E.1.a.c 1150 Cook Street: Development Permit with Variances Application No. 00130

Moved By Councillor Young
Seconded By Councillor Isitt

Refer to staff to work with the applicant to revise the application to address:

- Areas where design guidelines setbacks are noted in the staff report
- Report back on conversations with BC Hydro on technical solutions
- Points a and c as stated in staff report
- Points b and d from the staff report
- Point e from staff report
- Point by point response to the DRA letter as it addresses issues within the applicant's control.

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

Moved By Mayor Helps
Seconded By Councillor Alto

That, subject to plan revisions to address the following:

- a. Further consideration for the location of the gas meter on Cook Street and provision of additional detail for the design of the metal fence enclosure, to the satisfaction of the Director of Planning.
- b. Clarification of the proposed architectural and landscape materials as it relates to the creation of a positive pedestrian experience, to the satisfaction of the Director of Planning.
- c. Further consideration for access to the BC Hydro specifications and further consideration of future BC Hydro underground infrastructure to ensure that it does not negatively impact the street trees, to the satisfaction of the Director of Engineering and Public Works and Director of Parks, Recreation and Culture.
- d. Corrections to satisfy Parks requirements and to resolve inconsistencies with the site plan, landscape plan and building cross sections as they relate to landscaping and street trees, to the satisfaction of the Director of Parks, Recreation and Culture.
- e. Design revisions to reduce the impacts on the street trees along Cook Street, including reducing the pruning within the canopy and within the critical root zone to ensure the successful retention of these trees, to the satisfaction of the Director of Parks, Recreation and Culture.

And, subject to the preparation and execution of the following legal agreements in a form satisfactory to the City Solicitor to secure:

- a. A future strata cannot restrict the rental of units, to the satisfaction of the Director of Sustainable Planning and Community Development.
- b. Public realm streetscape improvements consistent with the Downtown Public Realm Plan and Streetscape Standard (DPRP) specifications, to the satisfaction of the Director of Engineering and Public Works.
- c. Provision of a minimum of four electric vehicle charging stations to the satisfaction of the Director of Sustainable Planning and Community Development.

And that subject to receipt of a letter from the Ministry of Environment confirming that the landowner has met the requirements of Section 557(2) of the Local Government Act with respect to contaminated sites, 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. 00130 for 1150 Cook Street in accordance with:

1. Plans date stamped September 30, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Increase the height from 30m to 47.57m;
 - ii. increase the number of storeys from 10 storeys to 16 storeys.
3. Final plans to be generally in accordance with plans date stamped September 30, 2020.
4. The Development Permit lapsing two years from the date of this resolution.”

FOR (6): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Potts, Councillor Loveday, Councillor Young

OPPOSED (2): Councillor Isitt, Councillor Thornton-Joe

CARRIED (6 to 2)

E.1.a.d 2700 Avebury Avenue: Rezoning Application No. 0700, Development Permit Application No. 000583, Development Variance Permit Application No. 00230, Development Variance Permit No. 000229

Moved By Councillor Young

Seconded By Councillor Isitt

Rezoning Application No. 00700 for 2700 Avebury Avenue:

That Council decline Application No. 00700 for the property located at 2700 Avebury Avenue.

Development Permit Application No. 000583 for 2700 Avebury Avenue:

That Council decline Development Permit Application No. 000583 for the property located at 2700 Avebury Avenue.

Development Variance Permit No. 000229 - 2700 Avebury Avenue:

That Council decline application No. DVP000229 for the property located at 2700 Avebury Avenue.

Development Variance Permit No. 00230 for 2700 Avebury Avenue:

That Council decline Development Variance Permit Application No. 00230 for the property located at 2700 Avebury Avenue.

Motion to postpone:

Moved By Mayor Helps

Seconded By Councillor Alto

That this item be postponed to the evening meeting of December 10, 2020.

CARRIED UNANIMOUSLY

E.1.a.e 535 Yates Street: Development Variance Permit Application No. 00240

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That Council decline issuance of Development Variance Permit application No. 00240 for 535 Yates Street for signage located higher than the lowest sill of the second storey of the building as indicated on submitted plans (date stamped March 11, 2020).

CARRIED UNANIMOUSLY

E.1.a.f Equity Framework: External Community Organization Engagement

Moved By Councillor Dubow

Seconded By Councillor Alto

That Council receive this report for information.

CARRIED UNANIMOUSLY

E.1.a.g Emergency Management BC Funding for Showers at Our Place

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That Council receive this report for information.

CARRIED UNANIMOUSLY

E.1.b Report from the November 30 Special COTW Meeting

E.1.b.a Supplementary Requests and other Resource Requirements

E.1.b.a.a Youth Strategy

Moved By Councillor Alto

Seconded By Councillor Loveday

Direct staff to report back on potential funding sources for the part time Youth Strategy Assistant.

CARRIED UNANIMOUSLY

E.1.b.b Strategic Plan Items – Appendix B

Moved By Councillor Loveday

Seconded By Councillor Alto

That Council direct staff to report back on the funding for a potential Governance Review

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

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

E.1.b.c Appendix C – Financial Plans Report Back

E.1.b.c.a Electrical Kisoks

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

1. Direct staff to report back on implications and potential funding for the allocation of up to \$10,000 to the public art creation and \$7,000 for public works labour and maintenance
2. Direct staff to explore BC Hydro Grant funding for electrical box beautification. The annual grants deadline is September 30.

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

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

E.1.b.c.b Our Place – Extended Hours

Moved By Councillor Thornton-Joe

Seconded By Mayor Helps

That Council direct staff to report back on potential funding of \$50,000 for extended hours at Our Place and request the Mayor to write a letter to BC Housing and Island Health requesting them to provide matching funding.

CARRIED UNANIMOUSLY

E.1.b.c.c South Island Prosperity Partnership

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

Direct staff to report back on locations and funding sources for ongoing funding.

CARRIED UNANIMOUSLY

Councillor Dubow withdrew from the meeting at 2:38 p.m.

E.1.b.c.d International Decade for People of African Descent

Moved By Councillor Loveday

Seconded By Mayor Helps

Direct staff to report back on the implications and suggested sources for funding of up to \$70,000 for the International Decade for People of African Descent. And direct staff to report back in January 2021 on potential grant programs to carry out this work.

CARRIED UNANIMOUSLY

E.1.b.c.e Motor Vehicle Act Pilot Project

Moved By Councillor Loveday

Seconded By Councillor Alto

Direct staff to report back on a potential funding source for \$190,000 for a 2-year term FTE to advance the Motor Vehicle Act Pilot Project.

FOR (6): Mayor Helps, Councillor Alto, Councillor Isitt, Councillor Potts, Councillor Loveday, Councillor Thornton-Joe

OPPOSED (1): Councillor Young

CARRIED (6 to 1)

E.1.b.c.f Transit Shelters

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

Direct staff to report back on potential funding source to add \$20,000 for transit shelters.

CARRIED UNANIMOUSLY

E.1.b.d Appendix D – Deferred Items from 2020

E.1.b.d.a Arts and Culture

Moved By Councillor Loveday

Seconded By Councillor Alto

That Council direct staff to report back with potential funding sources to implement the Cultural Spaces Road Map and Infrastructure Grant Fund.

CARRIED UNANIMOUSLY

E.1.b.d.b Re: Indigenous Relations Function as referenced in Appendix D

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

Direct staff to report back on the implications and suggested funding source(s) for contracted services up to an amount of \$37,500 to investigate, research and propose options to establish an Indigenous Relations Function within the operations of the City of Victoria, with such report to be delivered in time to be considered for inclusion in the 2022 Financial Plan and report back in January with sources of grant funding to undertake this work.

FOR (6): Mayor Helps, Councillor Alto, Councillor Isitt, Councillor Potts, Councillor Loveday, Councillor Thornton-Joe

OPPOSED (1): Councillor Young

CARRIED (6 to 1)

E.1.b.d.c Re: Reconciliation Dialogues as referenced in Appendix D

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

Direct staff to report back on the implications and suggested funding source(s) for up to \$40,000 to enable presentation of up to four (4) Reconciliation Dialogues in 2021, platform and method to be determined and report back in January with sources of grant funding to undertake this work.

CARRIED UNANIMOUSLY

E.1.b.d.d Climate and Environment - Oil to Heat Pump Incentive Program

Moved By Mayor Helps
Seconded By Councillor Alto

That Council direct staff to report back on a potential funding source for \$100,000 to fund the Oil to Heat Pump Incentive Program in 2021.

FOR (6): Mayor Helps, Councillor Alto, Councillor Isitt, Councillor Potts, Councillor Loveday, Councillor Thornton-Joe
OPPOSED (1): Councillor Young

CARRIED (6 to 1)

E.1.b.d.e Banfield Park Swimming Dock

Moved By Councillor Loveday
Seconded By Councillor Isitt

That Council direct staff to report back on a potential funding source for the Banfield Park Swimming Dock Study and the installation of a dock in time for summer 2021.

CARRIED UNANIMOUSLY

Legal Services

Moved By Mayor Helps
Seconded By Councillor Alto

Direct staff to report back on potential funding sources for the additional full-time Assistant City Solicitor.

CARRIED UNANIMOUSLY

E.1.b.e Appendix E – Additional Grant Requests

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That Council direct staff to report back on a potential funding source for Victoria Heritage Foundation and the Victoria Civic Heritage Trust.

CARRIED UNANIMOUSLY

E.1.b.f Appendix F – Positions Deferred to 2021

E.1.b.f.a Pedestrian Master Plan/Sidewalk Rehabilitation Program

Moved By Councillor Thornton-Joe

Seconded By Councillor Loveday

That Council direct staff to report back on a potential funding source for and implications of adding \$100,000 for the Pedestrian Master Plan Master Plan implementation and/or Sidewalk Rehabilitation programs. That the work align with the Equity Framework.

CARRIED UNANIMOUSLY

E.1.b.g Our Place – Storage of Belongings

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

1. That Council direct staff to report back on a potential funding source for the Our Place Storage of Belongings costs of \$50,000.
2. That Council receive an annual update on the use of grant funds provided by the City.
3. That staff report to council with a list of grants provided to Our Place in the last five years.

Amendment:

Moved By Mayor Helps

Seconded By Councillor Thornton-Joe

1. That Council direct staff to report back on a potential funding source for the Our Place Storage of Belongings costs of \$50,000.
2. That Council receive an annual update **from Our Place** on the use of grant funds provided by the City.
3. That staff report to council with a list of grants provided to Our Place in the last five years.

CARRIED UNANIMOUSLY

On the main motion as amended:

1. That Council direct staff to report back on a potential funding source for the Our Place Storage of Belongings costs of \$50,000.
2. That Council receive an annual update from Our Place on the use of grant funds provided by the City.
3. That staff report to council with a list of grants provided to Our Place in the last five years.

CARRIED UNANIMOUSLY

**E.1.b.h Neighbourhood Association (without community centres)-
Part-Time Coordinator**

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

1. That Council direct staff to report back on a potential funding source for \$20,000 for a part-time coordinator for the Downtown Residents Association, North and South Jubilee, Rockland and North Park Neighbourhoods as a one-year pilot with a final report on the utility of the coordinator position to be provided at the end of the pilot.
2. Forward this motion to VCAN for their feedback.

Amendment:

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

1. That Council direct staff to report back on a potential funding source for \$20,000 for a part-time coordinator for the Downtown Residents Association, North **Jubilee, and** South Jubilee, Rockland and North Park Neighbourhoods as a one-year pilot with a final report on the utility of the coordinator position to be provided at the end of the pilot.
2. Forward this motion to VCAN for their feedback.

CARRIED UNANIMOUSLY

On the main motion as amended:

1. That Council direct staff to report back on a potential funding source for \$20,000 for a part-time coordinator for the Downtown Residents Association, North Jubilee, South Jubilee, Rockland and North Park Neighbourhoods as a one-year pilot with a final report on the utility of the coordinator position to be provided at the end of the pilot.
2. Forward this motion to VCAN for their feedback.

CARRIED UNANIMOUSLY

Motion Arising:

Moved By Mayor Helps

Seconded By Councillor Isitt

That Council allocate a portion of a Committee of the Whole meeting in February 2021 to have a discussion about neighbourhood boundaries.

CARRIED UNANIMOUSLY

E.1.b.i Pathway Lighting Upgrades

Moved By Councillor Potts

Seconded By Councillor Isitt

That Council direct staff to report back on the implications and potential funding source(s) for lighting upgrades in Burnside Gorge (Gallopings Goose, Burnside Bridge and Cecelia Ravine) in collaboration with the CRD where necessary, including treatments that require less infrastructure i.e. solar lighting treatments.

CARRIED UNANIMOUSLY

E.1.b.j Pro Art Alliance of Greater Victoria

Moved By Councillor Loveday

Seconded By Councillor Alto

That Council direct staff to report back on a potential funding source an annual grant of \$10,000 for the Pro Art Alliance of Greater Victoria to fund the City of Victoria Creative Builder Award on an ongoing basis.

CARRIED UNANIMOUSLY

E.1.b.k Vic West Skate Park Lighting

Moved By Councillor Loveday

Seconded By Councillor Isitt

That Council direct staff to report back with implications of adding lighting to the Vic West Skate Park.

CARRIED UNANIMOUSLY

E.1.b.l List of Significant Capital Projects

Moved By Councillor Thornton-Joe
Seconded By Mayor Helps

Direct staff to report back in January 2021 with a list of significant capital projects both included in the 2021 Financial Plan and proposed as motions during the budget process and request that Council rank the projects in order of importance.

CARRIED UNANIMOUSLY

E.1.b.m Re: A New Request to Recognize the Memorial Nature of Shelbourne Street

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

Direct staff to report back on the implications and suggested funding source(s) of up to \$15,000 to create and install stone markers commemorating a Shelbourne Avenue memorial road, working in collaboration with the District of Saanich, to be installed and direct staff to refer the matter to Fernwood North Jubilee and Oaklands Neighbourhood Associations and report back by January 15, 2021.

CARRIED UNANIMOUSLY

E.1.b.n Mitigation Strategies and Financial Plan Bylaw

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That Council:

1. Direct staff to incorporate the following mitigation strategies, as outlined in the November 5, 2020 Draft 2021-2025 Financial Plan report, into the Five-year Financial Plan Bylaw, 2021 to reduce the overall tax increase to \$2.5 million or 1.75%:
 - a. Service/program adjustments of \$3.9 million
 - b. Additional new property tax revenue from new development \$500,000
 - c. Portion of estimated provincial Restart Grant \$4.1 million
2. Direct staff to include in the 2021 Financial Plan a budget of \$1.74 million for mitigating impacts of sheltering with funding from the Restart Grant from the Province.
3. Direct staff to bring forward the Five-year Financial Plan Bylaw, 2021 to the December 3, 2020 daytime Council meeting for consideration of first reading.
4. Direct staff to bring forward bylaws outlining sewer utility and water utility user fee increases for 2021 to the December 3,

2020 daytime Council meeting for consideration of first, second and third readings.

5. Upon completion of public consultation, direct staff to bring forward direct-award grants and other grants as outlined in this report for consideration of approval.
6. Upon completion of public consultation, consider funding additional grant requests, supplementary requests, resource requirements for financial plan motion report backs and 2021 Strategic Plan action items, and items deferred in 2020 originally funded by 2019 surplus, as determined by Council.

CARRIED UNANIMOUSLY

F. BYLAWS

F.1 Bylaws for Electric Vehicle Charging User Fee

Moved By Councillor Alto

Seconded By Councillor Loveday

That the following bylaws **be adopted**:

1. City Parkades Electric Vehicle Charging Fees Bylaw No. 20-032
2. Streets and Traffic Bylaw, Amendment Bylaw (No. 9) No. 20-033

CARRIED UNANIMOUSLY

F.2 Bylaws for Parks Regulation Amendment Bylaw

Moved By Mayor Helps

Seconded By Councillor Thornton-Joe

That the following bylaw **be given first, second, and third readings**:

1. Parks Regulation Bylaw, Amendment Bylaw (No. 11) No. 20-113

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

OPPOSED (2): Councillor Isitt, Councillor Potts

CARRIED (5 to 2)

Moved By Mayor Helps

Seconded By Councillor Potts

That the following bylaw **be given first, second, and third readings**:

1. Parks Regulation Bylaw, Amendment Bylaw (No. 12) Amendment Bylaw No. 20-124

CARRIED UNANIMOUSLY

F.3 Bylaws for Utility Fees

F.3.a Bylaw for Sanitary Sewer and Stormwater Utilities

Moved By Councillor Alto
Seconded By Councillor Young

That the following bylaw **be given first, second, and third readings:**

1. Sanitary Sewer and Stormwater Utilities Bylaw, Amendment Bylaw (No. 8) 20-108

CARRIED UNANIMOUSLY

F.3.b Bylaw for Waterworks Utilities

Moved By Councillor Young
Seconded By Councillor Potts

That the following bylaw **be given first, second, and third readings:**

1. Waterworks Bylaw Amendment Bylaw (No. 15) 20-109

CARRIED UNANIMOUSLY

F.4 Bylaw for the Five Year Financial Plan 2021

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the following bylaw **be given first reading:**

1. Five Year Financial Plan Bylaw, 2021 No. 20-112

CARRIED UNANIMOUSLY

E. REPORTS OF COMMITTEE

E.1 Committee of the Whole

E.1.a Report from the December 3, 2020 COTW Meeting

E.1.c.a Pandemic Relief for the Vic West Lawn Bowling Club

Moved By Councillor Loveday
Seconded By Councillor Alto

That Council approve the following expenditures through either cash or in-kind grants to the Vic West Lawn Bowling Club:

1. \$1000 To cover the portion of Vic West Lawn Bowling Club's water bills for the bowling green (not the clubhouse) for 2020 and first half of 2021
2. \$500 for sand to maintain the lawn bowling green
3. That a letter be sent to the Parks and Recreation Foundation thanking them for their support

Councillor Young requested that No. 3 be voted on separately.

That Council approve the following expenditures through either cash or in-kind grants to the Vic West Lawn Bowling Club:

1. \$1000 To cover the portion of Vic West Lawn Bowling Club's water bills for the bowling green (not the clubhouse) for 2020 and first half of 2021
2. \$500 for sand to maintain the lawn bowling green

FOR (6): Mayor Helps, Councillor Alto, Councillor Isitt, Councillor Potts, Councillor Loveday, Councillor Thornton-Joe

OPPOSED (1): Councillor Young

CARRIED (6 to 1)

3. That a letter be sent to the Parks and Recreation Foundation thanking them for their support

CARRIED UNANIMOUSLY

Councillor Isitt withdrew from the meeting at 3:07 p.m. due to a potential non-pecuniary conflict of interest with the following item as he serves as Director of a Society that applied for a grant under the following program.

Councillor Loveday withdrew from the meeting at 3:07 p.m. due to a potential non-pecuniary conflict of interest with the following item as his partner is participating in a practicum with one of the following organizations that has applied for a grant.

E.1.c.b. Emergency Social Services Grant

Moved By Councillor Alto

Seconded By Councillor Potts

That Council fund The Salvation Army Addictions and Rehabilitation Centre, Shower Power, \$86,520, and that Council request that The Salvation Army provide a monthly report to staff on the number of days, hours, showers, and a list of parks attended, and the future use of the portable shower.

That Council approve \$6,500 for the James Bay United Church Community Care Tent.

Forward the remaining applications to the Capital Regional District Reaching Home Program for consideration.

That Council allocate \$22,400 to the Umbrella Society.

CARRIED UNANIMOUSLY

Councillor Loveday and Councillor Isitt returned to the meeting at 3:08 p.m.

E.1.c.c Council Member Motion: Showers at Our Place Society

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That the City contribute \$2850 per month between December and March to be funded by the federal-provincial Restart to partner with Island Health, BC Housing and United Way to provide extended hours for shower use.

CARRIED UNANIMOUSLY

H. NEW BUSINESS

H.1 Short Term Rental Business License Appeals

H.1.a Short Term Rental Business License Appeal for 2-1871 Fern Street

Council received a report dated November 16, 2020 from the City Clerk regarding the Short Term Business License Appeal for 2-1871 Fern Street. The City Clerk and Mayor outlined the appeal process policy.

Council discussed the following:

- *Definition of a self-contained unit*
- *Sink's location in the kitchen space*

Moved By Mayor Helps
Seconded By Councillor Young

That Council deny the reconsideration request of Kaila Pilecki and uphold the Licence Inspectors decision to deny a short-term rental business licence for premises at 2-1871 Fern Street.

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

CARRIED (5 to 2)

H.1.b Short Term Rental Business License Appeal for 4 Gorge Road East

Council received a report dated November 16, 2020 from the City Clerk regarding the Short Term Business License Appeal for 4 Gorge Road East. The City Clerk and Mayor outlined the appeal process policy.

Council discussed the following:

- *Occupancy of unit*
- *Elements of unit resembling a self-contained unit*
- *Requirement for annual applications*

Moved By Mayor Helps
Seconded By Councillor Thornton-Joe

That Council allow the reconsideration request of Kirsten Van Ritzen and direct issuance of a 2020 short-term business licence for premises at 4 Gorge Road East.

CARRIED UNANIMOUSLY

Councillor Loveday withdrew from the meeting at 3:35 p.m. due to a potential non-pecuniary conflict of interest with the following item as his father lives close to the subject property.

H.1.c Short Term Rental Business License Appeal for 302 Moss Street

Council received a report dated November 25, 2020 from the City Clerk regarding the Short Term Business License Appeal for 302 Moss Street. The City Clerk and Mayor outlined the appeal process policy.

Council discussed the following:

- *Support of potential denial*
- *Comments reviewed on the advertisement online*

Moved By Mayor Helps

Seconded By Councillor Alto

That Council deny the reconsideration request of Nicole Clement-Reynier and uphold the Licence Inspectors decision to deny a short-term rental business licence for premises at 302 Moss Street”.

CARRIED UNANIMOUSLY

Councillor Loveday returned to the meeting at 3:44 p.m.

I. CLOSED MEETING

Moved By Councillor Potts

Seconded By Councillor Young

MOTION TO CLOSE THE DECEMBER 3, 2020 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.*

CARRIED UNANIMOUSLY

J. APPROVAL OF CLOSED AGENDA

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the closed agenda be approved.

CARRIED UNANIMOUSLY

N. NEW BUSINESS

N.1 Legal Advice - Community Charter Section 90(1)(i)

Council discussed a legal advice matter.

The motion was recorded and kept confidential.

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 - Community Charter Section 90(10)(c)

Council discussed an employee relations matter.

The motion was recorded and kept confidential.

All staff except the City Manager withdrew from the meeting at 5:01 p.m.

N.4 Employee Relations - Community Charter Section 90(10)(c)

The motion was recorded and kept confidential.

P. ADJOURNMENT

Moved By Councillor Alto
Seconded By Councillor Young

That the Closed Council Meeting be adjourned at 5:10 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



MINUTES - VICTORIA CITY COUNCIL

December 10, 2020, 2:10 P.M.

COUNCIL CHAMBERS - 1 CENTENNIAL SQUARE, VICTORIA BC

To be held immediately following the Committee of the Whole Meeting

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

PRESENT: Mayor Helps in the Chair, Councillor Alto, 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, 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, C. Mycroft - Manager of Executive Operations, A. Johnston - Planner, P. Bellefontaine - Director of Engineering & Public Works, D. Newman – Assistant Director of Facilities and Construction Management, C. Moffatt – Assistant City Solicitor, K. Moore – Head of Business and Community Relations, P. Rantucci – Head of Strategic Real Estate, M. Heiser - Committee Secretary

A. CONVENE COUNCIL MEETING

B. APPROVAL OF AGENDA

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the agenda be approved.

Amendment:

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That the following item be added to the agenda:

F.1.b Report from the December 10, 2020 COTW Meeting

F.1.b.a Horse Drawn Carriage and Pedicab Licence Renewals – COVID-19

CARRIED UNANIMOUSLY

On the main motion as amended:
CARRIED UNANIMOUSLY

E. UNFINISHED BUSINESS

E.1 Rise and Report

E.1.a From the Closed Council Meeting held May 28, 2020

That Council authorize a rise and report noting previous closed meeting direction resulting from discussions about wages for employees.

“That Council eliminate a remuneration increase for the Mayor and Council for 2021”.

E.2 Reconsideration of Council Motion for 324/328 Cook Street and 1044, 1048, and 1052/1054 Pendergast Street: Rezoning Application No. 00634 and Development Permit with Variances Application No. 00527

Council received a Council Member Motion dated December 7, 2020 from Mayor Helps requesting reconsideration of a matter that was heard at the November 26, 2020 Council meeting.

Moved By Mayor Helps
Seconded By Councillor Young

That Council rescind its decision with regard to third reading of Zoning Regulation Bylaw, Amendment Bylaw (No. 1233) No. 20-081 and direct staff to convene a new public hearing that follows all the regular public hearing requirements (advertising, mailout, etc.).

Council discussed the following:

- *Housing affordability*
- *Neighbourhood support regarding proposed height*

Amendment:

Moved By Mayor Helps
Seconded By Councillor Alto

That Council rescind its decision with regard to third reading of Zoning Regulation Bylaw, Amendment Bylaw (No. 1233) No. 20-081 and direct staff to **work with the applicant to try to secure a larger contribution to the housing trust fund** ~~convene a new public hearing that follows all the regular public hearing requirements (advertising, mailout, etc).~~

Amendment to the amendment:

Moved By Councillor Potts
Seconded By Mayor Helps

That Council rescind its decision with regard to third reading of Zoning Regulation Bylaw, Amendment Bylaw (No. 1233) No. 20-081 and direct staff to **work with the applicant to try to address affordability in the project secure a larger contribution to the housing trust fund** ~~convene a new public hearing that follows all the regular public hearing requirements (advertising, mailout, etc).~~

CARRIED UNANIMOUSLY

Amendment to the amendment:

Moved By Councillor Isitt
Seconded By Councillor Dubow

That Council rescind its decision with regard to third reading of Zoning Regulation Bylaw, Amendment Bylaw (No. 1233) No. 20-081 and direct staff to **work with the applicant to try to address affordability in the project and report back to the Committee of the Whole.**

CARRIED UNANIMOUSLY

On the amendment:

CARRIED UNANIMOUSLY

On the main motion as amended:

That Council rescind its decision with regard to third reading of Zoning Regulation Bylaw, Amendment Bylaw (No. 1233) No. 20-081 and direct staff to work with the applicant to try to address affordability in the project and report back to the Committee of the Whole.

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

OPPOSED (2): Councillor Dubow, Councillor Isitt

CARRIED (6 to 2)

F. REPORTS OF COMMITTEE

F.1 Committee of the Whole

F.1.a Report from the December 3, 2020 COTW Meeting

F.1.a.a 2536 Richmond Road: Heritage Designation Application No. 000193 (North Jubilee)

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That Council approve the designation of the heritage-registered property located at 2536 Richmond Road, pursuant to Section 611 of the Local Government Act, as a Municipal Heritage Site, and that first and second reading of the Heritage Designation Bylaw be considered by Council and a Public Hearing date be set.

CARRIED UNANIMOUSLY

F.1.a.b 540 William Street: Fence Bylaw Variance Request (Victoria West)

Moved By Councillor Thornton-Joe
Seconded By Councillor Potts

That Council approve the request for fence with a height of 3.05 m for the property located at 549 William Street, as shown in the submitted drawings in Appendix A of this report.

CARRIED UNANIMOUSLY

F.1.a.c Capital Regional District Housing Needs Assessment for the City of Victoria

Moved By Councillor Alto
Seconded By Councillor Potts

That Council:

1. Receive the Capital Regional District Housing Needs Assessment City of Victoria, October 2020 report for information, in accordance with Section 585.31 (1) of the Local Government Act, which requires that all local governments to complete housing needs reports by April 2022 and every five years thereafter.
2. Direct staff to publish the report on the City's website in compliance with regulatory requirements for the report to be publicly and freely accessible.
3. That Council refer this matter to the December 10 Committee of the Whole meeting to consider actions within municipal authority to respond to information contained in the report and to consider advocacy to other levels of government.

CARRIED UNANIMOUSLY

F.1.a.d 2440 and 2448 Richmond Road: Rezoning Application No. 00722 and Development Permit with Variances Application No. 00159 (North Jubilee)

Moved By Councillor Alto
Seconded By Councillor Young

Rezoning Application No. 00722

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00722 for 2440 and 2448 Richmond Road, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation and execution of legal agreements to:
 - a. Secure all units as rental housing in perpetuity and that one unit shall be adaptable, to the satisfaction of the Director of Sustainable Planning and Community Development.
 - b. Secure the following transportation demand management measures, to the satisfaction of the Director of Engineering and Public Works:
 - i. one car share membership per dwelling unit;
 - ii. \$100 in car share usage credits per membership;
 - iii. pedestrian curb extension (bulb-out) at the intersection of Richmond Road and Adanac Street;
 - iv. 4 electric bike charging stations in each building;
 - v. one bicycle repair station in each building.
 - c. Secure a statutory right-of-way of 4.89 meters along the Richmond Road to the satisfaction of the Director of Engineering and Public Works.
 - d. Secure reciprocal access over 2448 Richmond Road in favour of 2440 Richmond Road to the satisfaction of the Director of Sustainable Planning and Community Development.
 - e. Secure an easement for the storm drain line on private property over 2448 Richmond Road in favour of 2440 Richmond Road to the satisfaction of the Director of Engineering and Public Works.

Development Permit with Variances Application No. 00159

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. 00722, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 00159 for 2440 and 2448 Richmond Road, in accordance with:

1. Plans date stamped October 22, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - 2440 Richmond Road
 - i. reduce the number of residential vehicle parking stalls from 9 to 7;
 - ii. reduce the side setback (south) from 4.00m to 3.22m;
 - iii. reduce the side setback (north) from 4.00m to 1.70m.
 - 2448 Richmond Road

- i. reduce the number of residential vehicle parking stalls from 9 to 7;
 - ii. reduce the side setback (south) from 4.00m to 1.70m;
 - iii. reduce the side setback on a flanking street (north) from 6.00m to 3.01m.
3. Revisions to the landscape plan planting list and categories to accurately determine percentage of pollinator, food-bearing and native species; and to revisions to the ground floor entry doors to create a more welcoming streetscape, to the satisfaction of the Director of Sustainable Planning and Community Development.
4. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

F.1.a.e Report Back: Get Growing, Victoria!

Moved By Councillor Isitt

Seconded By Councillor Loveday

That Council received the following report for information.
That Council direct staff to report back on options for increasing the cultivation of food plants and pollinators on municipal land in 2021.

CARRIED UNANIMOUSLY

Councillor Isitt withdrew from the meeting at 2:33 p.m. due to a potential non-pecuniary conflict of interest with the following two items Director of a Society that received an in-kind contribution from a company associated with the applicant.

F.1.a.f Local Government Recommendation for Trees Cannabis at 1545 Fort Street

Moved By Councillor Loveday

Seconded By Councillor Potts

1. That Council direct staff to advise the Liquor and Cannabis Regulation Branch: The Council of the City of Victoria supports the application of Trees Cannabis at 1545 Fort Street to receive a provincial cannabis retail store license with the following comments:
 - a. The Council recommends that the LCRB issue a license to Trees Cannabis at 1545 Fort Street.
 - b. City staff did not raise any concerns about this referral in terms of community impacts.
 - c. Residents' views were solicited through a mail-out to property owners and occupiers within 100 meters of this address and to the relevant neighbourhood association.

The City sent 394 notices and received 20 letters in response, including a petition sent by the applicant with 21 persons in support for the application.

The City did not receive correspondence from the Rockland Neighbourhood Association.

Respondents opposed to issuing a license identified the following issues: the business operated before legalization, impact on residential parking, traffic, pedestrian safety, storefront maintenance after ceased operations, loitering, smoking, odour, graffiti, sale to minors, impact on neighbouring businesses, potential for turnover.

- d. The Council wishes the Province to make its own deliberations about the fact that this operation remained in operation until August 1, 2019.
2. That Council direct staff to advise the LCRB of Council's recommendation subject to the applicant's compliance with applicable City bylaws and permits.

FOR (6): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Potts, Councillor Loveday, Councillor Young

OPPOSED (1): Councillor Thornton-Joe

CARRIED (6 to 1)

**F.1.a.g Local Government Recommendation for Trees Cannabis at
103-230 Cook Street**

Moved By Councillor Loveday

Seconded By Councillor Potts

1. That Council direct staff to advise the Liquor and Cannabis Regulation Branch: The Council of the City of Victoria supports the application of Trees Cannabis at 103 – 230 Cook Street to receive a provincial cannabis retail store license with the following comments:
 - a. The Council recommends that the LCRB issue a license to Trees Cannabis at 103 – 230 Cook Street.
 - b. City staff did not raise any concerns about this referral in terms of community impacts.
 - c. Residents' views were solicited through a mail-out to property owners and occupiers within 100 meters of this address and to the relevant neighbourhood association. The City sent 496 notices and received 10 letters in response. The City did not receive correspondence from the Fairfield – Gonzales Community Association. Respondents did not raise any concerns about this application.
 - d. The Council wishes the Province to make its own deliberations about the fact that this operation remained open following legalization.

2. That Council direct staff to advise the LCRB of Council's recommendation subject to the applicant's compliance with applicable City bylaws and permits.

CARRIED UNANIMOUSLY

Councillor Isitt returned to the meeting at 2:34 p.m.

F.1.a.h Council Member Motion: Extension of Council Committee Appointments to the End of January 2021

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That Council extend Council committee and neighbourhood liaison appointments to the end of January 2021, and determine appointments for 2021-2022 at the January 14 Committee of the Whole meeting.

CARRIED UNANIMOUSLY

F.1.b Report from the December 10, 2020 COTW Meeting

F.1.b.a Horse Drawn Carriage and Pedicab Licence Renewals COVID-19

Moved By Councillor Thornton-Joe

Seconded By Councillor Young

That Council direct staff to bring forward the Bylaw to the December 10, 2020 daytime meeting for Council to consider the following motion:

1. Give first, second and third readings the Vehicles for Hire Amendment (No. 21) Bylaw No. 20-126.

CARRIED UNANIMOUSLY

G. BYLAWS

G.1 Bylaw for Vehicles for Hire Bylaw Amendment

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That the following bylaw **be given first, second, and third readings:**

1. Vehicles for Hire Bylaw, Amendment Bylaw (No. 22) No. 20-126

CARRIED UNANIMOUSLY

G.2 Bylaws for Parks Regulation Amendment Bylaw

Moved By Mayor Helps

Seconded By Councillor Thornton-Joe

That the following bylaw **be adopted**:

1. Parks Regulation Bylaw, Amendment Bylaw (No. 11) No. 20-113

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

OPPOSED (3): Councillor Isitt, Councillor Dubow, Councillor Potts

CARRIED (5 to 3)

Moved By Councillor Thornton-Joe

Seconded By Mayor Helps

That the following bylaw **be adopted**:

1. Parks Regulation Bylaw, Amendment Bylaw (No. 12) Amendment Bylaw No. 20-124

CARRIED UNANIMOUSLY

G.3 Bylaws for Utility Fees

G.3.a Bylaw for Sanitary Sewer and Stormwater Utilities

Moved By Councillor Young

Seconded By Councillor Alto

That the following bylaw **be adopted**:

1. Sanitary Sewer and Stormwater Utilities Bylaw, Amendment Bylaw (No. 8) 20-108

CARRIED UNANIMOUSLY

G.3.b Bylaw for Waterworks Utilities

Moved By Councillor Young

Seconded By Councillor Alto

That the following bylaw **be adopted**:

1. Waterworks Bylaw Amendment Bylaw (No. 15) 20-109

CARRIED UNANIMOUSLY

G.4 Bylaw for 1133 Fort Street: Rezoning Application No. 00727

Moved By Councillor Thornton-Joe

Seconded By Councillor Young

That the following bylaw **be given first and second readings**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1239) No. 20-118

CARRIED UNANIMOUSLY

G.5 901 Gordon Street: Rezoning Application No. 00743

Moved By Councillor Alto
Seconded By Councillor Young

That the following bylaw **be given first and second readings:**

1. Zoning Bylaw 2018, Amendment Bylaw (No. 7) No. 20-117

CARRIED UNANIMOUSLY

G.6 Bylaw for 1150 Douglas Street: Rezoning Application No. 00748

Moved By Mayor Helps
Seconded By Councillor Young

That the following bylaw **be given first and second readings:**

1. Zoning Bylaw 2018, Amendment Bylaw (No. 8) No. 20-125

CARRIED UNANIMOUSLY

H. NEW BUSINESS

H.1 Short Term Rental Business License Appeals

H.1.a Short Term Rental Business License Appeal for 2605 Belmont Street

Council received a report dated December 3, 2020 from the City Clerk regarding the Short Term Business License Appeal for 2605 Belmont Avenue. The City Clerk and Mayor outlined the appeal process policy.

Council discussed the following:

- *Shared living and kitchen space*

Motion to postpone:

Moved By Councillor Thornton-Joe
Seconded By Councillor Young

That Council postpone consideration of this item upon receipt of further information from staff.

CARRIED UNANIMOUSLY

H.1.b Short Term Rental Business License Appeal for 95 Wellington Avenue

Council received a report dated December 2, 2020 from the City Clerk regarding the Short Term Business License Appeal for 95 Wellington Avenue. The City Clerk and Mayor outlined the appeal process policy.

Council discussed the following:

- *Private space on the property*
- *Private entrance and entry*

Moved By Councillor Young

Seconded By Councillor Alto

That Council deny the reconsideration request and uphold the Licence Inspectors decision to deny a short-term rental business licence for premises at 95 Wellington Avenue.

CARRIED UNANIMOUSLY

H.1.a Short Term Rental Business License Appeal for 2605 Belmont Street

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That this matter be lifted to the table.

CARRIED UNANIMOUSLY

Council discussed the following:

- *No inspection due to beginning of the pandemic*
- *Use of space and occupation*
- *Rental potential of the suite*

Moved By Councillor Potts

Seconded By Councillor Thornton-Joe

That Council allow the reconsideration request of Celine Stubel and direct issuance of a 2020 short-term business licence for premises at 2605 Belmont Avenue.

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

OPPOSED (2): Councillor Isitt, Councillor Dubow

CARRIED (6 to 2)

H.1.c Short Term Rental Business License Appeal for 905 Fairfield Road

Council received a report dated December 2, 2020 from the City Clerk regarding the Short Term Business License Appeal for 906 Fairfield Road. The City Clerk and Mayor outlined the appeal process policy.

Council discussed the following:

- Upholding of inspector's findings
- How the unit presents as a home
- Potential conversion of unit and utilities

Moved By Councillor Potts

Seconded By Mayor Helps

That staff report back on the ability to convert the unit into a rental space specific to the installation of a kitchen and stove.

Councillor Dubow withdrew from the meeting at 3:20 p.m.

Amendment:

Moved By Mayor Helps

Seconded By Councillor Thornton-Joe

That staff report back on the ability to convert the unit into a rental space specific to the installation of a kitchen and stove **and that the matter be adjourned until the report back is received.**

CARRIED UNANIMOUSLY

On the main motion as amended:

That staff report back on the ability to convert the unit into a rental space specific to the installation of a kitchen and stove and that the matter be adjourned until the report back is received.

CARRIED UNANIMOUSLY

I. CORRESPONDENCE

I.1 Letter from the Corporation of District of Saanich

Council received a letter dated November 24, 2020 from the Corporation of the District of Saanich regarding Support for Recognizing September 30 as National Day of Truth and Reconciliation.

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the correspondence dated November 24, 2020 from the Corporation of the District of Saanich be received for information.

Amendment:

Moved By Mayor Helps

Seconded By Councillor Alto

That the correspondence dated November 24, 2020 from the Corporation of the District of Saanich be received for information, **and that Council and write to the Federal Minister of Indigenous Services, copying the British Columbia Ministry of Indigenous Relation and Reconciliation, to encourage making September 30 a statutory holiday marking a national day of remembrance of residential school Survivors of Canada.**

CARRIED UNANIMOUSLY

On the main motion as amended:

That the correspondence dated November 24, 2020 from the Corporation of the District of Saanich be received for information, and that Council and write to the Federal Minister of Indigenous Services, copying the British Columbia Ministry of Indigenous Relation and Reconciliation, to encourage making September 30 a statutory holiday marking a national day of remembrance of residential school Survivors of Canada.

CARRIED UNANIMOUSLY

J. CLOSED MEETING

MOTION TO CLOSE THE DECEMBER 10, 2020 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)(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;*
- *Section 90(1)(c) labour relations or other employee relations;*
- *Section 90(1)(d) the security of the property of the municipality;*
- *Section 90(1)(g) litigation or potential litigation affecting the municipality;*
- *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.*

K. APPROVAL OF CLOSED AGENDA

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the closed agenda be approved.

CARRIED UNANIMOUSLY

O. NEW BUSINESS

O.1 Potential New Municipal Service / Security of Property / Employee Relations - Community Charter Sections 90(1)(k), 90(1)d), and 90(1)(c)

Council discussed a potential new municipal service, security of property, and employee relations matter.

The motion was recorded and kept confidential.

O.2 Appointment - Community Charter Section 90(1)(a)

Council discussed an appointment matter.

The motion was recorded and kept confidential.

O.3 Litigation/Legal Advice - Community Charter Sections 90(1)(g) and 90(1)(i)

Council discussed a litigation and legal advice matter.

The motion was recorded and kept confidential.

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

Council discussed and employee relations matter.

Q. ADJOURNMENT

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the Closed Council Meeting be adjourned at 5:06 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD DECEMBER 10, 2020

For the Council meeting of January 7, 2021, the Committee recommends the following:

F.3 1171 Rockland Avenue: Development Variance Permit Application No. 00253 (Fairfield)

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 Variance Permit Application No. 00253 for 1171 Rockland Avenue, in accordance with:

1. Plans, date stamped August 11, 2020
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - i. reduce the minimum unit size from 33m² to 19.5m² for one unit.
3. The Development Permit lapsing two years from the date of this resolution.”

D.1 Victoria Housing Strategy Annual Review

That Council direct staff to:

1. Receive the Victoria Housing Strategy Annual Review 2019 for information.
2. Amend page 48 of the *Victoria Housing Strategy Phase Two* document, with updates to the Housing Unit Targets, which considers new population projections, a Housing Needs Assessment, and a Housing Gap Analysis including more detail for the very low, low, and median income brackets and change 950 to 1450 in the report.
3. Approve the 2021 Prioritization of Housing Strategy Actions.
4. Work with the consultants to arrive at a target for housing suitable for families that incorporates both latent demand and projected demand and to make that the 2025 target.

D.2 Zero Waste Victoria

That Council:

1. Approve Zero Waste Victoria;
2. Direct staff to begin implementing strategies in Zero Waste Victoria as outlined in the short-term action plan; and
3. Direct staff to report back with draft bylaw(s) for Council's consideration to regulate priority single-use items after new municipal authorities are conferred by the Province.
4. Refer the Zero Waste Victoria report to the Board of the Capital Regional District (CRD), and the Mayors and Councils of CRD member Local Governments, for information.
5. Request that the Mayor write on behalf of Council to the Board of the CRD, requesting that the CRD work with the City of Victoria and other local governments to advocate for “flow control” regulating the export of solid waste outside the region.
6. Advocate to the Capital Regional District to increase the tipping fee for disposal of unsorted solid waste at the Hartland Landfill, to discourage the disposal of unsorted solid waste and encourage waste reduction / diversion / recycling.
7. Direct staff to report back on options for increasing diversion rates from multi-family residential and commercial properties.
8. Direct staff to explore options for separating pet waste at off-leash dog areas in parks

F.1 3120 Washington Avenue: Rezoning Application No. 00735 (Burnside)

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00735 for 3120 Washington 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:

- a. Preparation of legal agreements executed by the applicant to secure the following, with form satisfactory to the City Solicitor:
 - i. a housing agreement to ensure that future Strata bylaws cannot prohibit the rental of dwelling units, to the satisfaction of the Director of Sustainable Planning and Community Development;
 - ii. a statutory right-of-way of 1.00m on Washington Avenue for sidewalk improvements, to the satisfaction of the Director of Engineering and Public Works;
 - iii. the design of the proposed eight single-family dwelling units and associated landscaping in accordance with the plans dated October 13, 2020, to the satisfaction of the Director of Sustainable Planning and Community Development.
 - iv. Further consideration by the developer of options to increase the rear setback.

F.2 131, 137 Skinner Street and 730 - 736 Tyee Road: Rezoning Application No. 00747 (Victoria West)

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00747 for 730-736 Tyee Road & 131-137 Skinner Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

F.4 1244 Wharf Street: Heritage Alteration Permit with Variances Application No. 00023 (Downtown)

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 Heritage Alteration Permit with Variances Application No. 00023 for 1244 Wharf Street, in accordance with:

1. Plans, date stamped November 20, 2020.
2. The Conservation Plan for the Yates Block at 1244 Wharf Street by Donald Luxton and Associates Inc., dated September 2020
3. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - increase the parapet projection from 1m to 4.5m (for cornice and pediment only)
4. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.
5. Revisions to the existing Statement of Significance to include restored heritage features as character-defining elements to the satisfaction of the Director of Sustainable Planning and Community Development.
6. Revisions to elevation details of the proposed restored pediment and cornice, including molding profiles, to the satisfaction of the Director of Sustainable Planning and Community Development
7. Minor plan amendments to illustrate frontage improvements to the satisfaction of the Director of Engineering.

8. Preparation and execution of a legal agreement to secure frontage improvements, to the satisfaction of the Director of Engineering
9. Council authorizing the restoration of historic features, including a pediment, roof level cornice and balcony, which will project over the City Right-of-Way, 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.
10. Heritage Alteration Permit with a Variance lapsing two years from the date of this resolution.”

I.1 Council Member Motion: Bring Back Mainstreet

1. That Council refer the Bring Back Mainstreet to staff working on the implementation of *Victoria 3.0*, *Create Victoria*, the Parks and Open Spaces Masterplan, Build Back Victoria, Neighbourhood Planning, and to staff in finance, real estate, economic development and planning for their consideration.
2. That Council refer “In It Together: Bringing Back Canada’s Main Streets” to the Minister of Municipal Affairs with request for consideration actions to reduce the property tax impacts to legacy main street businesses, arts and culture organizations and non-profits downtown and in village centres.

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD JANUARY 7, 2021

For the Council meeting of January 7, 2021, the Committee recommends the following:

E.1.b.a Appointment of Animal Control Officer

1. That Neil Lundin be appointed as
 - a. "Animal Control Officer" pursuant to section 49(1) of the Community Charter, and
 - b. That his appointment be rescinded upon termination of his employment by Victoria Animal Control Services Ltd.

E.1.b.b Council Member Motion: Refer proposed Jubilee Route to Oak Bay Council for Input

1. That Council refer to the Jubilee route options to Oak Bay Council for their input and request that Oak Bay provide feedback to City of Victoria staff by January 31st



Council Report

For the Meeting of January 7, 2020

To: Council **Date:** December 17, 2020
From: C. Coates, City Clerk
Subject: Council Remuneration Amendment (No. 1) Bylaw No. 21-015

RECOMMENDATION

That Council Remuneration Amendment (No. 1) Bylaw No. 21-015 be given first, second and third readings.

EXECUTIVE SUMMARY

Council's annual indemnities are established by way of the Council Remuneration Bylaw No. 08-103 attached as Appendix A. Section 4 of the Bylaw references annual increases in line with the Consumer Price Index (All Items) for Victoria as of December 10th in each year. The current CPI is 1.6%. In view of this, in accordance with the Bylaw, indemnities would be increased by this amount as a matter of course.

However, during financial planning discussions, Council resolved to forgo any increase to council indemnities based on the CPI for 2021 due to the COVID-19 pandemic.

In keeping with that direction, attached for Council's consideration is an amendment bylaw to eliminate the CPI increase for 2021. The proposed bylaw, attached as Appendix B is drafted such that the CPI calculation would re-start for 2022 based on the 2021 CPI for Victoria.

Respectfully submitted,

Chris Coates
City Clerk

Susanne Thompson
Deputy City Manager/CFO

Report accepted and recommended by the City Manager

List of Attachments:

Appendix A: Council Remuneration Bylaw No. 08-103

Appendix B: Council Remuneration Amendment (No. 1) Bylaw No. 21-015

A BYLAW OF THE CITY OF VICTORIA

To authorize the indemnity and expenses to be paid to the Mayor and other members of Council.

Under its statutory powers, including section 165 of the *Community Charter*, the Municipal Council of The Corporation of the City of Victoria enacts the following provisions:

1. This Bylaw may be cited as the "COUNCIL REMUNERATION BYLAW".
2. With effect from January 1, 2009 the Mayor shall be paid an annual indemnity of \$97,760, and in each succeeding year shall be fixed at two and one half times the annual indemnity paid to other members of Council for that year as adjusted pursuant to section 4 of this Bylaw.
3. With effect from January 1, 2009 each of the other members of Council shall be paid an annual indemnity of \$39,104.
4. With effect from January 1, 2010, the indemnity for each of the other members of Council shall be increased annually by an amount equal to the annual increase in the Consumer Price Index (All Items) for Victoria most recently published by Statistics Canada or its successor in function before December 10 of the preceding year.
5. The annual indemnities for the Mayor and each of the other members of Council must be paid in equal bi-weekly installments on every second Friday throughout each year, in accordance with City of Victoria Finance Department Payroll schedules.
6. The Mayor and each of the other members of Council must be paid for their travel expenses, as outlined in the City Travel Policy and incurred while
 - representing the City,
 - engaged in City business, or
 - attending a meeting, course, or convention related to representation of the City, City business, or the duties of the office of Mayor or other member of Council.
7. Sections 7, 8, 9, 10, and 11 of the Five Year Financial Plan Bylaw 08-042 are repealed.

8. This bylaw comes into effect on January 1, 2009.

READ A FIRST TIME THE	27 th	day of	November,	2008
READ A SECOND TIME THE	27 th	day of	November,	2008
READ A THIRD TIME THE	27 th	day of	November,	2008
ADOPTED THE	18 th	day of	December,	2008

“ROBERT G. WOODLAND”
CORPORATE ADMINISTRATOR

“DEAN FORTIN”
MAYOR

NO. 21-015

A BYLAW OF THE CITY OF VICTORIA

The purpose of this bylaw is to amend the Council Remuneration Bylaw.

Under its statutory powers, including section 235 of the *Community Charter*, the Municipal Council of The Corporation of the City of Victoria enacts the following provisions:

1. Title
2. Amendment
3. 2021 Special Provisions

Title

- 1 This Bylaw may be cited as the " COUNCIL REMUNERATION BYLAW AMENDMENT
(No. 1) BYLAW No. 21-015".

Amendment

- 2** Council Remuneration Bylaw No. 08-103 is hereby amended by adding the following as section 9:

2021 Special Provisions

- 3** 9. Section 4 of Bylaw 08-103 shall not be applied to the calculation of the indemnity for the Mayor or other members of Council for the year 2021.

READ A FIRST TIME the _____ day of _____ 2021.

READ A SECOND TIME the _____ day of _____ 2021.

READ A THIRD TIME the _____ day of _____ 2021.

ADOPTED the _____ day of _____ 2021.

CITY CLERK

MAYOR



Council
For the Meeting of January 7, 2021

To: Council **Date:** December 9, 2020
From: Jo-Ann O'Connor, Deputy Director of Finance
Subject: Temporary Borrowing Bylaw, 2021

RECOMMENDATION

That Council give first, second and third readings to the Temporary Borrowing Bylaw, 2021 No 21-004

EXECUTIVE SUMMARY

Each year, the City adopts a temporary borrowing bylaw to allow the City to borrow money to meet cash flow demands before property taxes are collected in July. This is done as a proactive measure only and has rarely been used since the City has sufficient reserves in place to address cash flow needs.

Under Section 177 of the Community Charter, Council may, by bylaw, provide the authority to borrow money that may be necessary to meet the current year expenditures and to pay amounts required to meet the City's taxing obligations to other local governments or public bodies. If money is borrowed pursuant to this bylaw, revenue from property taxes must be used to repay the money borrowed.

The maximum amount of borrowing allowed is the sum of the unpaid taxes for the current year plus the money remaining to be collected from other governments; or if the current year tax bylaw has yet to be adopted, the maximum is 75% of prior year taxes. For 2021, the maximum amount the City can borrow is \$172 million.

At this time, the City is not anticipating using this amount. This is a precautionary tool that provides flexibility to the City to address unanticipated and unforeseen events.

Respectfully submitted,

Jo-Ann O'Connor
Deputy Director of Finance

Susanne Thompson
Deputy City Manager/CFO

Report accepted and recommended by the City Manager

List of Attachments

Appendix A: Temporary Borrowing Bylaw, 2021

TEMPORARY BORROWING BYLAW, 2021

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to provide for the borrowing of money that may be necessary to meet the current lawful expenditures of the City.

Contents

- 1 Title
- 2 Definition
- 3 Borrowing authorized
- 4 Form of borrowing
- 5 Time of repayment
- 6 Tax revenue to be used for repayment

Under its statutory powers, including section 177 of the *Community Charter*, the Council of the City of Victoria enacts the following provisions:

Title

- 1 This Bylaw may be cited as the “TEMPORARY BORROWING BYLAW, 2021”.

Definition

- 2 In this Bylaw, “CFO” means the City’s Chief Financial Officer.

Borrowing authorized

- 3
 - (1) The CFO may borrow, on behalf of the City, on the credit and for the purposes of the City, from any bank, credit union, corporation, or other person, as the CFO may from time to time consider appropriate, an amount of money not exceeding \$172 million.
 - (2) The CFO must not borrow the money described in subsection (1) at a rate of interest that exceeds the prime rate of interest charged by the Royal Bank of Canada at the time when the lender imposes a rate of interest.

Form of borrowing

- 4
 - (1) The CFO may borrow by means of bank overdrafts.
 - (2) Where the borrowing is other than by way of bank overdrafts, the form of an obligation to be given as an acknowledgement of the liability must be a promissory note, demand note, or a banker’s acceptance, sealed with the seal of the City and signed by the Mayor and the CFO.

Time of repayment

- 5** The money borrowed under this Bylaw and any interest on it must be repaid on or before December 31, 2021.

Tax revenue to be used for repayment

- 6** Revenue from all property value taxes must be used as necessary to repay the money borrowed under this Bylaw.

READ A FIRST TIME the day of 2021.

READ A SECOND TIME the _____ day of _____ 2021.

READ A THIRD TIME the _____ day of _____ 2021.

ADOPTED on the _____ day of _____ 2021.

CITY CLERK

MAYOR

VEHICLES FOR HIRE BYLAW, AMENDMENT BYLAW (NO. 22)

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the Vehicles for Hire Bylaw with relation to fees paid by horse-drawn carriages, pedi-cabs, and sight-seeing vehicles.

Under its statutory powers, the Council of the Corporation of the City of Victoria, in open meeting assembled, enacts the following provisions:

- 1 This Bylaw may be cited as the "Vehicles for Hire Bylaw, Amendment Bylaw (No. 22)."
- 2 Bylaw No. 03-60, the Vehicles for Hire Bylaw, is amended as follows:

Interim Provisions

- (a) By suspending for the year 2021, the applicability of:

Number of pedicab licences

Sections 12 (2) and (3).

Selection Process for pedicab licenses

Section 13.

Number of horse-drawn vehicle licenses

Section 19 (2) and (3).

Selection Process for horse-drawn vehicle licenses

Section 20.

READ A FIRST TIME the	10th	day of	December	2020.
READ A SECOND TIME the	10th	day of	December	2020.
READ A THIRD TIME the	10th	day of	December	2020.
ADOPTED on the		day of		2021.

CITY CLERK

MAYOR



Council Report

For the Meeting of January 7, 2021

To: Council **Date:** January 7, 2021
From: Thomas Soulliere, Director of Parks, Recreation and Facilities
Subject: Park Dedication Bylaw – 1850 Leighton Road

RECOMMENDATION

That the following bylaw be given first, second, and third readings of:

1. Park Dedication (1850 Leighton Road) Bylaw No. 21-009

EXECUTIVE SUMMARY

The purpose of this report is to present a Park Dedication Bylaw for 1850 Leighton Road ,as directed by Council.

In July 2020, Council authorized staff to complete the acquisition of property located at 1850 Leighton Road for the provision of park space in the South Jubilee neighbourhood. At the time staff were also directed to prepare a bylaw designating the parcel as parkland.

The City completed the purchase of the property on November 19, 2020. The acquisition of 1850 Leighton Road supports the City's policy objectives in the Official Community Plan and the Parks and Open Spaces Master Plan. The new park increases the amount of public green space in the South Jubilee Neighbourhood and will result in the protection of a Garry oak meadow.

The adoption of the Park Dedication Bylaw is a formal method of ensuring the property remains a publicly accessible City park, and subject to applicable policies, regulations and management practices.

Respectfully submitted,

Thomas Soulliere
Director
Parks, Recreation and Facilities

Report accepted and recommended by the City Manager

List of Attachments:

- Bylaw No. 21-009

November 4, 2020

To All British Columbia Municipalities,

On November 3, 2020 Council passed the attached resolution regarding Flood Risk Mitigation through Green Infrastructure and Natural Assets.

Port Moody City Council is requesting that your Council consider supporting the need for flood risk mitigation and reach out to the Minister of Environment & Climate Change Strategy, the Minister of Municipal Affairs and Housing, the Minister of Agriculture, and the Premier of British Columbia.

In the 2020 UBCM convention, a resolution regarding Flood Risk Mitigation through Green Infrastructure and Natural Assets was slated to be NR16. However, because of a new format and timing constraints, members did not get to vote on this critical environmental protection piece, which was sponsored by the LMLGA executive. As BC faces the challenges of a climate crisis and rebuilding the economy in a more resilient manner, the creation of fish-friendly flood infrastructure is a critical part of a just recovery.

Our current flood protections drastically impact the lives of fish and other species and rarely take into account diffusing polluted water runoff before it ends up in our watersheds. And of course, protecting our fish protects ecosystems as a whole, which in turn protects food webs and keystone species, food security and food sovereignty, and protect fisheries jobs. Nature-based flood-control solutions that provide both flood protection and fish passage are currently not required by regulators or by funding programs for upgrades of existing structures, even though they are well proven to be effective. In fact these win-win solutions provide excellent return on investment and can make our communities even safer from flooding, but are severely underfunded here in BC.

A major flood with our current infrastructure would be catastrophic, upgrading flood infrastructure needs to be a high priority for capital spending. The solution can be one that provides multiple benefits that creates green jobs, helps us adapt to climate change, advances reconciliation and UNDRIP commitments, while also improving recreational and aesthetic values and of course, is economically smart.

Expanding on this last point:

- Existing flood mitigation funding can be leveraged for multiple benefits: studies have found that investment in ecosystem services generates significant economic value and helps communities avoid millions of dollars in future costs.
- In addition, investing in natural flood control is often cheaper and more efficient than investing in “grey” infrastructure not just in Canada but across the world.
- And finally, data from the United States show that short-term economic benefits – jobs and other economic spinoffs – from watershed restoration projects are

equivalent to other kinds of public infrastructure works. For example, a \$1M investment in watershed restoration creates between 13 and 22 jobs, and \$2M to \$3.4M in economic activity.

Reducing storm water-related impacts also reduces our communities' exposure to water pollution and flooding-related health hazards and their associated health outcomes, such as waterborne illness, respiratory disease and asthma associated with mold and bacteria, vectorborne disease, stress, injury, and death. Trees, bushes, and greenery have the ability to absorb air pollutants and trap airborne particulates on their leaves, reduce surface and air temperatures. And because it more resilient to climate related impacts it reduces the need to fix grey infrastructure, which saves money for our residents.

Green infrastructure, such as fish-friendly flood infrastructure, also provides a plethora of co-benefits. Such projects increase exposure to the natural environment, reduce exposure to harmful substances and conditions, provide opportunity for recreation and physical activity, promote community identity and a sense of well-being, and provides economic benefits at both the community and household level. These benefits are all known to directly or indirectly benefit public health. The degree to which the environmental, social, economic, and public health benefits of green infrastructure are realized is dependent on a number of factors, including the design, installation, and maintenance of the green infrastructure features.

Evidence is clear that holistic innovative solutions seem more expensive in the short-term, but provincial political will is needed to reap a myriad of co-benefits that far outweigh the upfront costs. Local governments are dedicated to climate solutions; however, with our only means of funding being property taxes, the province needs to come to the table as a funding partner.

We strongly encourage all BC Local Governments to consider the benefits healthier, reconnected ecosystems can have not just in the next year or two, but into the future as we work to build back a better BC. We hope you join us to advocacy to the Provincial Government to support this initiative through grants and funding as part of a just and green economic recovery.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rob Vagramov', written over a light blue dotted grid background.

Mayor Rob Vagramov
City of Port Moody



City of Port Moody
Council Resolution
November 3, 2020

THAT the following resolution regarding Flood Risk Mitigation Through Green Infrastructure and Natural Assets be endorsed by the City of Port Moody and forwarded for consideration at the 2021 Lower Mainland Local Government Association and subsequent Union of British Columbia Municipalities convention as recommended in the report dated October 12, 2020 from Councillor Amy Lubik regarding Flood Risk Mitigation Through Green Infrastructure and Natural Assets Lower Mainland Local Government Association and Union of British Columbia Municipalities Consideration:

Whereas the side channels, tributaries and sloughs of the Fraser and other large rivers have deep value to First Nations as historic transportation corridors, sites of food cultivation and harvest, refuge and gathering places; many of these same waterways are or were valuable recreational fishing, boating and swimming sites but are no longer safe and accessible for these activities;

And whereas these waterways provide moderating effects for localized and riverine flooding and valuable habitat for wild salmon and other important species; And whereas there is no current requirement or standard practice for treating these natural and manmade waterways as valuable natural assets for their provision of the aforementioned ecosystem services:

Therefore be it resolved that Union of British Columbia Municipalities request that the federal and provincial governments remove constraints and implement requirements for incorporating green infrastructure and nature-based solutions in flood management to ensure effective flood risk mitigation while maintaining or restoring social, cultural and ecological co-benefits for these systems;

And be it further resolved that Union of British Columbia Municipalities request that the federal and provincial governments promote natural assets as a viable emergency planning solution and provide appropriate funding through the Disaster Mitigation Adaptation Fund,



Investing in Canada Infrastructure Program, Community Emergency Preparedness Fund, Emergency Management BC and other similar emergency planning and mitigation funds.

AND THAT a letter advocating for Flood Risk Mitigation Through Green Infrastructure and Natural Assets as part of a provincial climate resilience strategy, as well as economic green stimulus package, be sent to the Minister of Environment, the Minister of Municipal Affairs and Housing, the Minister of Agriculture, and the Premier of BC;

AND THAT Port Moody write to all other municipalities in BC asking them to write letters of support to the aforementioned ministries.

File: 0410-31

November 30, 2020



THE CORPORATION OF THE CITY OF VERNON

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Victoria, BC V8W 9E1

Selina Robinson, Minister of Finance
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Victoria, BC V8W 9E2

Harwinder Sandhu, MLA Vernon-Monashee
email: harwinder.sandhu@bcndp.ca

Council, at their Regular meeting held on Tuesday, October 13, 2020, passed the following resolution:

"WHEREAS cost is a significant barrier to people accessing contraception, particularly to people with low incomes, youth, and people from marginalized communities; and

WHEREAS providing free prescription contraception has been shown to improve health outcomes for parents and infants by reducing the risks associated with unintended pregnancy, and is likely to reduce direct medical costs on the provincial health system; and

WHEREAS contraceptive methods such as condoms or vasectomies are available at low cost, no cost, or are covered by BC's Medical Services Plan, whereas all contraceptive methods for people with uterus (such as birth control pills, intrauterine devices, or hormone injections) have high up-front costs, making access to contraception unequal and gendered;

THEREFORE BE IT RESOLVED

THAT the City of Vernon write to the Provincial Minister of Finance, the Provincial Minister of Health, the Premier of BC, and the local MLA supporting universal no-cost access to all prescription contraception available in BC under the Medical Services Plan; and

THAT this letter be forwarded to all BC municipalities asking to write their support as well

CARRIED."

Thank you for your consideration.

Yours truly,


Victor I. Cumming
Mayor

Copy: Mayor & Council
W. Pearce, CAO
BC Municipalities