



MINUTES - VICTORIA CITY COUNCIL

January 7, 2021, 11:13 A.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 Loveday, Councillor Thornton-Joe, Councillor Young, Councillor Andrew
- PRESENT ELECTRONICALLY: Councillor Dubow, Councillor Isitt, 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, J. Jensen - Head of Human Resources, K. Hoese - Director of Sustainable Planning and Community Development, C. Havelka - Deputy City Clerk, L. Van Den Dolder - Assistant City Solicitor, J. O'Connor - Deputy Director of Finance, C. Mycroft - Manager of Executive Operations, M. Fedyczkowska - Legislation & Policy Analyst, S. Webb - Manager of Transportation, P. Bellefontaine - Director of Engineering & Public Works, C. Moffatt – Assistant City Solicitor, J. Jensen – Head of Human Resources, 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.

CARRIED UNANIMOUSLY

C. READING OF MINUTES

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That the following minutes be adopted:

1. Minutes from the daytime meeting held October 22, 2020
2. Minutes from the evening meeting held November 12, 2020
3. Minutes from the daytime meeting held November 19, 2020
4. Minutes from the evening meeting held November 26, 2020
5. Minutes from the evening meeting held December 10, 2020
6. Minutes from the daytime meeting held December 3, 2020
7. Minutes from the daytime meeting held December 10, 2020

CARRIED UNANIMOUSLY

E. REPORTS OF COMMITTEE

E.1 Committee of the Whole

E.1.a Report from the December 10, 2020 COTW Meeting

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

Moved By Councillor Alto
Seconded By Councillor Young

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.”

CARRIED UNANIMOUSLY

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

Moved By Councillor Loveday
Seconded By Councillor Alto

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.

Councillor Young requested that the numbered items within the motion be voted on separately.

1. Receive the Victoria Housing Strategy Annual Review 2019 for information.

CARRIED UNANIMOUSLY

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.

CARRIED UNANIMOUSLY

3. Approve the 2021 Prioritization of Housing Strategy Actions.

FOR (8): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Thornton-Joe, Councillor Dubow, Councillor Isitt, Councillor Potts, Councillor Loveday

OPPOSED (1): Councillor Young

CARRIED (8 to 1)

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.

CARRIED UNANIMOUSLY

E.1.a.c Zero Waste Victoria

Moved By Councillor Isitt

Seconded By Councillor Loveday

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

CARRIED UNANIMOUSLY

Councillor Alto withdrew from the meeting at 11:24 a.m. due to a potential non-pecuniary conflict of interest with the following item as she owns property nearby.

Councillor Andrew withdrew from the meeting at 11:24 a.m. due to a potential non-pecuniary conflict of interest with the following item as he resides at property nearby.

E.1.a.d 3120 Washington Avenue: Rezoning Application No. 00735 (Burnside)

Motion to postpone:

Moved By Councillor Isitt

Seconded By Councillor Loveday

That this item be postponed pending receipt of further information from staff.

CARRIED UNANIMOUSLY

Councillor Alto and Councillor Andrew returned to the meeting at 11:26 a.m.

E.1.a.e 131, 137 Skinner Street and 730 - 736 Tyee Road: Rezoning Application No. 00747 (Victoria West)

Moved By Councillor Loveday

Seconded By Councillor Alto

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

CARRIED UNANIMOUSLY

**E.1.a.f 1244 Wharf Street: Heritage Alteration Permit with Variances
Application No. 00023 (Downtown)**

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

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.”

CARRIED UNANIMOUSLY

E.1.a.g Council Member Motion: Bring Back Mainstreet

Moved By Councillor Loveday
Seconded By Mayor Helps

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.

Amendment:

Moved By Mayor Helps
Seconded By Councillor Loveday

2. That Council refer “In It Together: Bringing Back Canada’s Main Streets” to the **Finance 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.

CARRIED UNANIMOUSLY

On the main motion as amended:

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 Finance Minister 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.

CARRIED UNANIMOUSLY

B. APPROVAL OF AGENDA

Moved By Councillor Loveday
Seconded By Councillor Thornton-Joe

That the following item be added to the agenda:

E.1.b Report from the January 7, 2021 COTW Meeting

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

CARRIED UNANIMOUSLY

E. REPORTS OF COMMITTEE

E.1 Committee of the Whole

E.1.b Report from the January 7, 2021 COTW Meeting

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

Moved By Councillor Thornton-Joe

Seconded By Councillor Young

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.

CARRIED UNANIMOUSLY

F. BYLAWS

F.1 Bylaw for Council Remuneration Amendment Bylaw

Moved By Councillor Thornton-Joe

Seconded By Councillor Young

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

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

CARRIED UNANIMOUSLY

F.2 Bylaw for Temporary Borrowing, 2021

Moved By Councillor Young

Seconded By Councillor Loveday

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

1. Temporary Borrowing Bylaw, 2021 No. 21-004

CARRIED UNANIMOUSLY

F.3 Bylaw for Vehicles for Hire Bylaw Amendment

Moved By Councillor Thornton-Joe

Seconded By Councillor Young

That the following bylaw **be adopted**:

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

CARRIED UNANIMOUSLY

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

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

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

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

CARRIED UNANIMOUSLY

G. CORRESPONDENCE

G.1 Letter from the City of Port Moody

Moved By Councillor Alto

Seconded By Councillor Young

That the correspondence from the City of Port Moody be received for information.

CARRIED UNANIMOUSLY

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

Moved By Councillor Potts

Seconded By Councillor Loveday

That the correspondence from the Corporation of the City of Vernon be received for information.

Amendment:

Moved By Councillor Loveday

Seconded By Councillor Potts

That the correspondence from the Corporation of the City of Vernon be received for information **and that a response be sent to the City of Vernon that Victoria has passed a similar resolution and appreciates their advocacy.**

CARRIED UNANIMOUSLY

On the main motion as amended:

That the correspondence from the Corporation of the City of Vernon be received for information and that a response be sent to the City of Vernon that Victoria has passed a similar resolution and appreciates their advocacy.

CARRIED UNANIMOUSLY

B. APPROVAL OF AGENDA

Moved By Councillor Isitt
Seconded By Councillor Young

That the agenda be amended to put this motion before Council:

That Council adopt the following motion:
The provision for working lunches be suspended with immediate effect.

FOR (6): Councillor Thornton-Joe, Councillor Dubow, Councillor Isitt, Councillor Potts,
Councillor Loveday, Councillor Young
OPPOSED (3): Mayor Helps, Councillor Alto, Councillor Andrew
CARRIED (6 to 3)

H. NEW BUSINESS

H.1 Council Member Motion: Working Lunches

Moved By Councillor Isitt
Seconded By Councillor Young

That Council adopt the following motion:
The provision for working lunches be suspended with immediate effect.

CARRIED UNANIMOUSLY

Councillor Alto withdrew from the meeting at 12:00 p.m. due to a potential non-pecuniary conflict of interest with the following item as she owns property nearby.

Councillor Andrew withdrew from the meeting at 12:00 p.m. due to a potential non-pecuniary conflict of interest with the following item as he resides at property nearby.

E. REPORTS OF COMMITTEE

E.1 Committee of the Whole

E.1.a Report from the December 10, 2020 COTW Meeting

**E.1.a.d 3120 Washington Avenue: Rezoning Application No. 00735
(Burnside)**

Moved By Councillor Thornton-Joe
Seconded By Councillor Young

That Council lift the following matter to the table.

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe
Seconded By Councillor Loveday

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.

CARRIED UNANIMOUSLY

Councillor Alto and Councillor Andrew returned to the meeting at 11:26 a.m.

B. APPROVAL OF AGENDA

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the following item be added to the agenda:

E.1.b Report from the January 7, 2021 COTW Meeting

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

CARRIED UNANIMOUSLY

E. REPORTS OF COMMITTEE

E.1 Committee of the Whole

E.1.b Report from the January 7, 2021 COTW Meeting

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

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

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

CARRIED UNANIMOUSLY

I. CLOSED MEETING

Council discussed specific details related to an item proposed for the closed section of the meeting.

Moved By Councillor Loveday

Seconded By Councillor Potts

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)(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;

FOR (8): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Thornton-Joe, Councillor Dubow, Councillor Isitt, Councillor Potts, Councillor Loveday

OPPOSED (1): Councillor Young

CARRIED (8 to 1)

J. APPROVAL OF CLOSED AGENDA

Moved By Councillor Alto

Seconded By Councillor Potts

That the closed agenda be approved.

CARRIED UNANIMOUSLY

N. NEW BUSINESS

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

Council discussed a legal advice/litigation matter.

The motion was recorded and kept confidential.

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

Council discussed an intergovernmental negotiations matter.

The conversation was recorded and kept confidential.

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

Council discussed a proposed municipal service.

The motion was recorded and kept confidential.

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

Council discussed an appointment matter.

The motion was recorded and kept confidential.

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

Council discussed a law enforcement matter.

The conversation was recorded and kept confidential.

N.6 Employee Relations - Community Charter Section 90(1)(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 3:16 p.m.

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

Council discussed an employee relations matter.

P. ADJOURNMENT

Moved By Councillor Andrew

Seconded By Councillor Alto

That the Closed Council Meeting be adjourned at 3:26 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR