



REVISED AGENDA - VICTORIA CITY COUNCIL

Thursday, May 6, 2021

6TH FLOOR BOARDROOM, CAPITAL REGIONAL DISTRICT, 625 FISGARD STREET, VICTORIA, B.C.

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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A letters from the City of Penticton and UBCM requesting support for the reconsideration of invoking Provincial Paramountcy regarding the City of Penticton's Zoning Bylaws.

H. CLOSED MEETING

MOTION TO CLOSE THE MAY 6, 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)(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)(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.

I. APPROVAL OF CLOSED AGENDA

J. READING OF CLOSED MINUTES

K. UNFINISHED BUSINESS

L. NEW BUSINESS

L.1. Land - Community Charter Section 90(1)(e)

L.2. Legal Advice - Community Charter Section 90(1)(i)

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

L.4. Legal Advice - Community Charter Section 90(1)(i)

***L.5. Legal Advice - Community Charter Section 90(1)(i)**

Addenda: New Item

M. CONSIDERATION TO RISE & REPORT

N. ADJOURNMENT



MINUTES - SPECIAL VICTORIA CITY COUNCIL

March 18, 2021, 6:30 P.M.

6TH FLOOR BOARDROOM, CAPITAL REGIONAL DISTRICT, 625 FISGARD STREET,
VICTORIA, B.C.

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

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

PRESENT ELECTRONICALLY: Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts

PRESENT ELECTRONICALLY AND IN PERSON: Councillor Thornton-Joe

STAFF PRESENT: J. Jenkyns - City Manager, P. Bruce - Fire Chief, C. Coates - City Clerk, T. Soulliere - Director of Parks, Recreation & Facilities, T. Zworski - City Solicitor, B. Eisenhauer - Head of Engagement, P. Bellefontaine - Director of Engineering & Public Works, K. Hoese - Director of Sustainable Planning and Community Development, C. Havelka - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, L. Taylor - Senior Planner, C. Kingsley - City Clerk, M. Betanzo - Senior Planner, R. Carroll - Manager of Real Estate, R. Tooke - manager of Sustainability, Assets and Support Services, S. Perkins - Manager of Bylaw Services, M. Heiser - Council Secretary

A. APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Moved By Councillor Alto
Seconded By Councillor Andrew

That the agenda be approved as amended.

CARRIED UNANIMOUSLY

E. PUBLIC AND STATUTORY HEARINGS

Councillor Thornton-Joe withdrew from the meeting at 6:33 p.m. due to a potential non-pecuniary conflict of interest as she has been asked to sit on the Board of the Greater Victoria Coalition to End Homelessness.

Councillor Dubow joined the meeting at 6:35 p.m.

E.1 940 Caledonia Avenue & 953 and 963 Green Street: Temporary Use Permit Application No. 00017 and Development Permit with Variances Application No. 000591

Temporary Use Permit Application No. 00017

Council is considering a Temporary Use Permit for temporary housing proposal at Royal Athletic Park. Variances are required for placement of buildings over property lines, setbacks and parking variance.

Development Permit Application No. 000591

Council is considering a Development Permit application for a temporary housing proposal at Royal Athletic Park.

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

Leanne Taylor (Senior Planner): Advised that the application is to permit temporary purpose built transition housing built from shipping containers.

Mayor Helps opened the opportunity for public comment at 6:38 p.m.

Franc D'Ambrosio (Applicant): Provided information regarding the application.

Gene Hardy (Green Street): Expressed concerns with the application due to concerns with support and security functions.

Property Owner (Green Street): Expressed concerns with the application due to security, tenant concerns, and suspicious activity.

Council recessed from 7:04 p.m. until 7:10 p.m. to provide an opportunity for members of the public to call to speak live.

Rosemary Sleigh (North Park): Expressed concerns with the application due to safety and development location.

Hailey Mcleod (North Park): Expressed support for the development due to the affordable housing opportunity.

No further persons called in to speak to the proposed Temporary Use Permit Application and Development Permit with Variances Application.

Council discussed the following:

- *Subsidies to make rent affordable*
- *Transitions to more permanent housing solutions*
- *Process for an extension of the Temporary Use Permit*
- *Proposed support for resident's health and security*
- *Length of proposed Temporary Use Permit*

Mayor Helps closed the opportunity for public comment at 7:59 p.m.

Moved By Councillor Potts

Seconded By Councillor Andrew

Temporary Use Permit Application No. 00017

- A. That Council authorize the issuance of Temporary Use Permit Application No. 00017 for 940 Caledonia Avenue and 953 and 963 Green Street, in accordance with:
1. Plans date stamped February 11, 2021.
 2. The Temporary Use Permit lapsing 18 months from the date of this resolution.

Amendment:

Moved By Councillor Andrew

Seconded By Councillor Young

B. That Our Place Society will create with the North Park Neighbourhood Association a community inclusion program addressing the concerns of the community and the service provider.

CARRIED UNANIMOUSLY

Council discussed the following:

- *A new housing type to implement in the City*
- *Involvement of the North Park Neighbourhood Association*
- *Dignified transitional home aspects*

On the main motion as amended:

Temporary Use Permit Application No. 00017

- A. That Council authorize the issuance of Temporary Use Permit Application No. 00017 for 940 Caledonia Avenue and 953 and 963 Green Street, in accordance with:
1. Plans date stamped February 11, 2021.
 2. The Temporary Use Permit lapsing 18 months from the date of this resolution.
- B. That Our Place Society will create with the North Park Neighbourhood Association a community inclusion program addressing the concerns of the community and the service provider.

CARRIED UNANIMOUSLY

Moved By Councillor Alto

Seconded By Councillor Andrew

Development Permit with Variances Application No. 000591

That Council authorize the issuance of Development Permit with Variance Application No. 000591 for 940 Caledonia Avenue and 953 and 963 Green Street in accordance with:

- a. Plans date stamped February 11, 2021.
- b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. relaxation to all of the impacted lots for setback requirements;
 - ii. relaxation to permit buildings over property lines;
 - iii. relaxation to permit more than one building on a lot;
 - iv. reduce the required number of parking spaces from five to nil.
- c. The Development Permit lapsing 18 months from the date of this resolution.

CARRIED UNANIMOUSLY

Council recessed at 8:16 p.m. and reconvened at 8:23 p.m.

Councillor Thornton-Joe joined the meeting at 8:23 p.m.

F. REPORTS OF COMMITTEE

F.1 Report from the March 11, 2021 COTW Meeting

F.1.a 749-767 Douglas Street: Rezoning Application No. 00746, Associated OCP Amendment, and Development Permit with Variances Application No. 000155 (Downtown)

Motion to go into a Closed Council meeting at 8:25 p.m.

Moved By Councillor Thornton-Joe
Seconded By Councillor Andrew

MOTION TO CLOSE THE MARCH 18, 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)(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.

Land/Legal Advice - Community Charter Sections 90(1)(e) and 90(1)(i)

Council discussed a land/legal advice matter.

The conversation was recorded and kept confidential.

The open Council meeting reconvened at 8:41 p.m.

Motion to lift the matter from the table:

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That this matter be lifted to the table.

CARRIED UNANIMOUSLY

Motion to refer:

Moved By Councillor Isitt
Seconded By Councillor Dubow

That this matter be referred to staff to work with the applicant to address concerns related to density, height and massing.

Amendment:

Moved By Councillor Thornton-Joe
Seconded By Councillor Young

That this matter be referred to staff to work with the applicant to address concerns related to density, height and massing **and its relationship to the heritage conservative area, and report back to the Committee of the Whole.**

FOR (5): Councillor Isitt, Councillor Dubow, Councillor Loveday, Councillor Thornton-Joe, Councillor Young

OPPOSED (4): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Potts

CARRIED (5 to 4)

On the motion to refer as amended:

That this matter be referred to staff to work with the applicant to address concerns related to density, height and massing and its relationship to the heritage conservative area, and report back to the Committee of the Whole.

Council discussed the following:

- *Correspondence received regarding land use and design*

FOR (4): Councillor Isitt, Councillor Dubow, Councillor Thornton-Joe, Councillor Young

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

DEFEATED (4 to 5)

On the main motion:

Rezoning Application No. 00746 and Associated OCP Amendment.

1. Council, having put their minds to the OCP Amendment considerations outlined in Alternate Motion 1 of the staff report dated February 25 2021 and that subject to resolution of outstanding site servicing, tree preservation and tree replacement issues, the removal of the digital screen and that subject to extending the Humboldt Street Plaza Street to Penwill Street and adding a water/play feature to the satisfaction of City staff, that Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the *Local Government Act* and the necessary Zoning Regulation Bylaw Amendment(s) that would authorize the proposed development outlined in Rezoning Application No.00746 for 749-767 Douglas Street, 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:
 - a. Preparation of legal agreements, executed by the applicant, in a form to the satisfaction of the City Solicitor to secure:
 - i. a statutory right-of-way along Humboldt Street to accommodate public vehicle turn-around movements;
 - ii. off-site public furniture maintenance agreement to secure the ongoing maintenance of unique street furniture over a period of ten years;
 - iii. a statutory right-of-way along Douglas street to include the seating and weather protection and the building face;
 - iv. a statutory right-of-way to secure the through block access path proposed along the eastern property boundary;
 - v. public realm improvements as indicated on the plans dated December 4, 2020 and the extension of the Humboldt Street Plaza to Penwill Street along with a water / play feature;
 - vi. sustainability and active transportation features identified in the staff report and as committed to by the applicant, including provision of a minimum of 94 BC Transit EcoPasses for a three-year period;
 - vii. a commitment to achieve Step Code 3 of the British Columbia Building Code.
 - viii. A commitment to ensuring community use space in the building.
2. That Council determine, pursuant to section 475(1) of the Local Government Act that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.
3. That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the *Local Government Act* with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties have been consulted at a Community Association Land

Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.

4. That Council, specifically consider whether consultation is required under Section 475(2)(b) of the *Local Government Act*, and determine that no referrals are necessary with the Capital Regional District Board, Councils of Oak Bay, Esquimalt and Saanich, the Songhees and Esquimalt First Nations, the School District Board and the provincial and federal governments and their agencies due to the nature of the proposed amendment.
5. That Council give first reading to the Official Community Plan Amendment Bylaw.
6. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2017-2021 Financial Plan, the Capital Regional District Liquid Waste Management Plan and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the *Local Government Act* and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
7. That Council give second reading to the Official Community Plan Amendment Bylaw.
8. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.
10. That Council authorize the Mayor and City Clerk to execute encroachment agreements, to be executed at the time of the building permit approval, if the other necessary approvals are granted, in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works for:
 - a. anchor-pinning in the City Right-Of-Way.
11. That council request the applicant provide detailed explanation of how they are planning to ensure bird-friendly design;
12. That Council request that the application lower the north facing sign to mitigate intrusion into the Douglas Street view corridor.

Development Permit with Variances Application No. 000155

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.00746, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 000155 for 749-767 Douglas Street, in accordance with:

1. Plans date stamped December 4, 2020.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Reduce the interior south west setback from 4.5m to 0m;
 - b. Reduce the interior south east side yard setback from 4.5m to 4.0m
 - c. Increase the height to 53m;
 - d. Relax the requirement for a 1:5 setback ratio from Douglas Street and Humboldt Street

- e. Reduce the required number of vehicle parking stalls from 221 to 127.
3. The Development Permit lapsing two years from the date of this resolution.”

FOR (5): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Potts
Councillor Loveday

OPPOSED (4): Councillor Isitt, Councillor Dubow, Councillor Thornton-Joe,
Councillor Young

CARRIED (5 to 4)

F.1.b Curbside Yard Waste Collection

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That Council direct staff to:

1. Bring forward amendments to the Solid Waste Bylaw (No. 12-086) to enable curbside comingled organics (kitchen scraps and yard waste) collection.
2. Initiate service changes and user outreach to transition from backyard to curbside garbage and comingled organics collection.

Amendment:

Moved By Councillor Loveday

Seconded By Councillor Isitt

- ~~1. Bring forward amendments to the Solid Waste Bylaw (No. 12-086) to enable curbside comingled organics (kitchen scraps and yard waste) collection.~~
- ~~2. Initiate service changes and user outreach to transition from backyard to curbside garbage and comingled organics collection.~~
1. That Council direct staff to initiate a 6-month pilot project of comingled organics and consult with residents regarding their preferred level of service;
2. Bring forward amendments to the Solid Waste Bylaw (No. 12-086) to enable comingled organics (kitchen scraps and yard waste) collection;
3. Initiate service changes and user outreach to allow comingled organics collection.

Council discussed the following:

- *Resident engagement*
- *Implications to land fill waste*
- *Processing of organic material*

FOR (3): Councillor Isitt, Councillor Dubow, Councillor Loveday

OPPOSED (6): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Potts, Councillor Thornton-Joe, Councillor Young

DEFATED (3 to 6)

On the main motion:

That Council direct staff to:

1. Bring forward amendments to the Solid Waste Bylaw (No. 12-086) to enable curbside comingled organics (kitchen scraps and yard waste) collection.
2. Initiate service changes and user outreach to transition from backyard to curbside garbage and comingled organics collection.

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

OPPOSED (2): Councillor Isitt, Councillor Dubow

CARRIED (7 to 2)

F.2 Report from the March 18, 2021 COTW Meeting

F.2.a Council Member Motion: Support for an Arts Hub Pilot Project

Moved By Councillor Andrew

Seconded By Councillor Loveday

1. That Council supports Theatre SKAM's proposal to operate an "Arts Hub" pilot project primarily focused on the performing arts.
2. And that Council grant \$40,000 in one time funding from the City's contingency budget and \$20,000 in annual funding for a period of 5 years from new assessed revenue, to achieve the City's goals of setting up an Arts Hub in downtown Victoria, and to help make Theatre SKAM's proposal financially viable.
3. That Council receive a written report annually.
4. Include in the annual report the benefits to BIPOC, LGBTQIA+ and visual/cultural minority groups and people with disabilities who received funding

CARRIED UNANIMOUSLY

G. Short Term Rental Appeal

G.1 1044 Belmont Avenue - Short Term Rental Appeal

Council received a report dated March 3, 2021 from the City Clerk regarding the Short Term Business License Appeal for 1044 Belmont Avenue. The City Clerk and Mayor outlined the appeal process policy.

Council discussed the following:

- *Clear evidence of a self-contained unit in advertisement*

- *Unit in contravention of the bylaw as presented*
- *Zoning permissions for land use*
- *Personal circumstances of the landowners*

Motion to adjourn the hearing:

Moved By Councillor Thornton-Joe

Seconded By Councillor Potts

That Council adjourn the hearing subject to receiving information as to the prior use of the property with respect to it being a regular Bed and Breakfast.

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

OPPOSED (1): Councillor Young

CARRIED (8 to 1)

H. BYLAWS

H.1 Bylaw for Parks Amendment

Moved By Mayor Helps

Seconded By Councillor Andrew

That the following bylaw **be adopted**:

1. Parks Regulation Bylaw No. 20-114

Council discussed the following:

- *Completion date for housing in development*
- *Clarity on transition period in April*
- *Provincial Heath Officer advice*

Motion to postpone:

Moved By Councillor Isitt

Seconded By Councillor Dubow

That consideration of this matter be postponed until the Council meeting of April 8, 2021 to receive information from BC Housing regarding indoor housing options.

FOR (4): Councillor Isitt, Councillor Dubow, Councillor Potts, Councillor Loveday

OPPOSED (5): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Thornton-Joe, Councillor Young

DEFEATED (4 to 5)

On the main motion:

That the following bylaw **be adopted**:

1. Parks Regulation Bylaw No. 20-114

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

OPPOSED (2): Councillor Isitt, Councillor Dubow

CARRIED (7 to 2)

H.2 Bylaw for Tree Protection

Moved By Mayor Helps

Seconded By Councillor Alto

That the following bylaw **be adopted**:

1. Tree Protection Bylaw No. 21-035

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

OPPOSED (2): Councillor Andrew, Councillor Young

CARRIED (7 to 2)

I. CLOSED MEETING

Moved By Councillor Potts

Seconded By Councillor Andrew

MOTION TO CLOSE THE MARCH 18, 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)(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.*

CARRIED UNANIMOUSLY

J. APPROVAL OF CLOSED AGENDA

Moved By Councillor Alto

Seconded By Councillor Andrew

That the closed agenda be approved.

CARRIED UNANIMOUSLY

K. NEW BUSINESS

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

Council discussed a legal advice matter.

The motion was recorded and kept confidential.

K.2 Legal Advice/Litigation - Community Charter Section 90(1)(i) and 90(1)(g)

Council discussed a legal advice/litigation matter.

The motion was recorded and kept confidential.

L. ADJOURNMENT

Moved By Councillor Andrew

Seconded By Councillor Alto

That the Closed Council Meeting be adjourned at 9:53 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



MINUTES - VICTORIA CITY COUNCIL

March 25, 2021, 6:30 P.M.

6TH FLOOR BOARDROOM, CAPITAL REGIONAL DISTRICT,
625 FISGARD STREET, VICTORIA, B.C.

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

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

PRESENT ELECTRONICALLY: Councillor Dubow, Councillor Isitt

STAFF PRESENT: J. Jenkyns - City Manager, C. Coates - City Clerk, T. Zworski - City Solicitor, B. Eisenhauer - Head of Engagement, P. Bellefontaine - Director of Engineering & Public Works, K. Hoese - Director of Sustainable Planning and Community Development, C. Havelka - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, L. Taylor - Senior Planner, C. Kingsley - City Clerk, N. Sidhu - Assistant Director of Parks, D. Newman - Assistant Director of Construction and Facilities Management, M. Heiser - Council Secretary

A. APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Moved By Councillor Loveday

Seconded By Councillor Thornton-Joe

That the agenda be approved as amended.

CARRIED UNANIMOUSLY

B. POETRY READING

Councillor Isitt joined the meeting at 6:32 p.m.

Committee recessed at 6:39 p.m. and reconvened at 6:42 p.m.

The Youth Poet Laureate, James Summer, read a poem titled " Empty Promise".

D. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Andrew

Seconded By Councillor Loveday

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

D.1 Jade Baird, Ashley Yaredic, Sicily Fox, and Rachel Dufort: Decolonization and Removing Trutch's Name from Trutch Street

Outlined why Council should remove Joseph Trutch's name from Trutch Street.

D.3 Shea Smith: Current state of housing and bylaw actions against the unhoused

Outlined why Council should not reinstate the 7 p.m. to 7 a.m. sheltering bylaw provisions.

F. PUBLIC AND STATUTORY HEARINGS

Councillor Alto withdrew from the meeting at 7:06 p.m. due to a potential pecuniary conflict of interest with the following item, as she owns property in close proximity to the property.

Councillor Andrew withdrew from the meeting at 7:06 p.m. due to a potential pecuniary conflict of interest with the following item, as he owns property in close proximity to the property.

F.1 3080, 3082, 3090 Washington Avenue: Rezoning Application No. 00714, Associated Official Community Plan Amendment and Development Permit Application No. 000566

Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 37) - No. 21-008:
To include all of the land known as 3080, 3082 and 3090 Washington Avenue in the Urban Residential Urban Place Designation.

Zoning Regulation Bylaw Amendment Bylaw (No. 1242) - No. 21-006:
To rezone the land known as 3080, 3082 and 3090 Washington Avenue from the R1-B Zone, Single Family Dwelling District, to the R2-61 Zone, Washington Townhouse District, to permit nine attached dwelling buildings (townhouses) with several units in each and one duplex, totaling 34 dwelling units.

Termination of the Land Use Contract

The Council of the City of Victoria will consider adoption of Bylaw No. 21-019 directing discharge of the Land Use Contract at the following properties located in the City of Victoria:

3080, 3082 and 3090 Washington Avenue

The termination of the Land Use Contract will be effective immediately after adoption of the bylaw directing discharge of it.

Development Permit Application

The Council of the City of Victoria will also consider issuing a development permit for the land known as 3080, 3082 and 3090 Washington Avenue, in Development Permit Area 16: General Form and Character for the purposes of approving the exterior design and finishes for the duplex and attached dwelling buildings as well as landscaping.

F.1.a Public Hearing & Consideration of Approval

Leanne Taylor (Planner): Advised that the application is to construct townhouses and an amendment to the Official Community Plan.

Mayor Helps opened the public hearing at 7:10 p.m.

Sam Ganong (Applicant): Provided information regarding the application.

Cameron Burton (Washington Avenue): Expressed concerns for the application due to height, changes to the heritage character of the neighbourhood, and parking variances.

Todd Buchanan (Washington Avenue): Expressed concerns for the application due to building height and lack of heritage preservation.

Lexi Lulianella (Speed Avenue): Expressed support for the application due to the proposed location and layout of the townhomes.

Sean Farrell (Victoria): Expressed support for the application due to the increase in family homes and bike access.

Jeff Shaw (Prospect Avenue): Expressed support for the application due to the 3 and 4 bedroom townhouses proposed.

Connor Braid (Herald Street): Expressed support for the application due to it being a great option for first time home buyers.

Yuca Bailey (Washington Avenue): Expressed concerns for the application due to the height, density, and parking requirements.

Neil Blainey (Tillicum Gorge Area): Expressed support for the application due to the younger family orientation.

Ross Wilde (Styles Street): Expressed support for the application due to the balance of good changes for the neighbourhood and increase in housing.

Tony Zarasadias (Kings Road): Expressed support for the application due to the increase in housing stock.

John Hircock (Langford): Expressed support for the application due to the increase in safety for the neighbourhood.

Carson Farmer (Gladstone Avenue): Expressed support for the application due the focus on family friendly housing.

Stacey Fitzsimmons (Washington Avenue): Expressed support for the application due to the location and increase of missing middle housing.

Edward (Gorge Tillicum Area): Expressed support for the application due to the location.

Dennis Carson (Bay Street): Expressed support for the application due to the increase in townhouse options for families.

Neil Schuler (View Street): Expressed support for the application due to greenspace and proximity to transport.

Danielle Buchanan (Washington Avenue): Expressed concerns for the application due to the increase in height of the buildings that border the boundaries of the proposal and removal of trees.

Haden Campbell (Johnson Street): Expressed support for the application due to the increase of family homes in the neighbourhood.

Jeremy (Wilson Street): Expressed support for the application due to increase in family housing.

Joel Schwab (Washington Avenue): Expressed support for the application due to design layout of the greenspaces and considerations to the scale of size.

Joel Schwab (Washington Avenue): Expressed support for the application due to design layout of the greenspaces and considerations to the scale of size.

Lesley Valour (Washington Avenue): Expressed concerns for the application due to the loss of green space and trees and proposed height.

Council recessed from 8:26 p.m. until 8:31 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:

- *Change from traditional residential to urban residential zoning*
- *Heritage merit to the existing houses*
- *Transportation on Washington and street scape improvements*
- *Rationale for trees proposed to be removed*
- *Supportable height variances*
- *Proposed design treatment of multiuse trail*
- *Recycled materials from existing buildings*

Mayor Helps closed the public hearing at 9:03 p.m.

Moved By Mayor Helps
Seconded By Councillor Young

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1220) No. 21-006
2. Official Community Plan, Amendment Bylaw (No. 37) No. 21-008

Council discussed the following:

- *Compact land use*
- *Exceeding heights of proposal*
- *Tree loss concerns*

Motion to postpone:

Moved By Councillor Isitt
Seconded By Councillor Dubow

That 3rd reading of the bylaws be postponed until after consideration of the following motion.

CARRIED UNANIMOUSLY

Moved By Councillor Isitt
Seconded By Councillor Dubow

That Council direct staff to work with the applicant to endeavor to include the installation of a crosswalk on Washington Avenue with a portion of the costs to be borne by the applicant.

CARRIED UNANIMOUSLY

Motion to lift the matter from the table:

Moved By Councillor Isitt
Seconded By Councillor Dubow

That this matter be lifted to the table.

CARRIED UNANIMOUSLY

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1220) No. 21-006
2. Official Community Plan, Amendment Bylaw (No. 37) No. 21-008

FOR (8): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Young
OPPOSED (1): Councillor Thornton-Joe

CARRIED (8 to 1)

Moved By Councillor Loveday
Seconded By Councillor Potts

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

1. Land Use Contract Discharge (3080, 3082 and 3090 Washington Avenue) Bylaw No. 21-019

FOR (8): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Young
OPPOSED (1): Councillor Thornton-Joe

CARRIED (8 to 1)

Adoption of bylaws and approval of the Development Permit withheld pending the registration of legal documents.

Mayor Helps withdrew from the meeting at 9:33 p.m. due to a potential pecuniary conflict of interest with the following item, as she owns property in close proximity to the property. Councillor Thornton-Joe assumed the Chair in her absence.

Council recessed at 9:33 p.m. and reconvened at 9:38 p.m.

Councillor Alto and Councillor Andrew returned to the meeting at 9:38 p.m.

F.2 1260 Grant Street and 1289 Gladstone Avenue: Development Variance Permit Application No. 00249

Development Variance Permit Application No. 00249

The City of Victoria will be considering the issuance of a Development Variance Permit for the land known as 1260 Grant Street and 1289 Gladstone Avenue for the purpose of varying certain requirements of the *Zoning Regulation Bylaw* resulting from proposed building additions, seismic renovations and a daycare, namely:

- relaxation to all of the impacted lots for setbacks, site coverage, height, number of storeys and open site space requirements
- relaxation to permit building over property lines and a street
- relaxation to permit parking spaces on separate lots
- relaxation of required parking from 283 spaces to 149 spaces
- allowing a roof deck.

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

Leanne Taylor (Planner): Advised that the application is for a new addition to Victoria High School, which requires variances to the placement of the addition and to parking.

Acting Mayor Thornton-Joe opened the opportunity for public comment at 9:43 p.m.

Jim Mann and Diana Struder (Applicants): Provided information regarding the application.

Deborah Scott (Ferguson Street): Expressed concerns for the application due to the loss of the memorial stand revitalization and green space.

Paloma Callo (Vining Street): Expressed concerns for the application due to changes to the memorial stadium.

Esther Callo (Vining Street): Expressed concerns for the application due to changes proposed for the track lanes and stadium.

Gemma Tarling (Fernwood Road): Expressed concerns for the application due to the aspects proposed for the track and lack of consultation.

David Maxwell (Fernwood): Expressed concerns for the application due to the lack of site planning and proposed parking variances.

Gus Mcitus (Chapman Street): Expressed concerns for the application due to design proposals for the track.

Soli Callo (Vining Street): Expressed concerns for the application due to lack of student consultation and changes to the memorial stadium.

Council recessed from 10:28 p.m. until 10:34 p.m. to provide an opportunity for members of the public to call to speak live.

Motion to extend:

Moved By Councillor Andrew

Seconded By Councillor Dubow

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

CARRIED UNANIMOUSLY

M. Kowal (Grant Street): Expressed concerns for the application due to the variance in parking and restricting the land use for athleticism.

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

Council discussed the following:

- *Potential reduction in parking*
- *Track lane accommodation*
- *Lack of funding from ministry for exterior upgrades*
- *Seismic upgrade funding*
- *Permits previously issued for this address*
- *Traffic calming precautions and outcomes*

Acting Mayor Thornton-Joe closed the opportunity for public comment at 11:25 p.m.

Moved By Councillor Loveday
Seconded By Councillor Alto

That Council authorize the issuance of Development Variance Permit Application No. 00249 for 1260 Grant Street and 1289 Gladstone Avenue, in accordance with:

1. Plans date stamped December 24, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. relaxation to all of the impacted lots for setbacks, site coverage, height, number of storeys and open site space requirements;
 - ii. relaxation to permit building over property lines and a street
 - iii. relaxation to permit parking spaces on separate lots
 - iv. relaxation of required parking from 283 spaces to 149
 - v. allow a roof deck.
3. Registration of Statutory Right of Ways on the property's title, on terms and in a form to the satisfaction of the Director of Engineering and Public Works and City Solicitor, to allow pedestrian network improvements in the following areas:
 - i. a 6.1m section along the property frontage on Gladstone Avenue
 - ii. a 3.9m section along the property frontage on Grant Street
 - iii. a 2.9m section on the property frontage on Fernwood Road, north of Vining Street, reducing to 0.9m in the section between the existing transit stop and the Belfry Theatre
 - iv. a 0.5m section along the property frontage on Fernwood Road, south of Vining Street.
4. Submission of a revised Arborist Report and landscape plans, to the satisfaction of the Director of Parks, Recreation and Facilities, in order to assess the impact of the proposals upon trees and specifically including the following information:
 - i. the applicant must confirm the proposed relocation area of the Pad Mounted Transformer (PMT) and have the project arborist review its impact on trees. The PMT shall be located on school land and the information provided should include the location of any new conduits required, including in the City's Right-of-Way;
 - ii. the landscape plan shall identify two replacement trees for the proposed removal of each bylaw protected tree. Large canopy replacement trees are preferred;
 - iii. include a plant list showing the quantity of new trees proposed, species and size. Clearly identify proposed new trees on the Landscape Plan.
5. Revised plans illustrating proposed pedestrian improvements and driveway crossing designs that are consistent with the Highway Access Bylaw and Subdivision and Development Servicing Bylaw, to the satisfaction of the Director of Engineering and Public Works.
6. The Development Permit lapsing two years from the date of this resolution.

Council discussed the following:

- *Supportable variances*
- *Reduction in parking spaces*

CARRIED UNANIMOUSLY

Motion arising:

Moved By Councillor Isitt

Seconded By Councillor Andrew

That Council expresses support in principle for the installation of a 400-metre running track at Victoria High School, and requests that School District 61 work with the City of Victoria on a revised parking plan and landscape plan to accommodate this amenity for the school community and the broader community.

CARRIED UNANIMOUSLY

Council recessed at 11:50 p.m. and reconvened at 11:55 p.m.

Mayor Helps returned to the meeting at 11:55 p.m. and assumed the chair

F.3 1114 Rockland Avenue: Rezoning Application No. 00711 and Development Permit with Variances Application No. 00140

Motion to extend:

Moved By Councillor Alto

Seconded By Councillor Loveday

That the Council meeting be extended to 1:00 a.m.

CARRIED UNANIMOUSLY

Zoning Regulation Bylaw, Amendment Bylaw (No. 1249) - No. 21-025:

To rezone the land known as 1114 Rockland Avenue from the R3-A1 Zone, Low Profile Multiple Dwelling District, to the CA-93 Zone, Central Area (1114 Rockland) District, to permit a five-storey residential building with multiple dwellings.

Development Permit Application

The Council of the City of Victoria will also consider issuing a development permit for the land known as 1114 Rockland Avenue, in Development Permit Area 16, General Form and Character for the purposes of approving the exterior design and finishes for the five-storey building as well as landscaping.

F.3.a Public Hearing & Consideration of Approval

Alec Johnston (Planner): Advised that the application is for or a five-storey multi-unit residential building.

Mayor Helps opened the public hearing at 11:57 p.m.

Conrad Nyren, Heather Spinney, and Stephanie Hartwig (Applicants): Provided information regarding the application.

Steven Ogram (Meares Street): Expressed support for the application due to the developer's effort to engage with the community and affordable home ownership.

Brandi Wasyluk (Cook Street): Expressed concerns for the application due to the proposed reduction of the west side set back.

John Agar (Cook Street): Expressed concerns for the application due to the proposed height and setbacks.

Wayne Kelly (Victoria): Expressed support for the application due to the proposed affordable housing entry in the real estate market.

Steward Adamson (Meares Street): Expressed support for the application due to engagement and consultation with the developers.

Heather McWhinney (Cook Street): Expressed concerns for the application due to the proposed height on the narrow lot.

Sandra Kendall (Cook Street): Expressed concerns for the application due to the height of the proposed building.

Michael Atkinson (Cook Street): Expressed concerns for the application due to the height of the proposed building.

March Foucher (Meares Street): Expressed support for the application due to the developer's engagement with the neighbours and affordable home ownership.

Peter Wood (Cook Street): Expressed support for the application due to the proposed plans and streetscape view.

Colleen Rode (Cook Street): Expressed concerns for the application due to the reduction in sun exposure, proposed setbacks, and ineffective engagement with neighbours.

Council recessed from 12:47 a.m. until 12:51 a.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:

- *Mitigation measures to reduce impact on surrounding trees*
- *Nearby developments approved by Council*

Mayor Helps closed the public hearing at 12:58 a.m.

Moved By Councillor Potts
Seconded By Councillor Loveday

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1249) No. 21-025

Council discussed the following:

- *Thoughtful design aspects*
- *Proposed height*
- *Neighbour concerns*
- *Opportunity for community-making*

Motion to extend:

Moved By Councillor Alto
Seconded By Councillor Loveday

That the Council meeting be extended to 1:15 a.m.

CARRIED UNANIMOUSLY

On the motion:

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1249) No. 21-025

FOR (8): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe
OPPOSED (1): Councillor Young

CARRIED (8 to 1)

Moved By Councillor Alto
Seconded By Councillor Loveday

That the following bylaws **be adopted:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1249) No. 21-025
2. Housing Agreement (1114 Rockland Avenue) Bylaw (2021) No. 21-026

FOR (8): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe
OPPOSED (1): Councillor Young

CARRIED (8 to 1)

Moved By Councillor Loveday
Seconded By Councillor Alto

Development Permit with Variances Application No. 00140

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 2.6 metres (building face) and 0.35 metres (lobby only)
 - iv. reduce the front setback from 4 metres to 3.6 metres
 - v. reduce the rear setback from 5 metres to 3.33 metres
4. The Development Permit lapsing two years from the date of this resolution.

FOR (8): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe
OPPOSED (1): Councillor Young

CARRIED (8 to 1)

O. ADJOURNMENT

Moved By Councillor Andrew
Seconded By Councillor Alto

That the Council meeting adjourn.
TIME: 1:08 a.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



MINUTES - VICTORIA CITY COUNCIL

April 1, 2021, 2:09 P.M.

6TH FLOOR BOARDROOM, CAPITAL REGIONAL DISTRICT,
625 FISGARD STREET, VICTORIA, B.C.

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 Andrew, 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, T. Soulliere - Director of Parks, Recreation & Facilities, T. Zworski - City Solicitor, B. Eisenhauer - Head of Engagement, P. Bellefontaine - Director of Engineering & Public Works, K. Hoese - Director of Sustainable Planning and Community Development, C. Havelka - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, K. Moore - Head of Business and Community Relations, C. Kingsley - City Clerk, J. Jensen - Head of Human Resources, C. Moffatt - Assistant City Solicitor, J. O'Connor - Deputy Director of Finance, L. Berndt - Manager of Energy and Climate Action, S. Young - Climate and Environmental Sustainability Specialist, M. Heiser - Council Secretary.

A. CONVENE COUNCIL MEETING

B. APPROVAL OF AGENDA

Moved By Councillor Alto
Seconded By Councillor Andrew

That the agenda be approved.

CARRIED UNANIMOUSLY

C. READING OF MINUTES

C.1 Minutes from the evening meeting held January 14, 2021

Moved By Councillor Andrew
Seconded By Councillor Thornton-Joe

That the minutes from the evening meeting held January 14, 2021 be adopted.

CARRIED UNANIMOUSLY

E. REPORTS OF COMMITTEE

E.1 Committee of the Whole

E.1.a Report from the March 25, 2021 COTW Meeting

**E.1.a.a 1177-1185 Fort Street and 1043-1045 Linden Avenue:
Rezoning Application No. 00731 (Rockland)**

Moved By Councillor Thornton-Joe
Seconded By Councillor Andrew

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00731 for 1177-1185 Fort Street and 1043-1045 Linden Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing be held, but that adoption of the Bylaw be held off until confirmation has been received that the lots have been consolidated.

CARRIED UNANIMOUSLY

E.1.a.b Technical High Angle Rope Rescue (THARRP) - Rescue Servicing for Tower Crane Installations - WorkSafeBC/British Columbia Construction Safety Alliance (BCCSA)

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That Council:

1. Approve the renewal of the Agreement for the provision of Technical High Angle Rope Rescue services, as a participant of the Provincial Technical High Angle Rope Rescue Program (THARRP) as an independent service provider within the City of Victoria and authorize the Mayor and City Clerk to execute the agreement.
2. Authorize City Clerk and Mayor to execute any inter-municipal agreements for those municipalities of the Capital Regional District, requesting the provision of Tower Crane rescue servicing, subject to the terms and conditions of the program as established through the British Columbia Construction Safety Alliance (BCCSA) and, subject always to review and approval of the City Solicitor.

CARRIED UNANIMOUSLY

E.1.a.c Restorative Justice Presentation on City Funding

Moved By Councillor Andrew

Seconded By Councillor Dubow

That this presentation be received for information.

CARRIED UNANIMOUSLY

E.1.a.d CRD - Solid Waste Management Plan

Moved By Councillor Andrew

Seconded By Councillor Dubow

That this presentation be received for information.

That Council request the Mayor write on behalf of Council expressing support for the CRD adopting stronger solid waste reduction targets and adopting a goal of becoming a National leader in zero waste and the circular economy.

CARRIED UNANIMOUSLY

E.1.a.e BC Transit Bus Tickets for Persons Sheltering Outdoors

Moved By Councillor Dubow

Seconded By Councillor Alto

That Council receive this report for information.

CARRIED UNANIMOUSLY

E.1.b Report from the April 1, 2021 COTW Meeting

E.1.b.a. Council Member Motion: Advocacy for Protection of Fairy Creek and Other At-Risk Old-Growth Forests

Moved By Councillor Isitt

Seconded By Councillor Dubow

That Council endorse the following resolution and direct staff to forward copies to the Premier of British Columbia, Members of the Legislative Assembly representing constituencies on Vancouver Island, the Capital Regional District Board, municipalities in the Capital Region, and the Association of Vancouver Island and Coastal Communities, requesting favourable consideration:

Resolution: Immediate Protection for Fairy Creek and All At-Risk Old-Growth Forests on Vancouver Island

WHEREAS Ancient high productivity old-growth ecosystems are globally one of the most valuable climate mitigation and resiliency

assets in terms of carbon storage, sequestration, protection against wildfire, storage of water and preservation of biological diversity;

AND WHEREAS Less than 3% of the original high productivity (big tree) old-growth forests in British Columbia remain standing, and of this residual land base, 75% is slated to be eliminated through industrial logging operations;

AND WHEREAS Alternatives exist to increase protection of biological diversity and employment, through the immediate transition to sustainable management of second-growth forests with expanded value-added processing and manufacturing;
THEREFORE BE IT RESOLVED THAT the City of Victoria calls on the Government of British Columbia to immediately defer logging in all high-productivity old-growth forests on Vancouver Island, as recommended by the Old Growth Strategic Review, until all 14 of the panel's recommendations have been implemented, including the Fairy Creek watershed in the Capital Regional District and all other at-risk old-growth forests on Vancouver Island;

AND BE IT FURTHER RESOLVED THAT the City of Victoria calls on the Government of British Columbia to allocate funding to enact deferrals in an economically just manner, in the full spirit of reconciliation and to support the economic transition of affected First Nations and non-First Nation communities from unsustainable old-growth logging toward the development of long-term sustainable local economies.

CARRIED UNANIMOUSLY

F. BYLAWS

F.1 Development Cost Charges Bylaw Amendment Bylaw

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

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

1. Development Cost Charges Bylaw, Amendment Bylaw No. 21-046

CARRIED UNANIMOUSLY

G. CORRESPONDENCE

G.1 Letter from the Corporation of the District of Saanich

Moved By Councillor Andrew

Seconded By Councillor Alto

That the correspondence dated March 17, 2021 from the Corporation of the District of Saanich be received for information.

CARRIED UNANIMOUSLY

G.2 Letter from the City of Campbell River

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the correspondence dated March 23, 2021 from the City of Campbell River be received for information.

CARRIED UNANIMOUSLY

G.3 Letter from the Minister of Public Safety and Solicitor General

Moved By Councillor Andrew

Seconded By Councillor Alto

That the correspondence dated March 25, 2021 from the Minister of Public Safety and Solicitor General be received for information.

CARRIED UNANIMOUSLY

H. CLOSED MEETING

Moved By Councillor Andrew

Seconded By Councillor Alto

MOTION TO CLOSE THE APRIL 1, 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)(j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the Freedom of Information and Protection of Privacy Act.

CARRIED UNANIMOUSLY

I. APPROVAL OF CLOSED AGENDA

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That the closed agenda be approved.

CARRIED UNANIMOUSLY

M. NEW BUSINESS

M.1 Information Prohibited from Disclosure under Section 21 of the FOIPPA - Community Charter Section 90(1)(j)

An information prohibited from disclosure under Section 21 of the FOIPPA matter was discussed.

The motion was recorded and kept confidential.

O. ADJOURNMENT

Moved By Councillor Andrew
Seconded By Councillor Alto

That the Closed Council Meeting be adjourned at 3:01 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



CITY OF VICTORIA

PROCLAMATION

“FALUN DAFA DAY”

WHEREAS *Falun Dafa is an advanced ancient exercise and meditation practice of mind, body, and spirit based on the universal principles of Truthfulness, Compassion and Forbearance; and*

WHEREAS *Falun Dafa practitioners follow the principles and incorporate them into their daily lives, striving to become better people in all environments and situations; and*

WHEREAS *During the current difficult times of **Covid-19** pandemic, we are reminded how important these values and principles can be to us all and*

WHEREAS *Falun Dafa has benefited both physically and spiritually tens of millions of people in over 100 countries around the world since its public introduction in China on May 13, 1992; and*

WHEREAS *Falun Dafa transcends cultural and racial boundaries and contributes to a more peaceful, tolerant, and compassionate society; and*

NOW, THEREFORE *I do hereby proclaim Thursday, May 13th, 2021 as “**FALUN DAFA DAY**” on the HOMELANDS of the Lekwungen speaking **SONGHEES AND ESQUIMALT PEOPLE** in the **CITY OF VICTORIA, CAPITAL CITY** of the **PROVINCE** of **BRITISH COLUMBIA**.*

IN WITNESS WHEREOF, *I hereunto set my hand this sixth day of May, Two Thousand and Twenty-One.*

LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA

Sponsored By:
Sue Zhang
Falun Dafa Assoc.
of Vancouver



CITY OF VICTORIA

PROCLAMATION

“APRAXIA AWARENESS DAY”

- WHEREAS** *May 14, 2021 marks the 8th annual Childhood Apraxia of Speech Day during which awareness will be raised throughout Canada about Childhood Apraxia of Speech, an extremely challenging speech disorder in children; and*
- WHEREAS** *Childhood Apraxia of Speech (CAS) causes children to have significant difficulty learning to speak and is among the most severe speech deficits in children; and*
- WHEREAS** *the act of learning to speak comes effortlessly to most children, those with apraxia endure an incredible and lengthy struggle; and*
- WHEREAS** *without appropriate speech therapy intervention, children with apraxia are placed at high risk for secondary impacts in reading, writing, spelling, and other school-related skills; and*
- WHEREAS** *that such primary and secondary impacts diminish future independence and employment opportunities if not resolved or improved; and*
- WHEREAS** *most children with apraxia of speech will learn to communicate with their very own voices only if they receive early intervention, appropriate, intensive, and frequent speech therapy; and*
- WHEREAS** *it is imperative there be greater public awareness about childhood apraxia of speech in Victoria among community members, physicians, education professionals, policy makers, and elected officials; and*
- WHEREAS** *policy makers, intervention program administrators, schools and insurance providers are encouraged to recognize the critical need to provide adequate speech therapy and other services so that the impact of this disorder is minimized and so that thousands of affected children can grow into productive, contributing adult citizens; and*
- WHEREAS** *our highest respect goes to these children, as well as their families, for their effort, determination, and resilience in the face of such obstacles.*

NOW, THEREFORE *I do hereby proclaim Friday May 14th, 2021 as “APRAXIA AWARENESS DAY” on the HOMELANDS of the Lekwungen speaking SONGHEES AND ESQUIMALT PEOPLE in the CITY OF VICTORIA, CAPITAL CITY of the PROVINCE of BRITISH COLUMBIA.*

IN WITNESS WHEREOF, *I hereunto set my hand this sixth day of May, Two Thousand and Twenty-One.*

LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA

Sponsored By:
Leticia Villalpando Benavides
Apraxia Kids



CITY OF VICTORIA

PROCLAMATION

“DAY OF ACTION AGAINST ASIAN RACISM”

WHEREAS *The Canadian Charter of Rights and Freedoms 15(1) states that every individual is equal before and under the law, and has the right to equal protection and equal benefit of the law without discrimination and in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability; and*

WHEREAS *Every resident in Victoria deserves safe public spaces without fear of discrimination; and*

WHEREAS *Municipalities across Canada have been drastic increase in anti-Asian racism.*

NOW, THEREFORE *I do hereby proclaim Monday, May 10th, 2021 as “**DAY OF ACTION AGAINST ASIAN RACISM**” on the HOMELANDS of the Lekwungen speaking **SONGHEES AND ESQUIMALT PEOPLE** in the **CITY OF VICTORIA, CAPITAL CITY** of the **PROVINCE** of **BRITISH COLUMBIA**.*

IN WITNESS WHEREOF, *I hereunto set my hand this 6th day of May, Two Thousand and Twenty-One.*

LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA

Sponsored By: Isabella Lee
Virtual Day of Action - Across Canada



CITY OF VICTORIA

PROCLAMATION

“BASEBALL SHIRT DAY”

- WHEREAS** baseball is an increasingly national pastime for children and adults, and after an absence of 13 years, will make its Olympic Games return this summer in 2021 at Tokyo 2020; and
- WHEREAS** the City of Victoria, in 2017, recognized June 11 as Doug Hudlin Day, since Doug Hudlin was a long serving employee of the City of Victoria who dedicated many years to the sport of baseball, as both a player and an umpire of more than 40 years’ service; and was chosen as the first non-American umpire to work the Little League World Series in Williamsport, PA, and became the first international umpire ever to work a second Little League World Series; and
- WHEREAS** Doug Hudlin’s work was recognized with his induction into the Greater Victoria Sports Hall of Fame, the B.C. Baseball Umpires Association Hall of Fame, the Little League Umpire Alumni, as a founding member of the British Columbia Black History Awareness Society; and with recognition at National Little League Park and the Canadian Baseball Hall of Fame (CBHF) in St. Mary’s, Ontario; and
- WHEREAS** the City of Victoria recognizes the contributions to our community by individuals like Doug Hudlin, and his niece Barbara Hudlin who has dedicated hundreds of hours to mentoring young people and introducing them to the skills, self-discipline and healthy choices resulting from participation in baseball, and works with the organization “Step Up to the Plate” a charity baseball program in support of Special Olympics, a sporting program that brings people together, creating a more inclusive world for all; and
- WHEREAS** the City of Victoria encourages participation and recognition of the health and community benefits of sports, especially baseball, and the joy, happiness and support for charity work that is demonstrated by wearing garments celebrating baseball.

NOW, THEREFORE I do hereby proclaim Friday, June 11, 2021 as ***“BASEBALL SHIRT DAY”*** on the **HOMELANDS** of the Lekwungen speaking **SONGHEES AND ESQUIMALT PEOPLE** in the **CITY OF VICTORIA, CAPITAL CITY** of the **PROVINCE of BRITISH COLUMBIA**.

IN WITNESS WHEREOF, I hereunto set my hand this 6th day of May, Two Thousand and Twenty-One.

LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA

Sponsored By:
Patti Stockton
Martha Juillerat
Marianne Alto

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD APRIL 22, 2021

For the Council meeting of May 6, 2021, the Committee recommends the following:

D.1 2020 Financial Statements

That Council approve the 2020 Financial Statements.

D.6 Greater Victoria Coalition to End Homelessness: Engagement to Inform the City of Victoria Policy Regarding Encampments

That Council receive this report for information.

F.1 1120-1126 Hillside Avenue: Rezoning Application No. 00757 (Hillside/Quadra)

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00757 for 1120-1126 Hillside 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. Preparation and execution of a legal agreement to secure a Statutory Right-of-Way of 3.57m off Hillside Avenue, to the satisfaction of the Director of Engineering.
2. Revised plans, to the satisfaction of the Director of Sustainable Planning and Community Development, confirming the specifications of the bicycle parking as per Schedule C of the Zoning Regulation Bylaw.
3. An updated landscape plan and photographs showing the current landscaping

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD May 6, 2021

For the Council meeting of May 6, 2021, the Committee recommends the following:

E.1.b.a Development Approvals Process Review Funding Application - Council Resolution of Support

1. That the Council of the City of Victoria supports the submission of a funding application to the Local Government Development Approvals Process Review (DAPR) Program to review the City's regulatory framework as it relates to vehicle parking to explore and bring forward for Council's consideration opportunities to:
 - a. amend current parking standards, including the reduction or elimination of parking minimums and the introduction of parking maximums;
 - b. include creative options to advance provision of transportation demand management and green infrastructure; and
 - c. streamline the application review and approval process.
2. That the City of Victoria is committed to providing overall grant management, if awarded a grant.
3. Furthermore, the City of Victoria is a member of the BC Urban Mayors' Caucus (BCUMC), and each BCUMC member is applying for a separate DAPR grant to improve a different element of the development approvals process. The BCUMC will organize a workshop or workshops for mayors and planning staff from all BCUMC members to ensure learnings are shared and best practices can be considered by all BCUMC members.

E.1.b.b Permissive Tax Exemption Policy – Ethno-Cultural Groups Community Centres

That Council directs staff to amend the permissive tax exemption policy to provide for eligibility for 100% exemption for ethno-cultural community centres in the City of Victoria, to take effect in the current intake period ending October 31, 2021.

However, where parking lots are 50% or more of the area, the exemption for the parking lot portion will be reduced by 20% over a five year period.



April 28, 2021

Sent via email: chavelka@victoria.ca

City of Victoria
1 Centennial Square
Victoria, BC V8W 1P6

Dear Mayor Helps:

Re: Support for Laid-off Hotel and Tourism Industry Workers

On behalf of Mayor and Council I would like to thank you for your correspondence regarding the City of Victoria's resolution requesting support for laid-off hotel and tourism industry workers. Council received your correspondence at its April 26th meeting.

Yours truly,

A handwritten signature in black ink that reads "Tracy Bate". The signature is written in a cursive, flowing style.

Tracy L. Bate
Deputy City Clerk

TLB/je

Legislative Services

301 St. Ann's Road, Campbell River, BC V9W 4C7
Telephone: 250.286.5700; Fax: 250.286.5760

G:\Legislative Services\Council Correspondence (0530-01 COUN 7D)\Acknowledgement\2021\Correspondence\City of Victoria re support for hotel and tourism workers.docx



Mayor's Office, City of Penticton

171 Main Street, Penticton, B.C. V2A 5A9

Tel: 250-490-2400 Fax: 250-490-2402

www.penticton.ca

April 13, 2021

President Brian Frenkel
c/o Union of British Columbia Municipalities
525 Government Street
Victoria, BC V8V 0A8

Re: B.C. Government's Use of Provincial Paramourncy to Undermine Local Government Bylaws

Dear President Frenkel:

On behalf of Penticton City Council, I am requesting the Union of British Columbia Municipalities write a letter to Premier John Horgan requesting the reconsideration of invoking Provincial Paramourncy as it relates to the violation of Penticton City Council's authority and the City of Penticton's Zoning Bylaws at 352 Winnipeg Street, Penticton, BC.

The following is a timeline of events:

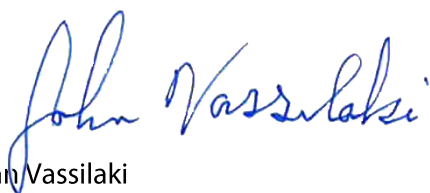
- When COVID-19 struck in March, 2020 many facilities that provided showers, laundry services, and meals to our most vulnerable in our community had to close and/or adapt. The City via its Emergency Operations Centre (EOC), Emergency Management BC and BC Housing worked together to find a temporary "hygiene station" and isolation shelter for anyone that was needing to isolate during COVID.
 - 352 Winnipeg Street was not an ideal site for a hygiene station as it was adjacent to two seniors' homes. However, as the site contained a vacant and free standing building that could quickly be fitted for a hygiene station, the EOC supported and worked with BC Housing to quickly stand-up the hygiene station.
- In September, 2020 BC Housing approached the City to turn the isolation shelter into a 42 bed Temporary Emergency Winter Shelter. This use was contrary to City Zoning Bylaws and although met with trepidation from the neighbourhood, Council ultimately approved a Temporary Use Permit (TUP) for the isolation shelter to be converted and operate as Temporary Winter Shelter until April 1, 2021.
 - Video of the lengthy Council debates from our October 6th and 20th, 2020 meetings can be found on our website to better understand how clear individual Council members were that this was not an appropriate location, but that in the midst of the pandemic, they would grant a TUP on this one occasion.

- In March 2021, BC Housing sought an extension to this TUP until March 31, 2022 in effect changing the use from a temporary, emergency winter shelter to a year round shelter. Council denied this request based on zoning bylaws and the previous clearly communicated unsuitability of this location.
 - Via resolution, Council further directed Penticton's Safety and Security Advisory Committee to develop location selection criteria for a new, permanent winter shelter for Penticton.
 - Council initially learned of the Province's interests in exploring the use of paramountcy via an interview on Global news with Minister David Eby, who had met with Council twice early in the year to discuss a supportive housing project at 3240 Skaha Lake Rd., Penticton, BC.
- Again in March, BC Housing stated their intention to continue operations of the facility "on a balance of convenience" and asked Council to reconsider. Having been presented no alternate location as requested or new information; based on zoning bylaws and the previously communicated unsuitability of this location Council did reconsider the request and again denied the request.
 - Via resolution, Council further directed staff to work with BC Housing to find alternate solutions.
- At the writing of this letter, 352 Winnipeg now operates in contravention of the City of Penticton bylaws as a newly established year round shelter following the threat of Provincial Paramountcy.

While the issue at hand is a matter of land use and planning, it is important to note according to data provided directly from the current Minister responsible for Housing to City Council, Penticton has the highest number of supportive housing beds per capita in the Interior region. Each of these beds was developed with Penticton City Council's input and with respect for their role in the local decision making process.

In closing, Penticton City Council is hoping Minister David Eby, whom has invoked paramountcy on behalf of the Province, or Premier John Horgan as the head of a Government that promised to work collaboratively with Local Governments, reconsiders their position and adheres to our City's bylaws. As this could happen to any one of the other 188 local governments in B.C., we ask that the Union of British Columbia Municipalities, on behalf of its membership, request Premier John Horgan reconsider the use of Provincial Paramountcy with respect to 352 Winnipeg Street, Penticton, BC.

Yours truly,



John Vassilaki

Mayor

cc. Penticton City Council
 Donny van Dyk, Chief Administrative Officer
 Dan Ashton, Member of Legislative Assembly
 BC Local Government Elected Officials

Council seeks support from UBCM to help challenge Provincial Paramountcy

(Penticton, BC – April 13, 2021) – On behalf of City Council, Penticton Mayor, John Vassilaki, has sent a letter to the Union of British Columbia Municipalities (UBCM) President, Brian Frenkel, requesting UBCM prepare a letter to BC Premier, John Horgan, supporting Council's position that the Province's recent use of Paramountcy is a violation of two Council decisions and the City's zoning Bylaws.

"My letter to Mr. Frenkel made it very clear that the issue at hand is a matter of land use and cooperative planning between two levels of government," said Penticton Mayor, John Vassilaki. "The Attorney General and Minister Responsible for Housing, David Eby, would have British Columbians believe that the City of Penticton is not doing its part to support the housing crisis. This is simply not the case and information provided directly from the Minister shows that Penticton has the highest number of supportive housing beds per capita in the interior region. All of these beds were developed with Penticton Council's input and with respect for Council's role in the decision making process.

"Today our previous working relationship of bilateral cooperation has been replaced by a unilateral hammer that puts our residents at risk of having the Provincial Government plan our community. As such, Council has reached out to Mr. Frenkel and the UBCM membership at large to seek their support in reversing the Province's conduct towards Penticton, or any other community they disagree with."

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Contact:

Philip Cooper
Communication Manager
City of Penticton
250-490-2583