



MINUTES - VICTORIA CITY COUNCIL

May 27, 2021, 11:28 A.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: Councillor Alto in the Chair, Councillor Andrew, Councillor Thornton-Joe, Councillor Young

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

ABSENT FOR A PORTION OF THE MEETING: Mayor Helps (resumed the Chair at 1:15 p.m.)

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Director of Finance, 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, A. Meyer - Assistant Director of Development Services, C. Havelka - Deputy City Clerk, L. Van Den Dolder - Assistant City Solicitor, J. Biem – Assistant City Solicitor, K. Moore - Head of Business and Community Relations, C. Mycroft - Manager of Executive Operations, G. Milne – Head of Strategic Operations, D. Newman – Assistant Director, Facilities and Construction Management, P. Rantucci – Head of Strategic Real Estate, A. Johnston - Planner, M. Sandhu - Head of Service Innovation & Improvement, P. Bellefontaine - Director of Engineering & Public Works, G. Diamond – Committee Secretary

B. APPROVAL OF AGENDA

Moved By Councillor Andrew

Seconded By Councillor Thornton-Joe

That the agenda be approved

CARRIED UNANIMOUSLY

C. READING OF MINUTES

C.1 Minutes from the evening meeting held April 8, 2021

Moved By Councillor Andrew

Seconded By Councillor Thornton-Joe

That the minutes from the Evening Council meeting held April 8, 2021 be adopted.

CARRIED UNANIMOUSLY

E. REPORTS OF COMMITTEE

E.1 Committee of the Whole

E.1.a Report from the May 20, 2021 COTW Meeting

E.1.a.a 1150 Douglas Street: Local Government Recommendation for Cannabis Application (Downtown)

Moved By Councillor Andrew

Seconded By Councillor Potts

1. That Council direct staff to advise the Liquor and Cannabis Regulation Branch (LCRB):

The Council of the City of Victoria supports the application of Seed and Stone at 1150 Douglas Street to receive a provincial cannabis retail store license with the following comments:

 - a. The Council recommends that the Liquor and Cannabis Regulation Branch issue a license to Seed and Stone at 1150 Douglas Street.
 - b. Bylaw and Licensing Services and Sustainable Planning and Community Development did not raise any concerns about this referral in terms of community impacts.

The Victoria Police Department notes that a mall is a popular place for young people for both employment and socialization.
 - c. Residents' views were solicited through a mail-out to property owners and occupiers within 100 meters of this address and to the relevant neighbourhood association. The City sent 1146 notices and received 4 responses, including correspondence from the Downtown Residents Association received after the end of the opportunity for public comment.
2. That Council direct staff to advise the LCRB of Council's recommendation subject to the applicant's compliance with applicable City bylaws and permits.

CARRIED UNANIMOUSLY

E.1.a.b Victoria 3.0 Recovery Reinvention Resilience Progress Report

Moved By Councillor Loveday

Seconded By Councillor Thornton-Joe

That Council:

1. Approve \$117,000 from the 2021 Financial Plan contingency budget to support the initial planning for the Arts & Innovation District.
2. Request that staff brainstorm specific actions to ensure that economic development proceeds in an inclusive and equitable manner.

Amendment:

Moved by Councillor Loveday

Seconded by Councillor Isitt

3. That Council direct staff to report back with opportunities to provide a circular economy lens to actions within the Victoria 3.0 strategy.

CARRIED UNANIMOUSLY

On the main motion as amended:

1. Approve \$117,000 from the 2021 Financial Plan contingency budget to support the initial planning for the Arts & Innovation District.
2. Request that staff brainstorm specific actions to ensure that economic development proceeds in an inclusive and equitable manner.
3. That Council direct staff to report back with opportunities to provide a circular economy lens to actions within the Victoria 3.0 strategy.

CARRIED UNANIMOUSLY

E.1.a.c Options to Support Rapid Deployment of Affordable Housing through Regulatory and Process Changes

Moved By Councillor Alto

Seconded By Councillor Potts

1. That Council direct staff to:
 - a. undertake focused consultation with non-profit affordable housing providers, the Urban Development Institute and

CALUCs in relation to the proposal to amend the Zoning Bylaws and Land Use Procedures Bylaw, as identified in this report;

- b. in a subsequent report, provide Council with details of the feedback received and how the feedback has affected the amendments to the Zoning Bylaws and Land Use Procedures Bylaw.
- c. in a subsequent report, provide Council with information on options for further expediting non-market housing applications in a way that does not require complete delegation of Council's authority.

And concurrently:

2. That Council direct staff to prepare amendments to the Land Use Procedures Bylaw, consistent with the "tier one option" in this report, to delegate the authority to the Director of Sustainable Planning and Community Development to issue all Development Permits, with or without variances, offering affordable non-market housing secured by legal agreement.
3. That Council direct staff to prepare amendments to the Zoning Regulation Bylaw and Zoning Bylaw 2018, consistent with the "tier two option" in this report, to allow the maximum density contemplated in the Official Community Plan to be the maximum density permitted for a specific site, where an affordable non-market housing development is proposed and affordable dwelling units are secured with a legal agreement to the satisfaction of Director of Sustainable Planning and Community Development and the City Solicitor.
4. Staff report back to Council after a 2 year period to evaluate the effectiveness of this new policy.

Councillor Andrew requested that a separate vote be called on the number 1.

Council discussed the following:

- *The new procedure for COTW items to go forward for ratification to Council at two week intervals*
- *Additional clarity on tenure of affordability in a building and how this affects future consultations with community*

Motion to refer:

Moved by Councillor Andrew

Seconded by Councillor Young

That this item be referred to the June 3, 2021 Council meeting

Amendment:

Moved by Councillor Isitt

That this item be referred to the ~~June 3~~ **May 27**, 2021 Council meeting

FAILED TO PROCEED DUE TO NO SECONDER

On the motion to refer:

FOR (4): Councillor Alto, Councillor Andrew, Councillor Thornton-Joe, Councillor Young

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

DEFEATED (4 to 4)

Amendment:

Moved by Councillor Loveday

Seconded by Councillor Alto

5. And that Council direct staff to report back with opportunities and implications of applying these same rules to co-operative housing.

CARRIED UNANIMOUSLY

On the number 1:

1. That Council direct staff to:
 - a. undertake focused consultation with non-profit affordable housing providers, the Urban Development Institute and CALUCs in relation to the proposal to amend the Zoning Bylaws and Land Use Procedures Bylaw, as identified in this report;
 - b. in a subsequent report, provide Council with details of the feedback received and how the feedback has affected the amendments to the Zoning Bylaws and Land Use Procedures Bylaw.
 - c. in a subsequent report, provide Council with information on options for further expediting non-market housing applications in a way that does not require complete delegation of Council's authority.

FOR (5): Councillor Alto, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts

OPPOSED (3): Councillor Andrew, Councillor Thornton-Joe, Councillor Young

CARRIED (5 to 3)

On the number 2, 3, 4, and 5 as amended:

And concurrently:

2. That Council direct staff to prepare amendments to the Land Use Procedures Bylaw, consistent with the “tier one option” in this report, to delegate the authority to the Director of Sustainable Planning and Community Development to issue all Development Permits, with or without variances, offering affordable non-market housing secured by legal agreement.
3. That Council direct staff to prepare amendments to the Zoning Regulation Bylaw and Zoning Bylaw 2018, consistent with the “tier two option” in this report, to allow the maximum density contemplated in the Official Community Plan to be the maximum density permitted for a specific site, where an affordable non-market housing development is proposed and affordable dwelling units are secured with a legal agreement to the satisfaction of Director of Sustainable Planning and Community Development and the City Solicitor.
4. Staff report back to Council after a 2 year period to evaluate the effectiveness of this new policy.
5. And that Council direct staff to report back with opportunities and implications of applying these same rules to co-operative housing.

FOR (5): Councillor Alto, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts

OPPOSED (3): Councillor Andrew, Councillor Thornton-Joe, Councillor Young

CARRIED (5 to 3)

E.1.a.d The City of Victoria Electric Vehicle Strategy Amendment:

Moved By Councillor Thornton-Joe

Seconded By Councillor Isitt

That Council:

1. Receive the draft City of Victoria Electric Vehicle Strategy to support implementation of the Climate Leadership Plan for information (Appendix B).
2. Receive the draft Electric Vehicle Strategy Technical Report for information (Appendix C).
3. Direct staff to bring forward a 5 year capital plan including a budget request for 2022 as part of the 2022 Financial Planning process that is aligned with this strategy to support delivery of targets identified in the Climate Leadership Plan and Go Victoria.
4. Direct staff to bring back the final version of the City of Victoria Electric Vehicle Strategy for approval in Q4 2021.
5. That staff report back on the feasibility of adding bike charging and mobility charging stations to this project and report back at the next update on this project.

Amendment:

Moved by Councillor Isitt

Seconded by Councillor Potts

5. That staff report back on the feasibility of adding bike charging and mobility charging stations **as well as other actions to support micro-mobility** to this project and report back at the next update on this project.

CARRIED

On the main motion as amended:

That Council:

1. Receive the draft City of Victoria Electric Vehicle Strategy to support implementation of the Climate Leadership Plan for information (Appendix B).
2. Receive the draft Electric Vehicle Strategy Technical Report for information (Appendix C).
3. Direct staff to bring forward a 5 year capital plan including a budget request for 2022 as part of the 2022 Financial Planning process that is aligned with this strategy to support delivery of targets identified in the Climate Leadership Plan and Go Victoria.
4. Direct staff to bring back the final version of the City of Victoria Electric Vehicle Strategy for approval in Q4 2021.
5. That staff report back on the feasibility of adding bike charging and mobility charging stations as well as other actions to support micro-mobility to this project and report back at the next update on this project.

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

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

E.1.a.e Council Member Motion - Addressing Parking Pressures in Victoria West

Moved By Councillor Isitt

Seconded By Councillor Dubow

That Council:

1. Direct staff to work with the Island Corridor Foundation and other entities to explore options for addressing parking pressures in Victoria West.

CARRIED UNANIMOUSLY

E.1.a.f Council Member Motion - Support for Housing Outreach Pilot Project

Moved By Councillor Isitt
Seconded By Councillor Dubow

That Council:

1. Authorizes a one-time grant of \$60,000 to the Quadra Village Community Centre and partner agencies for the Housing Outreach Pilot Project, funded from the 2021 contingency.
2. Directs staff to finalize the terms of this allocation to the satisfaction of the City's Chief Financial Officer and Director of Sustainable Planning and Community Development, including ensuring access to this service for newcomers, Indigenous, Black, Asian and other persons of colour.
3. Requests that the Quadra Village Community Centre work with partner Community Associations to provide a final report to Council following completion of the pilot project, including information about the demographic of people who access the service, subject to privacy legislation.

Motion to refer:

Moved by Councillor Andrew
Seconded by Councillor Isitt

To refer this item to the June 3, 2021 Daytime Council meeting

CARRIED UNANIMOUSLY

E.1.b Report from the May 27, 2021 COTW Meeting

E.1.b.a Temporary Relocation of Council Meetings

Council discussed the following:

- *The ability of the CRD building to accommodate in-person public participation in Council meetings*
- *Staff are looking to the province to amend their ministerial orders regarding public participation*
- *Staff will bring forward a plan to re-introduce in-person public participation*

Moved By Councillor Andrew
Seconded By Councillor Thornton-Joe

That Council:

1. Authorize the holding of Council and Committee of the Whole Meetings between June 15, 2021 and August 31, 2021 at the Capital Regional District Board Room; and

CARRIED UNANIMOUSLY

E.1.b.b Banfield Park Dock Expansion and Gorge Waterway Park

Moved By Councillor Isitt
Seconded By Councillor Andrew

That Council direct staff to:

1. Prepare amendments to the Gorge Waterway Park Zoning Regulation Bylaw in order to facilitate the expansion of the Banfield Park swimming dock;
2. Waive the requirement for pre-submission Community Association Land Use Committee consultation; and
3. Direct staff to initiate development of the Gorge Waterway Park Management Plan, with input from representatives of the Gorge Swim Fest Society
4. Direct staff to report back on the feasibility of enhancing Banfield Park for access to the shoreline in the 2022 Strategic Plan.

CARRIED UNANIMOUSLY

E.1.b.c 900-912 Vancouver St and 930-990 Burdett Ave: Development Permit with Variances Application No. 00164 (Fairfield)

Moved By Councillor Thornton-Joe
Seconded By Councillor Andrew

1. 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 Permit with Variance Application No. 00164 for 900-912 Vancouver Street & 930-990 Burdett Avenue, in accordance with:
 1. Plans date stamped May 11, 2021.
 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - i. Reduce the vehicle parking from 97 stalls to 73 stalls.
 3. Registration of legal agreements on the property’s title to secure the following:

- i. the removal of the modular classroom building within five years of Council approval of Development Permit with Variance Application No. 00164, to the satisfaction of the Director of Sustainable Planning and Community Development; and
 - ii. a 1.5 metre Statutory Right-of-Way adjacent to Rockland Avenue to the satisfaction of the Director of Engineering and Public Works.
- 4. Final plans generally in accordance with the plans date stamped April 27, 2021 with the following revision:
 - i. amend the site plan to include a statutory right-of-way along a portion of the Rockland Avenue frontage to accommodate a future sidewalk, to the satisfaction of the Director of Engineering and Public Works
 - ii. amend the parking layout to accommodate the statutory right-of-way along Rockland Avenue.
- 5. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY

F. BYLAWS

F.1 Bylaw for Streets and Traffic, Amendment Bylaw (No. 10)

Moved By Councillor Andrew

Seconded By Councillor Thornton-Joe

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

- 1. Streets and Traffic Bylaw, Amendment Bylaw (No. 10) No. 21-056

CARRIED UNANIMOUSLY

F.2 Bylaws for 415 and 435 Michigan: Rezoning Application No. 00637 and Development Permit with Variances Application No. 00055

Councillor Isitt withdrew from the meeting at 12:10 p.m. due to a non-pecuniary conflict of interest with the following item, as his father lives near the property.

Councillor Potts withdrew from the meeting at 12:10 p.m. due to a pecuniary conflict of interest with the following item, as she lives near the property.

Council, by unanimous consent, considered the following motion:

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

- 1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1253) No. 21-044

CARRIED UNANIMOUSLY

Council, by unanimous consent, considered the following motion:

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

1. Housing Agreement (415 and 435 Michigan Street) Bylaw 2021 No. 21-045

CARRIED UNANIMOUSLY

F.3 Bylaw for 1177–1185 Fort Street and 1043-1045 Linden Avenue: Rezoning Application No. 00731

Councillor Isitt and Councillor Potts returned to the meeting at 12:14 p.m.

Moved By Councillor Andrew

Seconded By Councillor Young

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1252) No. 21-043

CARRIED UNANIMOUSLY

F.4 Bylaw for 1475 Fort Street: Development Permit with Variances Application No. 00120

Moved By Councillor Andrew

Seconded By Councillor Alto

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

1. Housing Agreement (1475 Fort Street) Bylaw (2021) No. 21-057

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

OPPOSED (1): Councillor Isitt

CARRIED (7 to 1)

Moved By Councillor Alto

Seconded By Councillor Potts

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 Permit with Variance Application No. 00120 for 1475 Fort Street in accordance with:

1. Plans date stamped April 30, 2021
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the vehicle parking from 45 stalls to 26 stalls;
 - ii. reduce the visitor parking from 3 stalls to 2 stalls;
 - iii. increase the building height from 12 metres to 12.92 metres;

- iv. reduce the front setback from 10.5 metres to 1.81 metres (entrance canopy) and 3.53 metres (building);
 - v. reduce the rear setback from 6.46 metres to 3.96 metres;
 - vi. reduce the east side yard setback from 6.46 metres to 3.05 metres (balconies and entrance canopy) and 4.93 metres (building);
 - vii. reduce the west side yard setback from 6.46 metres to 3.86 metres (balconies) and 5.75 metres (building);
 - viii. increase the site coverage from 40 percent to 47 percent;
 - ix. allow for an accessory structure to be located in the front yard rather than the rear yard.
3. Final plans generally in accordance with the plans date stamped April 30, 2021 with the following revisions:
- i. changes to the panhandle driveway to comply with the Highway Access Bylaw and BC Building Code requirements, to the satisfaction of the Director of Engineering and Public Works
 - ii. Relabel the proposed bylaw replacement trees to ensure replacement trees are provided on site, to the satisfaction of the Director of Parks, Recreation and Facilities
4. The Development Permit lapsing two years from the date of this resolution.”

FOR (4): Councillor Alto, Councillor Dubow, Councillor Loveday, Councillor Potts
 OPPOSED (4): Councillor Young, Councillor Andrew, Councillor Isitt, Councillor Thornton-Joe

DEFEATED (4 to 4)

Councillor Andrew requested the vote on the Development Permit with Variance be recalled.

Councillor Alto requested the vote on Housing Agreement be recalled.

Moved by Councillor Alto
Seconded by Councillor Loveday

That the following bylaw **be given first, second and third readings:**
 1. Housing Agreement (1475 Fort Street) Bylaw (2021) No. 21-057

Motion to refer:

Moved by Councillor Andrew
Seconded by Councillor Thornton-Joe

That this item be referred to the May 27, 2021 Evening Council meeting.

CARRIED UNANIMOUSLY

Council recessed at 12:31 p.m. and reconvened at 1:15 p.m.

Mayor Helps resumed the Chair at 1:15 p.m.

**COUNCIL ACCEPTED AN AWARD ON BEHALF OF THE CITY OF VICTORIA
FOR BEING CERTIFIED A LIVING WAGE EMPLOYER**

F.5 Bylaw for Delegation of Signing Authority Bylaw Amendment Bylaw

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the following bylaw **be adopted**:

1. Delegation of Signing Authority Bylaw, Amendment Bylaw (No. 2) No. 21-039

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

OPPOSED (1): Councillor Isitt

CARRIED (8 to 1)

G. CORRESPONDENCE

G.1 Letter from the Minister of Energy, Mines and Low Carbon Innovation; Minister of Municipal Affairs; and Minister of Environment and Climate Change Strategy

Council received a letter dated May 12, 2021 from the Minister of Energy, Mines and Low Carbon Innovation; Minister of Municipal Affairs; and Minister of Environment and Climate Change Strategy regarding the Help Cities Lead campaign.

Moved By Councillor Alto

Seconded By Councillor Andrew

That the letter be received for information.

CARRIED UNANIMOUSLY

H. CLOSED MEETING

Moved By Councillor Andrew

Seconded By Councillor Young

MOTION TO CLOSE THE May 27, 2021 COUNCIL MEETING TO THE PUBLIC AT 1:23 P.M.

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)(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)(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;

CARRIED UNANIMOUSLY

I. APPROVAL OF CLOSED AGENDA

Moved by Councillor Andrew
Seconded by Councillor Young

That the closed agenda be approved.

CARRIED UNANIMOUSLY

L. NEW BUSINESS

L.1. Appointment - Community Charter Section 90(1)(a)

Council discussed an appointment matter.

The discussion and motion were recorded kept confidential.

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

Council discussed an appointment matter.

The discussion and motion were recorded kept confidential.

L.3. Land Use Matters - Community Charter Section 90(1)(e)

Council discussed a land use matter.

The discussion and motion were recorded kept confidential.

L.4. Land Acquisition - Community Charter Section 90(1)(e)

Council discussed a land acquisition matter.

The discussion and motion were recorded kept confidential.

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

Council discussed a law enforcement matter.

The discussion and motion were recorded kept confidential.

N. ADJOURNMENT

Moved By Councillor Alto

Seconded By Councillor Dubow

That the Council meeting adjourn at 2:07 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR