MINUTES - VICTORIA CITY COUNCIL

May 13, 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
Due to the COVID-19 Pandemic, public access to City Hall is not permitted.
This meeting may be viewed on the City's webcast at www.victoria.ca

PRESENT:	Mayor Helps in the Chair, Councillor Andrew, Councillor Thornton-Joe, Councillor Young
PRESENT ELECTRONICALLY:	Councillor Alto, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts
STAFF PRESENT:	J. Jenkyns - City Manager, T. Soulliere - Director of Parks, Recreation & Facilities, T. Zworski - City Solicitor, P. Bellefontaine - Director of Engineering & Public Works, A. Meyer - Assistant Director of Development Services, C. Havelka - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, AK Ferguson - Committee Secretary, C. Kingsley - City Clerk, G Milne – Head of Strategic Operations

B. APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the agenda be approved as amended.

CARRIED UNANIMOUSLY

C. READING OF MINUTES

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

Moved By Councillor Andrew
Seconded By Councillor Thornton-Joe

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

CARRIED UNANIMOUSLY

C.2 Minutes from the evening meeting held April 22, 2021

Moved By Councillor Andrew
Seconded By Councillor Thornton-Joe

That the minutes from the evening meeting held April 22, 2021 be adopted.

CARRIED UNANIMOUSLY

D. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Young
Seconded By Councillor Thornton-Joe

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

D.1 Angela Plasterer: Non-profit Cultural Facilities eligible for Permissive Tax Exemptions

Outlined why Council should support Permissive Tax Exemptions for Non-profit Cultural Facilities

D.2 Linda Murray: Permissive Tax Exemption Policy

Outlined why Council should continue to support Permissive Tax Exemptions for Non-Profit Cultural Facilities.

D.3 Alexandra Kierstead: Trauma-informed training for city staff and council members

Outlined why Council should adopt trauma-informed training for city staff and council members.

E. PROCLAMATIONS

E.1 "Komagata Maru Remembrance Day" - May 23, 2021

Moved By Councillor Loveday
Seconded By Councillor Potts

That the following proclamation be endorsed:

- Komagata Maru Remembrance Day

CARRIED UNANIMOUSLY

E.2 "Do Something Good For Your Neighbor Day" - May 16, 2021

Moved By Councillor Andrew
Seconded By Councillor Thornton-Joe

That the following proclamation be endorsed:

- Do Something Good For Your Neighbor Day

CARRIED UNANIMOUSLY

E.3 "Post Traumatic Stress Disorder Awareness Month" - June 2021

Moved By Councillor Loveday
Seconded By Councillor Dubow

That the following proclamation be endorsed:

- Post Traumatic Stress Disorder Awareness Month

CARRIED UNANIMOUSLY

E.4 "Deafblind Awareness Month" - June 2021

Moved By Councillor Dubow
Seconded By Councillor Potts

That the following proclamation be endorsed:

- Deafblind Awareness Month

CARRIED UNANIMOUSLY

E.5 "Pride Week" - June 28 to July 4, 2021

Moved By Councillor Andrew
Seconded By Councillor Potts

That the following proclamation be endorsed:

- Pride Week

CARRIED UNANIMOUSLY

E.6 "International Internal Audit Awareness Month" - May 2021

Moved By Councillor Loveday
Seconded By Councillor Alto

That the following proclamation be endorsed:

- International Internal Audit Awareness Month

CARRIED UNANIMOUSLY

E.7 "Food Allergy Awareness Month" - May 2021

Moved By Councillor Andrew
Seconded By Councillor Thornton-Joe

That the following proclamation be endorsed:

- Food Allergy Awareness Month

CARRIED UNANIMOUSLY

F. PUBLIC AND STATUTORY HEARINGS

F.1 1029 Queens Avenue: Rezoning Application No. 00693 and Development Permit with Variance No.00117

The Council of the City of Victoria will consider amending the *Zoning Regulation Bylaw* by creating the R2-60 Zone, Two Family Dwelling (Queens) District, and to rezone land known as 1029 Queens Avenue from the R2-Zone, Two Family Dwelling District to the R2-60 Zone, Two Family Dwelling (Queens) District.

Alison Meyer (Assistant Director, Development Services): *Advised that the application is to retain the existing two-family dwelling and permit a new two-family rental residential building in the side yard. The proposed variances are related to siting and vehicle parking.*

F.1.a Public Hearing & Consideration of Approval

Mayor Helps opened the public hearing at 7:08 p.m.

Jenny Farkas (Applicant): Provided information regarding the application.

Council discussed:

- *what the median income for the area is.*

Council recessed from 7:10 p.m. until 7:15 p.m. to provide an opportunity for members of the public to call to speak live.

No persons called in to speak to the proposed bylaw.

Council discussed:

- *Possibility of designating the housing instead of putting it on the registry.*

Mayor Helps closed the public hearing at 7:16 p.m.

Council discussed:

- *Their appreciation of the sensitive approach to in-fill of the project.*
- *The benefit this development will have on the community.*

Moved By Councillor Isitt
Seconded By Councillor Andrew

That the following bylaw be given third reading:

- Zoning Regulation Bylaw, Amendment Bylaw (No. 1230), No. 21-051

CARRIED UNANIMOUSLY

Moved By Councillor Alto
Seconded By Councillor Dubow

That the following bylaw be adopted:

- Zoning Regulation Bylaw, Amendment Bylaw (No. 1230). No. 21-051

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That the following bylaw be adopted:

- Housing Agreement (1029 Queens Avenue) Bylaw (2021) No. 21-052

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe
Seconded By Councillor Dubow

Development Permit with Variances Application No. 00117
That Council authorize the issuance of Development Permit with Variances Application No. 00117 for 1029 Queens Avenue, in accordance with:

1. Plans date stamped January 20, 2020. (Revised plan date)
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
   a. reduce the required vehicle parking from four stalls to one stall
   b. reduce the front yard setback for the new building from 7.5m to 6.74m, and side yard setback from 3.0m to 2.24m with combined side yard setback from 4.5m to 3.29m.

3. Details of the bicycle parking (stall dimensions and security features) to be provided at building permit stage.
4. The Development Permit with Variances lapsing two years from the date of this resolution.

Request to add 1029 Queens Avenue to the City of Victoria Register of Heritage Properties (North Park)
That, concurrent with Rezoning Application No. 00693, if it is approved, Council approve the request to add the property located at 1029 Queens Avenue to the City of Victoria Register of Heritage Properties pursuant to section 598 of the Local Government Act.

CARRIED UNANIMOUSLY

F.2 430 Powell Street: Rezoning Application No. 00736 and Development Permit with Variances Application No. 00736

The Council of the City of Victoria will consider amending the Zoning Regulation Bylaw by creating the R1-S30 Zone, Powell Street Small Lot District, and to rezone land known as 430 Powell Street from the R-2 Zone, Two Family Dwelling District, to the R1-S30 Zone, Powell Street Small Lot District.

Chloe Tunis (Planner): *Advised that the application is to rezone to a site specific small-lot zone in order to subdivide the property and construct two new single-family homes.*

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

Mayor Helps opened the public hearing at 7:33 p.m.

Conrad Nyren, (Applicant): Provided information regarding the application.

Kaye Kennish (Executive Director of the James Bay Community Project): Expressed her support for the project.

Ingrid Holm (Michigan Street): Expressed her support for the project.

Coralee Vale (Powell Street): Expressed her support for the project.

Bernie Paulie (Powell Street): Expressed her support for the project.

Council recessed from 7:43 p.m. until 7:48 p.m. to provide an opportunity for members of the public to call to speak live.

No persons called in to speak to the proposed bylaw.

Council discussed:
- *Parking considerations for the project.*
- *Concerns about the set back between the property and 463 Powell Street*

Mayor Helps closed the public hearing at 7:51 p.m.

Moved By Councillor Dubow
Seconded By Councillor Andrew

That the following bylaw be given third reading:

- Zoning Regulation Bylaw, Amendment Bylaw (No. 1254) No. 21-047

CARRIED UNANIMOUSLY

Council discussed:

- *the project being complementary to the neighborhood.*

Moved By Councillor Andrew
Seconded By Councillor Alto

That the following bylaw be adopted:

- Zoning Regulation Bylaw, Amendment Bylaw (No. 1254) No. 21-047

CARRIED UNANIMOUSLY

Moved By Councillor Andrew
Seconded By Councillor Alto

Development Permit with Variances Application No. 00736

"That Council authorize the issuance of Development Permit with Variances Application No. 00736 in accordance with:

1. Plans date stamped November 3, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
   a. reduce the rear yard setback from 6.00m to 2.92m to the stairs and 4.75m to the building for Lot 1;
   b. reduce the north side yard setback from 2.40m to 2.0m for elevations with windows into habitable rooms for Lot 1;
   c. reduce the south side yard setback from 2.40m to 1.2m m for elevations with windows into habitable rooms for Lot 1;
   d. reduce the rear yard setback from 6.00m to 3.39m to the stairs and 4.53m to the building for Lot 2;
   e. reduce the north side yard setback from 2.40m to 1.2m for elevations with windows into habitable rooms for Lot 2; and
   f. reduce the south side yard setback from 2.40m to 2.0m for elevations with windows into habitable rooms for Lot 2.
3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

F.3 161-167 Robertson Street: Development Variance Permit Application No. 00255

The Council of the City of Victoria will consider the issuance of a Development Variance Permit for the land known as 161-167 Robertson Street for the purpose of varying certain requirements of the *Zoning Regulation Bylaw* namely: to allow an additional 73m^2 of floor area within the basement level of the existing single family dwelling.

Alison Meyer (Assistant Director, Development Services): *Advised that the application is to allow additional floor area within the basement level of the existing single-family dwelling and convert a crawlspace into a basement.*

F.3.a. Opportunity for Public Comment & Consideration of Approval:

Mayor Helps opened the opportunity for public comment at 8:01 p.m.

Alan Andrew (Applicant): Provided information regarding the application.

Council recessed from 8:01 p.m. until 8:06 p.m. to provide an opportunity for members of the public to call to speak live.

No persons called in to speak to the proposed application.

Council discussed the following:

- *what the applicant learned from this process.*

Mayor Helps closed the opportunity for public comment at 8:08 p.m.

Council discussed:

- *concerns with approving project when rules are not followed.*

Moved By Councillor Andrew
Seconded By Councillor Young

That Council authorize the issuance of Development Variance Permit Application No. 00255 for 161-167 Robertson Street, in accordance with:

1. Plans date stamped November 25, 2020
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
   i. Floor are of all floor levels combined (maximum)be increased from 300m^2
3. The Development Variance Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

Moved By Councillor Andrew
Seconded By Councillor Dubow

That Councillor Isitt be permitted to speak a second time.

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

OPPOSED (1): Councillor Young

CARRIED (8 to 1)

F.4 2747 Asquith Street: Development Variance Permit No. 00258

The Council of the City of Victoria will consider the issuance of a Development Variance Permit for the land known as 2747 Asquith Street, for the purpose of varying certain requirements of the *Zoning Regulation Bylaw,* namely to reduce the required distance from a parking space to the street in order to renovate the existing single-family dwelling to create a secondary suite.

Alison Meyer (Assistant Director, Development Services): *Advised that the application is to renovate the existing single-family dwelling to create a secondary suite with a variance required to reduce the minimum distance from the parking stall to a street.*

F.4.a. Opportunity for Public Comment & Consideration of Approval:

Mayor Helps opened the opportunity for public comment at 8:23 p.m.

Carla Stucchi and John Armitage (Applicants): Provided information regarding the application.

Council recessed from 8:23 p.m. until 8:28 p.m. to provide an opportunity for members of the public to call to speak live.

No persons called in to speak to the proposed application.

Mayor Helps closed the opportunity for public comment at 8:28 p.m.

Moved By Councillor Thornton-Joe
Seconded By Councillor Andrew

"That Council authorize the issuance of Development Variance Permit Application No. 00258 for 2747 Asquith Street in accordance with:

1. Plans date stamped January 21, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
   i. reduce the minimum distance from the parking stall to the street from 1.0m to 0.87m.
3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

I. REPORTS OF COMMITTEES

I.1 Report from the May 6, 2021 COTW Meeting

I.1.a 819-823 and 825/827 Fort Street: Development Permit with Variance No. 00169 (Fairfield)

Moved By Councillor Andrew
Seconded By Councillor Young

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00169 for 819-823 and 825/827 Fort Street, in accordance with:

1. Plans date stamped March 9, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
    1. reduce the vehicle parking from 80 stalls to 57 stalls.
3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

I.1.b First Nations Participation in Climate Change Adaptation Planning

Moved By Councillor Alto
Seconded By Councillor Andrew

That Council:

1. Approve the Community Chapter of the Climate Change Adaption Plan, and the associated Climate Action Working Group as a designated project that would benefit from First Nations input and participation.
2. Confirm that First Nations participation in this project be eligible for remuneration per the City's Committee Remuneration Policy.
3. Waive the requirement in Section D of the City's Committee Remuneration Policy for specific individuals to be appointed by Council and authorize staff to work with both the Songhees and Esquimalt First Nations to select suitable participants for the City's Climate Action Working Group.

CARRIED UNANIMOUSLY

I.1.c Council Member Motion: Adjustment for Honouraria for Seniors' Task Force

Moved By Councillor Isitt
Seconded By Councillor Young

That Council authorize a one-time allocation of $1380 from the 2021 contingency to the Seniors' Task Force budget, to provide honouraria in recognition of the contribution of Indigenous elders to the work of the City of Victoria Seniors' Task Force, consistent with the City of Victoria's Committee Remuneration Policy.

CARRIED UNANIMOUSLY

I.1.d 1120-1128 Burdett Avenue: Rezoning Application No. 00734 and Development Permit with Variances Application No. 00146 (Fairfield)

Councillor Isitt recused himself at 8:33 p.m. due to a non-pecuniary conflict of interest as a family member lives near the location of the application.

Moved By Councillor Andrew
Seconded By Councillor Alto

Rezoning Application No. 00734

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00734 for 1120, 1124 and 1128 Burdett Avenue, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Plan revisions to include three new boulevard trees to the satisfaction of the Director of Parks, Recreation and Facilities.
2. Preparation and execution of legal agreements, in a form satisfactory to the City Solicitor, for the following:
    a. to secure all of the dwelling units in the building as rental in perpetuity, to the satisfaction of the Director of Sustainable Planning and Community Development
    b. to secure a minimum of thirteen two-bedroom and three three-bedroom units within the building, to the satisfaction of the Director of Sustainable Planning and Community Development
    c. to restrict strata titling of the building, to the satisfaction of the Director of Sustainable Planning and Community Development.
3. Discharge of all legal documents from past development proposals not attributable to the current proposal to the satisfaction of City staff.

Development Permit with Variances Application No. 00146

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. 00734, if it is approved, consider the following motion:
"That Council authorize the issuance of Development Permit with Variances Application No. 00146 for 1120, 1124 and 1128 Burdett Avenue, in accordance with:

1. Plans date stamped October 8, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
   i. increase the site coverage from 40% to 53%
   ii. reduce open site space from 50% to 44%
   iii. reduce the rear yard setback from 10m to 5.87m (to building) and 5m (to balconies)
   iv. reduce the west side yard setback from 6.0m to 3.5m (to building) and 2.5 (to balconies)
   v. reduce the east side yard setback from 6.0m to 3.75m (to building) and 2.9m (to balconies)
   vi. reduce the parking requirement from 47 stalls to 40 stalls.
3. The Development Permit with Variances lapsing two years from the date of this resolution."

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

OPPOSED (2): Councillor Dubow, and Councillor Young

CARRIED (7 to 2)

Councillor Isitt returned to the meeting at 8:35 p.m.

I.1.e 1314 and 1318 Wharf Street: Update Report for Rezoning Application No. 00701 and Heritage Alteration Permit with Variances Application No. 00236 (Downtown)

Moved By Councillor Andrew
Seconded By Councillor Alto

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00701 for 1314 and 1318 Wharf Street, 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 of the following agreements, registered on title by the applicant, to the satisfaction of City staff:
   a. Statutory right-of-way for public access over the area dedicated to the Harbour Pathway and the internal alley between the two heritage buildings, to the satisfaction of City staff;
   b. Housing Agreement to secure 47 residential rental units as rental in perpetuity, to the satisfaction of the City Solicitor;
   c. A legal agreement to secure public realm improvements as indicated on Plans dated April 19, 2021; and
   d. A legal agreement to ensure that building amendments would be made along the north property line to comply with building code requirements should a building be proposed for the property located at 1324 Wharf Street.

2. That Council authorize the following encroachment agreements, to be executed at the time of the building permit approval, if the other necessary approvals are granted:
    a. building encroachments in the City property at 1324 Wharf Street, with form and contents satisfactory to the City Solicitor and the Director of Engineering and Public Works;
    b. excavation encroachments in the City property at 1324 Wharf Street during construction at the fee of $150/month per parking stall;
    c. excavation encroachments in Reeson Park (1300 Wharf Street) during construction at the fee of $15/day for each 13 square meters of encroachment, with form and contents satisfactory to the City Solicitor, the Director of Engineering and Public Works, and the Director of Parks, Recreation and Facilities or $750 plus $25 for each square metre of excavation face supported with anchor rods, with form and contents satisfactory to the City Solicitor and the Director of Engineering and Public Works;
    d. anchor-pinning in the City right-of-way, with form and contents satisfactory to the City Solicitor and the Director of Engineering and Public Works.

Heritage Alteration Permit with Variances No. 00236

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. 00701, if it is approved, consider the following motion:

"That Council authorize the issuance of Heritage Alteration Permit with Variances Application No. 00236 for 1314 and 1318 Wharf Street, in accordance with:

1. Plans date stamped August 10, 2020.
2. The Conservation Plan for the Caire and Grancini Warehouse at 1314 Wharf Street, date stamped October 22, 2019.
3. The Conservation Plan for the Fraser Warehouse at 1316-1318 Wharf Street, date stamped October 22, 2019.
4. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
    a. Reduce the required short term bicycle parking spaces from 10 to 0; and
    b. Increase the maximum permitted height from 8 metres to 21 metres.
5. Final plans to be generally in accordance with the plans identified above, to the satisfaction of the Director of Sustainable Planning and Community Development.
6. The applicant provide details regarding their intended process for commissioning a story wall for the north elevation of the building, including an artist selection process, scope and content, and an explanation for how their project will consider the Indigenous cultural heritage of the waterfront public realm, to the satisfaction of the Director of Sustainable Planning and Community Development.

7. The applicant providing a lighting plan for the heritage buildings, to the satisfaction of the Director of Sustainable Planning and Community Development.
8. Heritage Alteration Permit lapsing two years from the date of this resolution."

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

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

CARRIED (5 to 4)

I.1.f 324/328 Cook Street and 1044, 1048 and 1052/1054 Pendergast Street: Rezoning Application No. 00634 and Development Permit with Variances Application No. 000527 (Fairfield)

Moved By Councillor Andrew
Seconded By Councillor Young

Rezoning Application No. 00634

That Council receive this report for information and a Public Hearing date be set.

Development Permit with Variance No. 000527

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. 00634, if it is approved, consider the following motion:
"That Council authorize the issuance of Development Permit with Variance Application No. 000527 for 324/328 Cook Street and 1044, 1048, 1052/1054 Pendergast Street, in accordance with:
1. Receipt of final plans, generally in accordance with the plans date stamped October 9, 2019, with refinement of the artwork panels, to the satisfaction of the Director of Sustainable Planning and Community Development.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
   i. increase the building height from 13.5m to 16.2m (to the projecting portions of the roof).
3. The Development Permit lapsing two years from the date of this resolution."

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

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

CARRIED (5 to 4)

I.1.g 714 Cormorant Street: Application for a New Liquor Primary Licence for Tora Tiki (Downtown)

Moved By Councillor Andrew
Seconded By Councillor Young

That Council direct staff to provide the following response to the Liquor and Cannabis Regulation Branch:

1. That Council, after conducting a review with respect to noise and community impacts, does support the application of Tora Tiki located at 714 Cormorant Street having hours of operation from 12:00 pm to 1:00 am daily with a total occupant load of 60 people.

Providing the following comments on the prescribed considerations:

a. The impact of noise on the community near the establishment was considered in relation to the request, and approval of the licence as recommended is not expected to result in unacceptable levels of noise.
b. If the application is approved, it is anticipated to have a positive economic impact on the community as support for the liquor licence, a component of the business model, will support the viability of the business.
c. The views of residents were solicited through a mailout that was sent to neighbouring property owners and occupants within 100 metres of the licensed location (a total of 778 notices) and through a notice posted at the property. In response to the notification, the City received 27 letters of which 14 letters stated opposition including one from the Downtown Residents Association and 13 letters expressed support.
d. Council recommends the license be approved.

FOR (7): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Loveday, Councillor Potts, and Councillor Young

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

CARRIED (7 to 2)

I.1.h Permissive Tax Exemption Policy - Ethno-Cultural Groups Community Centres

Councillor Thornton-Joe withdrew from the meeting at 8:40 p.m. due to a non-pecuniary conflict of interest as she is a member of an ethno-cultural group.

Moved By Councillor Isitt
Seconded By Councillor Dubow

That Council recieve this report for information.

CARRIED UNANIMOUSLY

Councillor Thornton-Joe returned at 8:42 p.m.

I.1.i Sheltering Update

Moved By Councillor Andrew
Seconded By Councillor Thornton-Joe

That the report be received for information.

CARRIED UNANIMOUSLY

I.1.j Council Member Motion: Advocating for Startups Impacted by Covid19

Councillor Isitt withdrew from the meeting at 8:43 p.m. due to a non-pecuniary conflict of interest as he is a volunteer with one of the possible start-ups.

Moved By Councillor Loveday
Seconded By Councillor Dubow

Whereas COVID-19 has resulted in a crisis in the Small Business sector;

AND WHEREAS During the pandemic revenues were catastrophically impacted as a result of closures, capacity limits & social restrictions;

AND WHEREAS Operating costs have spiked during the pandemic;

AND WHEREAS government programs have provided support for businesses including CEWS, CERS, CEBA & HASCAP playing a critical role in saving jobs and bolstering local economies, but these programs have left some businesses behind and deemed them ineligible due only to the timing of their projects;

THEREFORE BE IT RESOLVED THAT the City of Victoria endorse the Save Startups campaign;

AND THAT Council request the Mayor write to the Prime Minister of Canada, the Minister of National Revenue, Minister of Economic Development and Official Languages, and the Minister of Finance advocating for support for businesses that have fallen through the cracks of government support programs including:

i. Adjusting eligibility for these programs to include both New and Newly-Expanded Businesses, that can demonstrate their project was non-reversable at the outset of the pandemic

ii. Implementing an alternate method for determining CEWS and CERS rates for these businesses

iii. Back pay to March 15th, 2020 both CEWS & CERS to these businesses based on the alternate rate.

CARRIED UNANIMOUSLY

Councillor Isitt returned at 8:44 p.m.

I.2 Report from the May 13, 2021 COTW Meeting

I.2.a Proposed Capital Regional District Liquid Waste Management Core Area and Western Communities Service Loan Authorization Bylaw No. 4375

Moved By Councillor Andrew
Seconded By Councillor Alto

That Council:

1. Consent to the adoption of Capital Regional District Bylaw 4375, "Liquid Waste Management Core Area and Western Communities Service Loan Authorization Bylaw No. 2, 2020."

CARRIED UNANIMOUSLY

K. BYLAWS

K.1 Bylaws for 580 - 582 Niagara Street: Rezoning Application No. 00721

Moved By Councillor Young
Seconded By Councillor Thornton-Joe

That the following bylaw be given first and second readings:

- Zoning Regulation Bylaw, Amendment Bylaw (No. 1251) No. 21-028

CARRIED UNANIMOUSLY

Moved By Councillor Alto
Seconded By Councillor Andrew

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

- Housing Agreement (580-582 Niagara Street) Bylaw (2021) No. 21-029

CARRIED UNANIMOUSLY

K.2 Bylaw for 1244 Wharf Street: Rezoning Application No. 00739

Moved By Councillor Andrew
Seconded By Councillor Thornton-Joe

That the following bylaw be given first and second readings:

- Zoning Regulation Bylaw, Amendment Bylaw (No. 1243), No. 21-012

CARRIED UNANIMOUSLY

K.3 Bylaw for 1628 Edgeware Road: Rezoning Application No. 00726

Moved By Councillor Andrew
Seconded By Councillor Alto

That the following bylaw be given third readings:

- Zoning Regulation Bylaw, Amendment Bylaw (No. 1255), No. 21-050

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

OPPOSED (1): Councillor Young

CARRIED (8 to 1)

Moved By Councillor Alto
Seconded By Councillor Andrew

That the following bylaw be adopted:

- Zoning Regulation Bylaw, Amendment Bylaw (No. 1255), No. 21-050

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

OPPOSED (1): Councillor Young

CARRIED (8 to 1)

L. CORRESPONDENCE

L.1 Letter from the City of Burnaby

Moved By Mayor Helps
Seconded By Councillor Isitt

That the letter dated May 4, 2021 regarding support for laid-off hotel and tourism industry workers.be received for information

CARRIED UNANIMOUSLY

L.2 Letter from the UBCM President

A letter from the UBCM President, Brian Frenkel, regarding provincial response to 2020 Resolutions.

Moved By Mayor Helps
Seconded By Councillor Isitt

That this letter be referred to the May 27, 2021 Committee of the Whole Meeting.

CARRIED UNANIMOUSLY

L.3 Letter from the City of Dawson Creek

A letter from the City of Dawson Creek regarding the Help Cities Lead Campaign.

Moved By Mayor Helps
Seconded By Councillor Isitt

That the letter dated April 12, 2021 be received for information.

CARRIED UNANIMOUSLY

L.4 Letter from the District of Highlands

A letter from the District of Highlands regarding old-growth logging.

Moved By Mayor Helps
Seconded By Councillor Isitt

That the letter dated May 6, 2021 be received for information.

CARRIED UNANIMOUSLY

L.5 Letter from the Minister of Labour and Minister of Tourism, Arts, Culture and Sport

A letter from the Minister of Labour and Minister of Tourism, Arts, Culture and Sport regarding support for British Columbia's (BC) hotel workers and tourism industry workers.

Moved By Mayor Helps
Seconded By Councillor Isitt

That the letter dated May 7, 2021 be received for information.

CARRIED UNANIMOUSLY

L.6 Letter from the City of Dawson Creek

A letter from the City of Dawson Creek regarding the resolution to Ministers of Labour and Tourism.

Moved By Mayor Helps
Seconded By Councillor Isitt

That the letter April 26, 2021 be received for information.

CARRIED UNANIMOUSLY

M. NEW BUSINESS

M.1 Council Member Motion: Preventing Sexualized Violence and Building a Culture of Consent in Victoria's Hospitality Industry

Council received a Council Member Motion dated May 4, 2021 regarding the prevention of sexualized violence and building a culture of consent in Victoria's hospitality industry.

Council discussed:

- *Ensuring that this work is implemented sooner than later.*
- *Ensuring that the work done by the Good Night Out team is incorporated into this initiative.*
- *Whether there is any available funding to assist with this work.*

Moved By Councillor Loveday
Seconded By Councillor Potts

That the City of Victoria recommits to working to end rape culture and prevent sexualized violence;
And that the City of Victoria appoints Councillor Potts and Councillor Loveday to the industry-led working group on preventing sexualized violence and creating a culture of safety, awareness, and consent in Victoria's hospitality industry;
And that Council requests that Councillor Potts and Councillor Loveday report back to council with recommended next steps for action and advocacy, and further City of Victoria involvement in this project, as soon as the project plan is finalized.

Amendment:
Moved By Councillor Thornton-Joe
Seconded By Councillor Loveday

That the City of Victoria recommits to working to end rape culture and prevent sexualized violence;
And that the City of Victoria appoints Councillor Potts and Councillor Loveday to the industry-led working group on preventing sexualized violence and creating a culture of safety, awareness, and consent in Victoria's hospitality industry;
And that Council requests that Councillor Potts and Councillor Loveday report back to council with recommended next steps for action and advocacy, and further City of Victoria involvement in this project, as soon as the project plan is finalized;
That Council request Councillor Loveday and Councillor Potts update Council on any future initiatives from the Liquor and Cannabis Regulation Branch to create and implement sexualized violence liquor policy similar to the 'Serve it Right' policy.

CARRIED UNANIMOUSLY

Amendment:
Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That the City of Victoria recommits to working to end rape culture and prevent sexualized violence;
And that the City of Victoria appoints Councillor Potts and Councillor Loveday to the industry-led working group on preventing sexualized violence and creating a culture of safety, awareness, and consent in Victoria's hospitality industry;

And that Council requests that Councillor Potts and Councillor Loveday report back to council with recommended next steps for action and advocacy, and further City of Victoria involvement in this project, as soon as the project plan is finalized;
That Council request Councillor Loveday and Councillor Potts update Council on any future initiatives from the Liquor and Cannabis Regulation Branch to create and implement sexualized violence liquor policy similar to the 'Serve it Right' policy;
That Council request that Councillor Loveday and Councillor Potts update Council on any advocacy to the Province with respect to the Provincial building code as it relates to the location of washrooms and lighting in liquor establishments.

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe
Seconded By Councillor Andrew

That the rules of order be suspended for this item.

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Andrew

That the City of Victoria recommits to working to end rape culture and prevent sexualized violence;
And that the City of Victoria appoints Councillor Potts and Councillor Loveday to the industry-led working group on preventing sexualized violence and creating a culture of safety, awareness, and consent in Victoria's hospitality industry;
And that Council requests that Councillor Potts and Councillor Loveday report back to council with recommended next steps for action and advocacy, and further City of Victoria involvement in this project, as soon as the project plan is finalized;
That Council request Councillor Loveday and Councillor Potts to updated Council on any future initiatives from the Liquor and Cannabis Regulation Branch to create and implement sexualized violence liquor policy similar to the 'Serve it Right' policy;
That Council request that Councillor Loveday and Councillor Potts update Council on any advocacy to the Province with respect to the Provincial building code as it relates to the location of washrooms and lighting in liquor establishments;
That Council request that Councillor Loveday and Councillor Potts, through their advocacy work, to examine opportunities outside of regular reporting to police for survivors to report incidents of sexual abuse.

Councillor Andrew withdrew his motion

On the main motion as amended:

That the City of Victoria recommits to working to end rape culture and prevent sexualized violence;
And that the City of Victoria appoints Councillor Potts and Councillor Loveday to the industry-led working group on preventing sexualized violence and creating a culture of safety, awareness, and consent in Victoria's hospitality industry;
And that Council requests that Councillor Potts and Councillor Loveday report back to council with recommended next steps for action and advocacy, and further City of Victoria involvement in this project, as soon as the project plan is finalized;
That Council request Councillor Loveday and Councillor Potts to update Council on any future initiatives from the Liquor and Cannabis Regulation Branch to create and implement sexualized violence liquor policy similar to the 'Serve it Right' policy;
That Council request that Councillor Loveday and Councillor Potts update Council on any advocacy to the Province with respect to the Provincial building code as it relates to the location of washrooms and lighting in liquor establishments.

CARRIED UNANIMOUSLY

M.2 Council Member Motion: Task Force on Sexual Abuse

This item was included in the previous agenda item.

M.3 Rise and Report

M.3.a From the closed meeting held May 6, 2021

Legal Advice - Sexual Violence Prevention - Municipal Authority Limitations

Motion:
That this report be received for information and staff report back in an open meeting with a policy relating to sexual harassment and a violence prevention plan for liquor licence applicants.

CARRIED UNANIMOUSLY

O. CLOSED MEETING

Moved By Councillor Andrew
Seconded By Councillor Young

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)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.*

CARRIED UNANIMOUSLY

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

Council discussed a Legal Advice matter.

The discussion and motion have been kept confidential.

P. ADJOURNMENT

Moved By Councillor Andrew
Seconded By Councillor Loveday

That the Council meeting adjourn.

TIME: 9:52 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR