



REVISED AGENDA - VICTORIA CITY COUNCIL

Thursday, June 24, 2021

COUNCIL CHAMBERS, CITY HALL, 1 CENTENNIAL SQUARE

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

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

Meeting will recess for a lunch break between 12:30 p.m. and 1:15 p.m.

Pages

A. CONVENE COUNCIL MEETING

B. APPROVAL OF AGENDA

C. READING OF MINUTES

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Addendum: New Item

D. PROCLAMATIONS

E. UNFINISHED BUSINESS

E.1.	<u>Letter from Minister of Forests, Lands, Natural Resource Operations and Rural Development</u>	36
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A letter regarding a plan to modernize forest policy.

Referred from the June 17, 2021 Council meeting.

F. REPORTS OF COMMITTEE

F.1. Committee of the Whole

F.1.a.	Report from the June 10, 2021 COTW Meeting	70
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[Link to the June 10, 2021 COTW Agenda](#)

- F.1.a.a. 425-475 Simcoe Street: Rezoning Application No.00773 (James Bay)
- F.1.a.b. External Grant Review Committee - Report on Strategic Plan Grant Applications Allocations
- F.1.a.c. Council Member Motion: Trutch Street
- F.1.a.d. Council Member Motion: Beacon Hill
- F.1.b. Report from the June 24, 2021 COTW Meeting

Placeholder for time sensitive motions

- F.1.b.a. Bastion Square 2021 Project Funding

Pending approval at June 24 COTW

- *F.1.b.b. Council Member Motion: Federation of Canadian Municipalities Anti-racism and Equity Committee Application

Addendum: New Item

Pending approval at June 24 COTW

G. BYLAWS

G.1. Bylaw for Amendment to Land Use Procedures Bylaw

72

A report recommending:

1st, 2nd and 3rd readings of: Land Use Procedures Bylaw, Amendment Bylaw (No. 13). No. 21-055

To amend the Land Use Procedures Bylaw to require applicants to post development application signs on the site to notify the public of input opportunities prior to the submission of a development application and to participate in a community meeting where the Community Association Land Use Committee elects to host a meeting by electronic participation in place of an in-person community meeting during the COVID-19 pandemic.

G.2. Bylaw for Parks Regulation Amendment No. 16

76

A report recommending:

To amend the *Parks Regulation Bylaw* to temporarily prohibit all sheltering activity in Beacon Hill Park to allow the park to recover from intensive sheltering activity during the COVID-19 pandemic.

G.3. Bylaw Adoption: 1177-1185 Fort Street and 1043-1045 Linden Avenue: Rezoning Application No. 00731

79

Adoption of:

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

The public hearing occurred on June 10, 2021, adoption of the bylaws were withheld pending confirmation of the lot consolidation. As confirmation has now been received, Council may consider adoption of the above bylaw.

The application proposes to rezone the the property to permit the current uses following the termination of its Land Use contract.

H. CORRESPONDENCE

H.1. Letter from the Mayor of the District of Squamish

82

A letter regarding the Truth and Reconciliation Commission Call to Action 75

H.2. Letter from Minister Eby, Attorney General and Minister Responsible for Housing

84

A letter regarding City of Victoria Supportive Housing Projects.

I. CLOSED MEETING

MOTION TO CLOSE THE June 24, 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)(c) labour relations or other employee relations;

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

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

- J. APPROVAL OF CLOSED AGENDA
- K. READING OF CLOSED MINUTES
- L. UNFINISHED BUSINESS
- M. CORRESPONDENCE
- N. NEW BUSINESS

Addendum: New Item

- N.1. Employee Relations - Community Charter Section 90(1)(c)
- N.2. Intergovernmental Relations - Community Charter Section 90(2)(b)
- N.3. Land Use - Community Charter Section 90(1)(e)
- *N.4. Land Use - Community Charter Section 90(1)(e)

Addendum: New Item

- O. CONSIDERATION TO RISE & REPORT
- P. ADJOURNMENT



MINUTES - VICTORIA CITY COUNCIL

May 20, 2021, 12:00 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 Andrew, Councillor Thornton-Joe

PRESENT
ELECTRONICALLY: Councillor Dubow, Councillor Isitt, Councillor Potts, Councillor Alto, Councillor Young

ABSENT: Councillor Loveday

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, J. Jensen - Head of Human Resources, A. Hudson - Assistant Director of Community Planning, C. Havelka - Deputy City Clerk, J. O'Connor - Deputy Director of Finance, K. Moore - Head of Business and Community Relations, C. Mycroft - Manager of Executive Operations, M. Fedyczkowska - Legislation & Policy Analyst, C. Kingsley - City Clerk, S. Stoltz - Committee Secretary, G Milne - Head of Strategic Operations, J Biem - Assistant City Solicitor

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 daytime meeting held March 18, 2021

Moved By Councillor Andrew

Seconded By Councillor Thornton-Joe

That the minutes from the daytime meeting held March 18, 2021 be adopted.

CARRIED UNANIMOUSLY

C.2 Minutes from the daytime meeting held March 25, 2021

Moved By Councillor Andrew

Seconded By Councillor Thornton-Joe

That the minutes from the daytime meeting held March 25, 2021 be adopted.

CARRIED UNANIMOUSLY

D. PROCLAMATIONS

D.1 "Intergenerational Day Canada" - June 1, 2021

Moved By Councillor Andrew

Seconded By Councillor Potts

That the following proclamation be endorsed:

1. "Intergenerational Day Canada" - June 1, 2021

CARRIED UNANIMOUSLY

D.2 "World Refugee Day" - June 20, 2021

Moved By Councillor Alto

Seconded By Councillor Dubow

That the following proclamation be endorsed:

1. "World Refugee Day" - June 20, 2021

CARRIED UNANIMOUSLY

E. REPORTS OF COMMITTEE

E.1 Committee of the Whole

E.1.a Report from the May 13 COTW Meeting

E.1.a.a Proposed Amendments to the Street and Traffic Bylaw Accessible Parking

Moved By Councillor Andrew

Seconded By Councillor Alto

That Council instruct the City Solicitor to bring forward amendments to the Streets and Traffic Bylaw to provide on-street parking free of charge, with a four-hour time limit, on Sundays for vehicles displaying disabled decals.

CARRIED UNANIMOUSLY

E.1.a.b 2021 Community Garden Micro Grant Applications

Moved By Councillor Isitt

Seconded By Councillor Andrew

That Council:

1. Approve Community Garden Micro Grant applications for the following non-profit organizations:
 - a. Burnside Gorge Community Association (\$500)
 - b. Fairfield Gonzales Community Association (\$500)
 - c. Fernwood Neighbourhood Resource Group Society (\$500)
 - d. James Bay Neighbourhood Association (\$500)
 - e. Downtown Blanshard Advisory Committee (\$500)
 - f. Victoria West Community Association (\$485)
 - g. North Jubilee Neighbourhood Association (\$500)
 - h. Victoria Immigrant and Refugee Centre Society (\$500)
 - i. James Bay New Horizons (\$500)
2. Delegate authority to approve future Community Garden Micro Grants to the Director of Parks, Recreation and Facilities, to the satisfaction of the Chief Financial Officer

CARRIED UNANIMOUSLY

E.1.a.c Council Member Motion: Noise Bylaw Amendment to Prevent Use of Bird Deterrents

Moved By Councillor Andrew

Seconded By Councillor Isitt

That Council refer the following matter to staff, to report back on implications at the next Triennial Update:
“That Council direct staff to prepare amendments to the Noise Bylaw to introduce regulations to prevent the use of bird deterrents.”

CARRIED UNANIMOUSLY

E.1.a.d Council Member Motion: Resolution to Support the Pause of Recreational Hunting of Wolves in B.C

Moved By Councillor Andrew

Seconded By Councillor Thornton-Joe

That Council endorse the following resolution originally passed by the Town of Oak Bay:

That AVICC and UBCM request the provincial government to implement a moratorium on recreational wolf hunting on Vancouver Island, pending the completion of a scientific, data-driven and evidence-based study that includes consultation with the Island's Indigenous communities, to re-examine the efficacy of unrestricted wolf harvesting practices and their impacts on the Island's biodiversity, wildlife ecology and sustainability of the resident wolf population.

And that Council request the Mayor write to the Minister of Forests, Lands, Natural Resource Operations, and Rural Development expressing support for Oak Bay's AVICC resolution.

CARRIED UNANIMOUSLY

E.1.a.e

VicPD Q1 Community Safety Report Card

Committee discussed:

- *Public relations*
- *The importance of funding solutions related to issues in the community*

Moved By Councillor Andrew

Seconded By Councillor Thornton-Joe

That Council allocate \$25,000 per month from the 2021 contingency for VicPD support of bylaw until up to September 30, 2021 and request that bylaw report monthly to Council on the status of their requirement for police support of their work and that these funds be reimbursed from the UBCM grant if received.

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

OPPOSED (2): Councillor Isitt, Councillor Dubow

CARRIED (6 to 2)

E.1.a.f

Bank Street School Building - Proposed Partnership

Moved By Councillor Andrew

Seconded By Councillor Thornton-Joe

That Council requests that staff engage School District 61, to propose a partnership and offer municipal financial assistance to restore the Bank Street School building (1623-1625 Bank Street) for educational and community use.

CARRIED UNANIMOUSLY

Councillor Dubow recused himself at 5:09 p.m. for the following item due to a non-pecuniary conflict of interest.

E.1.a.g 1210 Topaz Avenue: Development Variance Permit Application No. 00264 (Hillside - Quadra)

Moved By Councillor Isitt

Seconded By Councillor Thornton-Joe

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

“That Council authorize the issuance of Development Variance Permit Application No. 00264 for 1210 Topaz Avenue, in accordance with:

1. Plans date stamped April 23, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the rear yard setback from 18.3m to 8.58m;
 - ii. reduce the east side yard setback from 4.97m to 2.19m; and
 - iii. reduce the number of vehicle parking from 36 stalls to 35 stalls.
3. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY

Councillor Dubow returned to the meeting at 5:10 p.m.

E.1.a.h 975 & 983 Pandora Avenue: Rezoning Application No.00683 and Development Permit with Variances Application No. 000543 (Downtown)

Moved By Councillor Andrew

Seconded By Councillor Alto

Rezoning Application No. 00683

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the

proposed development outlined in Rezoning Application No. 00683 for 975 and 983 Pandora Avenue and 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. Minor plan revisions as detailed in concurrent Development Permit with Variances Application No. 000543.
2. Preparation and execution of legal agreements, in a form satisfactory to the City Solicitor, to:
 - i. Secure all of the dwelling units in the building as rental for the greater of 60 years or the life of the building and that rental periods are 30 days or more, to the satisfaction of the Director of Sustainable Planning and Community Development.
 - ii. Secure the two-bedroom, two-bedroom plus den, three-bedroom, four-bedroom and five-bedroom units generally in accordance with the Plans dated February 16, 2021, to the satisfaction of the Director of Sustainable Planning and Community Development.
 - iii. Restrict strata titling of the building, to the satisfaction of the Director of Sustainable Planning and Community Development.
 - iv. Secure the design, supply and installation of the City's Downtown Public Realm Plan and Streetscape Standards (DPRP) (specifically, the 'New Town District'), including furnishings, materials and pedestrian lights along the Vancouver Street and Pandora Avenue frontages, to the satisfaction of the Director of Engineering and Public Works.
 - v. Secure the installation of the protected bike lane improvements adjacent the Vancouver Street frontage, as per the City's Bicycle Master Plan to the satisfaction of the Director of Engineering and Public Work.
 - vi. Secure the design, supply and installation of a stormwater management soil cell infiltration system in the boulevard on Vancouver Street for treatment of road runoff, to the satisfaction of the Director of Engineering and Public Works.
 - vii. Secure soil cells for all municipal street trees on Vancouver Street, to specifications (including soil volume and depth) to the satisfaction of the Director of Parks, Recreation and Facilities.

3. That Council request that the applicant provide more information on the co-living model and information regarding affordability.

Development Permit with Variances Application No. 000543

That, subject to minor plan revisions to address the following:

1. Corrections to the paving patterns and street furnishings consistent with the Downtown Public Realm and Streetscape Plan to the satisfaction of the Director of Engineering and Public Works.
2. Clarification of the details on the preliminary Utilities Plan to the satisfaction of the Director of Engineering and Public Works.
3. Further details regarding the double vehicle access gate system and staging area for garbage and waste collection to the satisfaction of the Director of Engineering and Public Works.
4. Corrections to irrigation system, street trees and planting schedules, to the satisfaction of the Director of Parks, Recreation and Culture.
5. Further consideration of the fence design and application of building materials at the street level along Pandora Avenue to ensure a positive pedestrian experience, to the satisfaction of the Director of Sustainable Planning and Community Development.
6. Incorporation of perimeter wind screens on the south side of the lower level amenity spaces and on the terraces of level 14 as recommended in the Pedestrian Wind Assessment.
7. Confirmation of whether CREST would be required to occupy equipment on the roof level for a new communication transmission site, to the satisfaction of the Fire Chief.
8. Corrections to plans to ensure the compliance with the BC Building Code.

And 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. 00683, if it is approved, consider the following motion:

“That subject to receipt of a letter from the Ministry of Environment confirming that the landowner has met the requirements of Section 557(2) of the Local Government Act with respect to contaminated sites that Council authorize the issuance of Development Permit with Variances Application No. 000543 for 975 and 983 Pandora Avenue in accordance with:

1. Plans date stamped February 12, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Increase the height from 45m to 47.68m
 - ii. Increase the number of storeys from 15 storeys to 16 storeys
 - iii. Increase the height of the proposed breezeway fence from 1.22m to 3.12m.
3. Final plans to be generally in accordance with plans date stamped February 12, 2021.
4. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY

E.1.a.i

510 Pandora Avenue: Application for a Structural Change to Increase Occupant Load for Swans Pub, Liquor Primary License(Downtown)

Moved By Councillor Andrew
Seconded By Councillor Potts

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 Swans Pub located at 510 Pandora Avenue to increase the occupant load from 171 to 282 people with no change to hours of operation which are 9:00 am to 2:00 am daily.

Providing the following comments on the prescribed considerations:

- a. The impact of noise on the community in the vicinity of the establishment has been considered in relation to the request, and assumptions are that the noise impacts would be negligible as the increased occupant load affects interior space only, and the establishment has a reputation of responsible operation. The requested hours of operation in conjunction with the proposed occupant load are not expected to result in negative impacts to the community.
- b. If the application is approved, the impact on the community is expected to be positive economically as the approval supports the business plan and long-term viability of the establishment.
- c. The views of residents were solicited via a mail-out which included 1313 letters to neighbouring

property owners and occupiers within 100 metres of the licensed location and a notice was posted at the property. In response to the notification, a total of ten written responses were received, of which seven expressed opposition including one from the Downtown Residents Association, and three expressed support.

- d. Council recommends that the license be approved.
- e. The patio is located on City property and is subject to Swans Pub maintaining a proper licence agreement for the occupation of City property

Amendment:

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That clause f) be added to the main motion:

f) That the City set up a good neighbour agreement with the applicant.

CARRIED UNANIMOUSLY

On the main motion as amended:

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 Swans Pub located at 510 Pandora Avenue to increase the occupant load from 171 to 282 people with no change to hours of operation which are 9:00 am to 2:00 am daily.

Providing the following comments on the prescribed considerations:

- a. The impact of noise on the community in the vicinity of the establishment has been considered in relation to the request, and assumptions are that the noise impacts would be negligible as the increased occupant load affects interior space only, and the establishment has a reputation of responsible operation. The requested hours of operation in conjunction with the proposed occupant load are not

expected to result in negative impacts to the community.

b. If the application is approved, the impact on the community is expected to be positive economically as the approval supports the business plan and long-term viability of the establishment.

c. The views of residents were solicited via a mail-out which included 1313 letters to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice was posted at the property. In response to the notification, a total of ten written responses were received, of which seven expressed opposition including one from the Downtown Residents Association, and three expressed support.

d. Council recommends that the license be approved.

e. The patio is located on City property and is subject to Swans Pub maintaining a proper licence agreement for the occupation of City property

f. That the City set up a good neighbour agreement with the applicant.

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

OPPOSED (1): Councillor Isitt

CARRIED (7 to 1)

E.1.a.j

63-560 Johnson Street: Application for a Structural Change to a Lounge Endorsement for a Manufacturing Licence (Downtown)

Moved By Councillor Andrew

Seconded By Councillor Potts

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 Whistle Buoy Brewing Company at #63 – 560 Johnson Street for a structural change to a lounge endorsement for a manufacturing licence, to increase the interior and exterior floor areas to allow for an increase the occupant load by 55 people, with existing hours of operation from 11:00 am to 11:00 pm Monday through Wednesday and 11:00 am to 12:00 am Thursday through Sunday.

The following comments are provided on the prescribed considerations:

- a. The impact of noise on the community near the establishment was considered in relation to the request. Whistle Buoy Brewing Company is licenced under a manufacturers licence and service of alcohol to patrons is done through a lounge endorsement. Service of alcohol cannot exist in absence of the manufacturing licence. Approval of the licence 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 the approval supports the business's plan to provide a unique and local craft beer experience, and employment in the city.
- c. The views of residents were solicited through a mailout to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. In response to the notification that went to 1,352 owners and occupants, the City received 96 pieces of correspondence, and 93 letters stated support which included one from the Downtown Residents Association and 3 letters expressed opposition.
- d. Council recommends the licence be approved.

Council discussed:

- *Concerns from neighbours not being addressed by applicant*
- *The need to create a process and have staff in place in order to monitor good neighbour agreements*

Amendment:

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That a good neighbour agreement be set up with the applicant.

FOR (3): Councillor Andrew, Councillor Thornton-Joe, Councillor Dubow

OPPOSED (5): Mayor Helps, Councillor Young, Councillor Isitt, Councillor Potts, Councillor Alto

DEFEATED (5 to 2)

Moved By Councillor Dubow
Seconded By Councillor Alto

To allow Councillor Thornton-Joe to speak on the motion again.

CARRIED UNANIMOUSLY

On the main motion:

CARRIED UNANIMOUSLY

E.1.a.k

27-560 Johnson Street: Application for a New Liquor Primary License for Artemis (Downtown)

Moved By Councillor Andrew
Seconded By Councillor Alto

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 Artemis located at #27 – 560 Johnson Street having hours of operation from 11:00 am to 11:00 pm Monday through Thursday, 11:00 am to 12:00 am Friday and Saturday, and 11:00 am to 10:00 pm Sunday with a total occupant load of 110 people.

The following comments are provided regarding the prescribed considerations:

- a. The impact of noise on the community near the establishment was considered in relation to the request, and the proposed hours, occupant load, and location are compatible with the area. Approval of the licence 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 the approval supports the viability of the business as a local employer.
- c. The views of residents were solicited through a mailout to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. In response to the notification that went to 1,352 owners and occupants, the City received 1 piece of

- correspondence in support of the application from the Downtown Residents Association.
- d. Council recommends the license be approved.

CARRIED UNANIMOUSLY

E.1.a.i Options to Salvage Reusable Materials from Building Deconstruction

Moved By Councillor Isitt
Seconded By Mayor Helps

That Council direct staff to:

1. Bring forward a draft bylaw to motivate the salvage of reusable and recyclable materials from an initial subset of building demolitions where the structure that is being demolished is a single-family dwelling or duplex.
2. That this bylaw be applied to the demolition of all single family dwellings at a set deadline occurring after the initial bylaw comes into effect.
3. Report back with outcomes, lessons, and future expansion of the material salvage regulation to additional building types after review of initial implementation and further industry consultation.
4. Consider one-time funding of \$90,000 as part of the 2022 financial planning process to design and configure the regulatory administrative system and develop industry supporting training and communication resources.
5. That Council request the Mayor send this report to all Mayors and Councils around the region, indicate a willingness to share Victoria's bylaw once drafted as a model bylaw, and request that each municipality consider adopting the same bylaw. And that the letter be cc'd to the CRD Board Chair.

Council discussed:

- *Concerns regarding expenses*
- *Questions regarding the timeline of the program*
- *Differences between conventional demolition & deconstruction, and potential benefits of deconstruction*

FOR (5): Mayor Helps, Councillor Dubow, Councillor Isitt, Councillor Potts, Councillor Alto
OPPOSED (3): Councillor Young, Councillor Andrew, Councillor Thornton-Joe

CARRIED (5 to 3)

E.1.b Report from the May 20 COTW Meeting

E.1.b.a Council Member Motion - Establishment of City of Victoria International Decade of People of African Descent (IDPAD) Advisory Committee

Moved By Councillor Dubow

Seconded By Councillor Thornton-Joe

That Council:

1. Adopt the attached Terms of the Reference for the City of Victoria International Decade of People of African Descent (IDPAD) Advisory Committee.
2. Direct staff to engage the communities identified in the Terms of Reference, inviting nominees for Council's consideration for appointment to the Advisory Committee by July 31, 2021.

CARRIED UNANIMOUSLY

F. BYLAWS

F.1 Bylaw for Delegation of Signing Authority Bylaw Amendment Bylaw

Moved By Councillor Andrew

Seconded By Councillor Alto

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

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

CARRIED UNANIMOUSLY

G. CORRESPONDENCE

G.1 Letter from the Minister of Municipal Affairs

Council received a letter dated May 11, 2021 from the Minister of Municipal Affairs regarding CleanBC initiatives.

Moved By Mayor Helps

Seconded By Councillor Dubow

That this letter be received for information and that Council request that that the Province engage local governments on the swift replacement of CARIP with a program that provides consistent, non-application based funding, with first payments received by local governments in 2022.

CARRIED UNANIMOUSLY

G.2 Letter from the Minister of Municipal Affairs

Council received a letter dated May 10, 2021 from the Minister of Municipal Affairs regarding operational efficiencies for local government elections.

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 Potts

MOTION TO CLOSE THE MAY 20, 2021 COUNCIL MEETING TO THE PUBLIC

That Council convene a closed meeting that excludes the public under Section 90 of the *Community Charter* for the reason that the following agenda items deal with matters specified in Sections 90(1) and/or (2) of the *Community Charter*, namely:

Section 90(1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

Section 90(1)(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;

Section 90(1)(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.

CARRIED UNANIMOUSLY

I. APPROVAL OF CLOSED AGENDA

Moved By Councillor Andrew
Seconded By Councillor Thornton-Joe

That the closed agenda be approved.

CARRIED UNANIMOUSLY

J. READING OF CLOSED MINUTES

J.1 Minutes from the Closed meeting held March 25, 2021

Moved By Councillor Thornton-Joe

Seconded By Councillor Andrew

That the minutes from the closed meeting held March 25, 2021 be approved.

CARRIED UNANIMOUSLY

L. NEW BUSINESS

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

Council deferred this item to the May 27 Closed Council meeting.

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

Council deferred this item to the May 27 Closed Council meeting.

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

Council discussed a legal advice/litigation matter.

The discussion was recorded and kept confidential.

N. ADJOURNMENT

Moved By Councillor Andrew

Seconded By Councillor Thornton-Joe

That the Closed Council Meeting be adjourned at 6:12 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



MINUTES - VICTORIA CITY COUNCIL

June 3, 2021, 12:00 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, P. Bruce - Fire Chief, T. Zworski - City Solicitor, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhower - 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, S. Perkins - Manager of Bylaw & Licensing, C. Mycroft - Manager of Executive Operations, G. Milne - Head of Strategic Operations, P. Rantucci - Head of Strategic Real Estate, M. Sandhu - Head of Service Innovation & Improvement, P. Bellefontaine - Director of Engineering & Public Works, S. Stoltz - 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 daytime meeting held April 15, 2021

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the minutes from the Daytime Council meeting held April 15, 2021 be adopted.

CARRIED UNANIMOUSLY

C.2 Minutes from the evening meeting held May 13, 2021

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the minutes from the Daytime Council meeting held May 13, 2021 be adopted.

CARRIED UNANIMOUSLY

D. PROCLAMATIONS

D.1 "Action Anxiety Day" - June 10, 2021

Moved By Councillor Loveday
Seconded By Councillor Thornton-Joe

That the following proclamation be endorsed:

1. "Action Anxiety Day" - June 10, 2021

CARRIED UNANIMOUSLY

E. UNFINISHED BUSINESS

E.1 Council Member Motion: Support for Housing Outreach Pilot Project

Referred from the May 27, 2021 Council to Follow COTW meeting.

Council discussed:

- *Community concerns regarding affordability*
- *Considerations for what this program could look like in the future beyond a pilot; working with community services*
- *Mental health as it relates to housing affordability*

Moved By Councillor Isitt
Seconded By Councillor Loveday

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.

CARRIED UNANIMOUSLY

F. REPORTS OF COMMITTEE

F.1 Committee of the Whole

F.1.a COTW Report - Placeholder for Time-Sensitive motions

F.1.a.a. Appointments of Council members as Alternates to the CRD Water Supply Commission

Moved By Councillor Dubow

Seconded By Councillor Thornton-Joe

That Council:

1. Appoint Councillor Potts as the 1st alternate, Councillor Andrew as the 2nd alternate, and Councillor Alto as the 3rd alternate to the Capital Regional District Water Supply Commission.

CARRIED UNANIMOUSLY

G. BYLAWS

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

Moved By Councillor Dubow

Seconded By Councillor Andrew

That the following bylaw be adopted:

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

CARRIED UNANIMOUSLY

H. CLOSED MEETING

Moved By Councillor Andrew

Seconded By Councillor Loveday

MOTION TO CLOSE THE JUNE 3, 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)(c) labour relations or other employee relations;

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.

CARRIED UNANIMOUSLY

I. APPROVAL OF CLOSED AGENDA

Moved By Councillor Andrew

Seconded By Councillor Thornton-Joe

That the closed agenda be approved.

CARRIED UNANIMOUSLY

J. READING OF CLOSED MINUTES

J.1 Minutes from the closed COTW meeting held May 13, 2021

Moved By Councillor Andrew

Seconded By Councillor Thornton-Joe

That the minutes from the closed COTW meeting held May 13, 2021 be adopted.

CARRIED UNANIMOUSLY

H. NEW BUSINESS

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

Council discussed a land use matter.

The discussion and motion were recorded and kept confidential.

H.2 Legal Advice – Community Charter Section 90(1)(i)

Council discussed a legal matter.

The discussion and motion were recorded and kept confidential.

H.3 Employee Relations – Community Charter Section 90(1)(c)

Council deferred this item to the June 10 Closed Council meeting.

H.4 Employee Relations – Community Charter Section 90(1)(c)

Council deferred this item to the June 10 Closed Council meeting.

O. ADJOURNMENT

Moved By Councillor Andrew

Seconded By Councillor Alto

That the Council meeting adjourn at 5:11 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



MINUTES - VICTORIA CITY COUNCIL

June 10, 2021, 12:00 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 Young

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

STAFF PRESENT: J. Jenkyns - City Manager, C. Kingsley - City Clerk, S. Thompson - Deputy City Manager / Director of Finance, 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, J. O'Connor - Deputy Director of Finance, K. Moore - Head of Business and Community Relations, C. Mycroft - Manager of Executive Operations, G. Milne - Head of Strategic Operations, M. Sandhu - Head of Service Innovation & Improvement, P. Bellefontaine - Director of Engineering & Public Works, G. Diamond - Council and Committee Secretary

B. APPROVAL OF AGENDA

Moved By Councillor Andrew

Seconded By Councillor Alto

That the agenda be approved.

CARRIED UNANIMOUSLY

C. READING OF MINUTES

C.1 Minutes from the evening meeting held May 27, 2021

Moved By Councillor Alto

Seconded By Councillor Loveday

That the minutes from the Evening Council meeting held May 27, 2021 be adopted.

CARRIED UNANIMOUSLY

C.2 Minutes from the daytime meeting held May 27, 2021

Moved By Councillor Alto
Seconded By Councillor Loveday

That the minutes from the daytime meeting held May 27, 2021 be adopted.

CARRIED UNANIMOUSLY

C.3 Minutes from the daytime meeting held May 6, 2021

Moved By Councillor Alto
Seconded By Councillor Loveday

That the minutes from the daytime meeting held May 6, 2021 be adopted.

CARRIED UNANIMOUSLY

D. PROCLAMATIONS

D.1 "Parachute National Injury Prevention Day" - July 5, 2021

Moved By Councillor Alto
Seconded By Councillor Loveday

That the following proclamation be endorsed

1. "Parachute National Injury Prevention Day" - July 5, 2021

CARRIED UNANIMOUSLY

D.2 "Arthritis Awareness Month" - September, 2021

Moved By Councillor Andrew
Seconded By Councillor Loveday

That the following proclamation be endorsed:

1. "Arthritis Awareness Month" - September, 2021

CARRIED UNANIMOUSLY

D.3 "Longest Day of Smiles" - June 20, 2021

Moved By Councillor Dubow
Seconded By Councillor Andrew

That the following proclamation be endorsed:

1. "Longest Day of Smiles" - June 20, 2021

CARRIED UNANIMOUSLY

E. REPORTS OF COMMITTEE

E.1 Committee of the Whole

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

E.1.a.a Letter from the UBCM President

Moved By Councillor Loveday
Seconded By Councillor Young

That the letter be received for information.

Motion Arising:

That Council request the Mayor write to the Premier, Minister of Health, and local MLAs, calling on the government to adopt universal no-cost prescription contraception that covers an expansive range of options without delay, to improve public health in an equitable and cost-effective way.

Motion arising:

That Council requests that the Mayor send a response to the Province along the following lines related to the City's resolution on land value taxation:

Subject: Response to Province re: Land Value Taxation

We would like to comment on the Province's response to our resolution.

The response indicates that separate rates on land and improvements would allow "unfairly" high tax rates on undeveloped or underdeveloped land. Of course the purpose of differential rates is precisely to impose relatively higher rates on such underdeveloped land, in order to encourage development and to avoid land being held as vacant buildings, as surface parking lots, or other low-intensity uses. Like other cities Victoria has at times suffered from land being held in such uses. While development of such properties (contrary to what your response suggests) will not actually reduce property taxes, it will certainly reduce taxes relative to the income from the property, which is perhaps what you intended to say.

You have suggested that other policies might be used to offset the impact of the current system and incentivize land development. We would like to suggest that it would conversely be more appropriate for other policies to be used to offset any negative impacts of higher land taxes. For example, it has been suggested that old established businesses in old low rise buildings should be helped to stay in place. Rather than holding down land taxes on such properties, to the benefit of the owners of the land such businesses sit on (who may not be the business owners) we can envision a program that might assist them

Another issue that you should consider is the growing wealth disparity between those who own their homes and those who live in rental accommodation. We believe research would show that the bulk of the recent increase in home values has been in land rather than building values, so that a relative increase in land taxes that would gradually depress land values would probably result in a more equitable distribution of wealth.

Finally, you suggest that land held for future use with Class 6 zoning is taxed at a rate that is too high. We note that it is the municipality itself that sets the relative tax rates for different classes, so that that a much more direct solution to this perceived problem is easily available.

CARRIED UNANIMOUSLY

E.1.a.b546 Yates Street and 566-568 Yates: Rezoning Application No. 00770 (Downtown)

Moved By Councillor Young
Seconded By Councillor Loveday

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00770 to add the use of Cannabis Storefront Retailer to 566-568 Yates Street and remove it from 546 Yates Street, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set subject to submission and evaluation by staff of a Heritage Alteration Permit for the changes to the front entrance.

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

OPPOSED (2): Councillor Alto, Councillor Isitt

CARRIED (7 to 2)

**E.1.a.c Council Member Motion - Permissive Tax Exemptions of
Parking Lots, Existing Properties**

Moved By Councillor Alto

Seconded By Councillor Andrew

That the exemption for the parking lot portion of all properties subject to a permissive tax exemption be reduced by 20% each year over a five-year period, beginning in 2023, where surface parking lots are 50% or more of the total property area.

CARRIED UNANIMOUSLY

**E.1.b Report from the June 10, 2021 COTW Meeting
E.1.b.a Council Member Motion - Canada Day 2021**

Council discussed the following:

- *That due to the pandemic, public events were not already planned this year except for a one-hour televised broadcast*
- *The reasoning behind this item being forwarded to Council today rather than the normal two weeks between committee and Council*

Moved By Mayor Helps

Seconded By Councillor Alto

1. That Council direct staff to put on hold plans for the conventional Canada Day celebration this year and:
 - a. Do nothing further with respect to July 1st events this year and
 - b. Work with the Songhees and Esquimalt Chiefs, the City family and the long-standing Lekwungen participants in the City's Canada Day celebrations to explore the use of the hour-long TV broadcast as an educational opportunity to be broadcast by September 6, 2021, potentially drawing on the footage of the Reconciliation Dialogues (including but not limited to the first dialogue where Lekwungen elders and others share the history and stories of these lands known today as the City of Victoria, the last dialogue where the Canadian College of Performing Arts students provide an educational piece on the history of residential schools and Sir John A Macdonald), and on any contributions the Songhees and Esquimalt Nations may wish to make including, but not limited to, words from the Chiefs, songs and dances by the Lekwungen Dancers, etc.

Amendment:

Moved by Councillor Young

Seconded by Councillor Alto

1. That Council direct staff to put on hold plans for the conventional Canada Day celebration this year and **In order to observe Canada Day this year, Council will:**
 - a. ~~Do nothing further with respect to July 1st events this year and~~
 - b. Work with the Songhees and Esquimalt Chiefs, the City family and the long-standing Lekwungen participants in the City's Canada Day celebrations to explore the use of the hour-long TV broadcast as an educational opportunity to be broadcast by September 6, 2021, potentially drawing on the footage of the Reconciliation Dialogues (including but not limited to the first dialogue where Lekwungen elders and others share the history and stories of these lands known today as the City of Victoria, the last dialogue where the Canadian College of Performing Arts students provide an educational piece on the history of residential schools and Sir John A Macdonald), and on any contributions the Songhees and Esquimalt Nations may wish to make including, but not limited to, words from the Chiefs, songs and dances by the Lekwungen Dancers, etc.

DEFEATED UNANIMOUSLY

Amendment:

Moved by Councillor Thornton-Joe

Seconded by Councillor Alto

1. That Council direct staff to put on hold plans for the conventional **virtual** Canada Day celebration this year and
 - a. Do nothing further with respect to July 1st events this year and
 - b. Work with the Songhees and Esquimalt Chiefs, the City family and the long-standing Lekwungen participants in the City's Canada Day celebrations to explore the use of the hour-long TV broadcast as an educational opportunity to be broadcast by September 6, 2021, potentially drawing on the footage of the Reconciliation Dialogues (including but not limited to the first dialogue where Lekwungen elders and others share the history and stories of these lands known today as the City of Victoria, the last dialogue where the Canadian College of Performing Arts students provide an educational piece on the history of residential schools and Sir John A Macdonald), and on any contributions the Songhees and Esquimalt Nations may

wish to make including, but not limited to, words from the Chiefs, songs and dances by the Lekwungen Dancers, etc.

CARRIED UNANIMOUSLY

On the main motion as amended:

1. That Council direct staff to put on hold plans for the virtual Canada Day celebration this year and
 - a. Do nothing further with respect to July 1st events this year and
 - b. Work with the Songhees and Esquimalt Chiefs, the City family and the long-standing Lekwungen participants in the City's Canada Day celebrations to explore the use of the hour-long TV broadcast as an educational opportunity to be broadcast by September 6, 2021, potentially drawing on the footage of the Reconciliation Dialogues (including but not limited to the first dialogue where Lekwungen elders and others share the history and stories of these lands known today as the City of Victoria, the last dialogue where the Canadian College of Performing Arts students provide an educational piece on the history of residential schools and Sir John A Macdonald), and on any contributions the Songhees and Esquimalt Nations may wish to make including, but not limited to, words from the Chiefs, songs and dances by the Lekwungen Dancers, etc.

CARRIED UNANIMOUSLY

F. BYLAWS

F.1 Bylaw for 2440 and 2448 Richmond Road

Moved By Councillor Andrew

Seconded By Councillor Alto

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

- Zoning Regulation Bylaw, Amendment Bylaw (No. 1248) No. 21-023

CARRIED UNANIMOUSLY

Moved By Councillor Andrew

Seconded By Councillor Alto

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

- Housing Agreement (2440 and 2448 Richmond Road) No. 21-024

CARRIED UNANIMOUSLY

Moved By Councillor Alto

Seconded By Councillor Andrew

Development Permit with Variances Application No. 00159

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00722, if it is approved, consider the following motion:

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

1. Plans date stamped **January 20, 2021**;
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:

2440 Richmond Road

- i. reduce the number of residential vehicle parking stalls from 9 to 7;
- ii. reduce the side setback (south) from 4.00m to 3.22m;
- iii. reduce the side setback (north) from 4.00m to 1.70m.

2448 Richmond Road

- i. reduce the number of residential vehicle parking stalls from 9 to 7;
- ii. reduce the side setback (south) from 4.00m to 1.70m;
- iii. reduce the side setback on a flanking street (north) from 6.00m to 3.01m.
3. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY

F.2 Bylaw for 2740 and 2742 Fifth Street

Moved By Councillor Andrew

Seconded By Councillor Alto

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

- Zoning Regulation Bylaw, Amendment Bylaw (No. 1216) No. 21-058

CARRIED UNANIMOUSLY

Moved By Councillor Andrew

Seconded By Councillor Alto

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

- Housing Agreement (2740 and 2742 Fifth Street) Bylaw (2021) No. 21-059

CARRIED UNANIMOUSLY

Moved By Councillor Andrew

Seconded By Councillor Alto

Development Variance Permit Application 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. 00709, if it is approved, consider the following motion:

“That Council authorize the issuance of a Development Variance Permit Application for 2740 and 2742 Fifth Street, in accordance with:

- a. Plans date stamped May 4, 2020.
- b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - i. reduce the rear yard setback from 3.0m to 1.20m.
- c. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY

F.3 Bylaws for 3080, 3082 and 3090 Washington Avenue

Councillor Andrew withdrew from the meeting at 2:18 p.m. due to a pecuniary conflict of interest as he owns property near the property in question.

Councillor Alto withdrew from the meeting at 2:18 p.m. due to a pecuniary conflict of interest as she owns property near the property in question.

Moved By Councillor Young

Seconded By Councillor Loveday

That the following bylaw **be adopted**:

- Zoning Regulation Bylaw, Amendment Bylaw (No. 1242) No. 21-006.

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

OPPOSED (1): Councillor Thornton-Joe

CARRIED (6 to 1)

Moved By Councillor Young

Seconded By Councillor Loveday

That the following bylaw **be adopted**:

- Housing Agreement (3080, 3082 and 3090 Washington Avenue) Bylaw (2021) No. 21-007

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

OPPOSED (1): Councillor Thornton-Joe

CARRIED (6 to 1)

Moved By Councillor Young

Seconded By Councillor Loveday

That the following bylaw **be adopted**:

- Official Community Plan, Amendment Bylaw (No. 37) No. 21-008

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

OPPOSED (1): Councillor Thornton-Joe

CARRIED (6 to 1)

Moved By Councillor Young

Seconded By Councillor Loveday

That the following bylaw **be adopted**:

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

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

CARRIED (6 to 1)

Moved By Councillor Young
Seconded By Councillor Loveday

That Council authorize the issuance of Development Permit Application No. 000566 for 3080, 3082 and 3090 Washington Avenue, in accordance with:

1. **Plans date stamped January 19, 2021.**
2. The Development Permit lapsing two years from the date of this resolution

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

CARRIED (6 to 1)

Councillor Andrew returned to the meeting at 2:22 p.m.

Councillor Alto returned to the meeting at 2:22 p.m.

G. CORRESPONDENCE

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

Council received a letter dated June 1, 2021 from the Mayor of the Corporation of the District of Saanich regarding the British Columbia Climate Action Revenue Incentive Program (CARIP) ending.

Moved By Councillor Isitt
Seconded By Councillor Young

That the correspondence dated June 1, 2021 from the Mayor of the Corporation of the District of Saanich be received for information.

CARRIED UNANIMOUSLY

G.2 Letter from Minister of Forests, Lands, Natural Resource Operations and Rural Development

Council received a letter dated June 2, 2021 from the Minister of Forests, Lands, Natural Resource Operations and Rural Development regarding a plan to modernize forest policy.

Motion to refer:

Moved by Councillor Isitt
Seconded by Councillor Alto

That the letter be forwarded to the June 17 COTW meeting, and that the following documents be published with the letter on the meeting agenda:

1. The Provincial government intention statement
2. The Provincial government announcement of June 9, 2021 regarding the deferral of old growth logging.
3. The map issued by the Provincial government on June 9, 2021 regarding the deferral of old growth logging

Amendment:

That the letter be forwarded to the June 17 ~~COTW~~ **daytime Council** meeting, and that the following documents be published with the letter on the meeting agenda:

1. The Provincial government intention statement
2. The Provincial government announcement of June 9, 2021 regarding the deferral of old growth logging.
3. The map issued by the Provincial government on June 9, 2021 regarding the deferral of old growth logging

CARRIED UNANIMOUSLY

On the main motion to refer as amended:

CARRIED UNANIMOUSLY

H. CLOSED MEETING

Moved By Councillor Young

Seconded By Councillor Andrew

MOTION TO CLOSE THE June 10, 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)(c) labour relations or other employee relations;

Section 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including

CARRIED UNANIMOUSLY

I. APPROVAL OF CLOSED AGENDA

Moved By Councillor Alto

Seconded By Councillor Andrew

That the closed agenda be approved.

J. READING OF CLOSED MINUTES

J.1 Minutes from the closed meeting held April 15, 2021

Moved By Councillor Alto
Seconded By Councillor Andrew

That the minutes from the Closed Council meeting held April 15, 2021 be adopted.

CARRIED UNANIMOUSLY

J.2 Minutes from the closed meeting held May 27, 2021

Moved By Councillor Alto
Seconded By Councillor Andrew

That the minutes from the closed meeting held May 27, 2021 be adopted.

CARRIED UNANIMOUSLY

J.3 Minutes from the closed COTW meeting held May 13, 2021

Moved By Councillor Alto
Seconded By Councillor Andrew

That the minutes from the closed COTW meeting held May 13, 2021 be adopted.

CARRIED UNANIMOUSLY

J.4 Minutes from the closed COTW meeting held May 6, 2021

Moved By Councillor Alto
Seconded By Councillor Andrew

That the minutes from the closed COTW meeting held May 6, 2021 be adopted.

CARRIED UNANIMOUSLY

J.5 Minutes from the closed meeting held May 6, 2021

Moved By Councillor Alto
Seconded By Councillor Andrew

That the minutes from the closed meeting held May 6, 2021 be adopted.

CARRIED UNANIMOUSLY

H. NEW BUSINESS

H.1 Legal Advice – Community Charter Section 90(1)(i)

Council discussed a legal matter.

The discussion and motion were recorded and kept confidential.

H.2 Legal Advice – Community Charter Section 90(1)(i)

Council discussed a legal matter.

The discussion and motion were recorded and kept confidential.

H.3 Employee Relations – Community Charter Section 90(1)(c)

Council discussed an employee relations matter.

The discussion and motion were recorded and kept confidential.

H.4 Employee Relations – Community Charter Section 90(1)(c)

Council discussed an employee relations matter.

The discussion and motion were recorded and kept confidential

O. ADJOURNMENT

Moved By Councillor Alto

Seconded By Councillor Andrew

That the Council meeting adjourn at 4:14 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



June 2, 2021

VIA EMAIL: lhelps@victoria.ca

Lisa Helps, Mayor
City of Victoria

Re: Modernizing Forest Policy

Dear Mayor Helps:

Yesterday, the Premier and I shared a plan to modernize forest policy with the release of an intentions paper - www.gov.bc.ca/modernforestpolicy. This work aligns with our continued efforts to implement the recommendations of the Old Growth Strategic Review and improve forest management through the *Forest and Range Practices Act*. I would like to update you on this work and our next steps.

Intentions Paper

Plans to modernize forest policy as outlined in the Intentions Paper stem from what we heard from Indigenous peoples, local governments, industry, stakeholders and the public in forestry-focused engagement initiatives over the past three years including the *Forest and Range Practices Act* Improvement Initiative, the Old Growth Strategic Review, Coast Forest Sector Revitalization, and Interior Forest Sector Renewal. Three principles emerged from these engagements to guide our work including a focus on strengthening sector diversity, enhancing sustainability and stewardship, and ensuring ongoing support of the forest sector, what we have called strengthening the social contract.

There are 20 policy intentions laid out in this paper with several directly connected to what we heard from community leaders. This includes ensuring the voices of your communities are considered in decisions, like tenure disposition, where our government brought in Bill 22 in 2019 on this topic and seek to make further improvements. Other topics include the need to prioritize greater access to community tenures if local jobs, particularly in manufacturing, can be demonstrated. I also want to highlight our intention to provide statutory decision makers with discretion in permit approvals if the forest management proposed as part of a permit could put forest values at risk of damage, and to have community perspectives considered in tenure replacement decisions. There is much to be excited about it in these intentions and I hope you will take the time to review them.

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Old Growth Strategic Review

In 2019, my predecessor appointed a two-person panel to engage Indigenous and non-Indigenous communities, industry, and stakeholders on what a new path forward on managing old growth could include. They visited 45 communities, held over 200 meetings with close to 800 people, and received over 300 written submissions and more than 18,000 survey responses. The report they submitted in Spring 2020, along with the insight which informed it is included on our website at [Old Growth Forests - Province of British Columbia \(gov.bc.ca\)](https://www2.gov.bc.ca/gov/content/land/oldgrowth/oldgrowthforests.htm).

The report and its 14 recommendations are complex and over the next two years policy options and implementation decisions will be developed into a new Old Growth Strategy for British Columbia. The immediate priorities are recommendations #1 and #6, that is to work with Indigenous Nations on a government-to-government basis, to identify if and where any further timber harvesting deferrals are needed where old growth is at a very high and near-term risk of irreversible biodiversity loss. Attached in Appendix 1 is a high-level roadmap for how the ministry plans to sequence the work on the recommendations going forward.

What's Next

Over the next several weeks, ministry staff will connect with you on a series of virtual town halls we would like to have you join. I have asked my Parliamentary Secretary Roly Russell to host these town halls as part of his role to hear from you on modernizing forest policy and how it affects your communities.

After several initiatives to better understand where we should start our modernization effort, I am pleased we are advancing this work. The experiences and insights your government can bring to the table on behalf of your community are most welcomed. I hope you can participate.

Sincerely,



Katrine Conroy
Minister

Enclosure

pc: Roly Russell, MLA, Parliamentary Secretary for Rural Development
Brian Frenkel, President, UBCM
Craig Sutherland, ADM, Coast Area
Sharon Hadway, Regional Executive Director, West Coast Region

Appendix 1:

Given the breadth and scope of the report, the province is recommending a phased approach to addressing the recommendations over the next two years. The diagram below illustrates recommendations #1, 5, 6, and 7 under the heading “Immediate Measures”. The center column titled “Elements Required for Change” outlines recommendations #2, 4, 9, 13, 14 which set up a framework of key changes and policy shifts that support change. The third column titled “The New Old Growth Strategy” are recommendations #3, 8, 10, 11, and 12 which are critical to implementing change.

Old Growth Strategic Review – The Path Forward



Modernizing **Forest Policy** in British Columbia

*Setting The Intention and Leading
the Forest Sector Transition*



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Introduction:

The Need to Modernize B.C.'s Forest Policy

FORESTS ARE ESSENTIAL to our identity as British Columbians. We are deeply connected to them. They anchor ecosystems critical to the wellbeing of many species of plants and animals, including ourselves, today and in the future.

To ensure future generations enjoy and benefit from our forests, as we have done, now is the time to make sustainable choices. We must do so collectively and transparently.

More than 50,000 British Columbians work directly in the forest industry. Many more benefit indirectly. B.C. forest products are in demand all over the world. Last year, they made up 29 per cent of B.C.'s total exports, equal to \$11.5 billion. In a global marketplace demanding more innovative goods, our forests provide a high-value, renewable resource.

These same forests are also essential to a healthy environment, biodiversity, capturing carbon and filtering drinking water. They are a legacy to be cherished by future generations.

The forestry sector faces monumental challenges. These put the future of our forests at risk, threatening the future of many communities. B.C.'s forestry policy framework, put in place nearly two decades ago, is inadequate to address today's challenges.

The future of forestry affects us all, for generations to come. The current situation demands action. This paper sets out how we intend to address this and they are:

➤ **Sustainability.** Our timber supply is decreasing, and we need new ways to manage our forests. This includes sustainability of our old growth forests and protecting those important stands and ecosystems that support a wide range of plants and animals, and some species at risk. *Appendix A outlines this in more detail. B.C. will continue to be a world leader in providing sustainable forest products. We need forest policies able to adapt to an ever-changing environment.

➤ PAPER SCOPE

This intentions paper looks at who manages forests and how they do so. It seeks to describe how a stable forest sector — creating quality economic growth and good-paying, sustainable jobs — can also conserve forest stands in the public interest. We recognize these goals do not exist in isolation from one another. Our forests sequester carbon, filter drinking water, and nurture biodiversity for which we are recognized around the world. These are critical roles. They will always be fundamental to broader land management decisions.



Climate change is one reason for devastating wildfires and the mountain pine beetle epidemic. Conservation requires further land-use protections. Policy changes are needed to enhance stewardship while addressing ecosystem health and resilience.



- **Reconciliation.** We need to increase economic and land management opportunities for Indigenous Peoples. Doing so aligns with the Declaration on the Rights of Indigenous Peoples Act and advances the well-being of Indigenous communities. It also reduces uncertainty and strengthens confidence in the industry.
- **People and Communities.** For decades, the forest sector has provided good-paying jobs supporting families in many B.C. communities. As these communities strive to become more resilient, we see an opportunity to work with them to better consider their interests.

Local access to fibre can support diversified manufacturing, focused on value rather than volume. Local communities should be engaged in discussions about wildfires, local employment, and sustainable management of the forests that surround us, nurture us, and provide us with bountiful resources.

- **Competitiveness.** Forest products are globally traded. They are desired for their lower carbon footprint, are produced sustainably in the province, and are verified by third-party forest certification organizations. We must continue to be competitive on the global stage, keeping in mind those who invest in B.C. and provide good-paying jobs.
- **Fairness for British Columbians.** The forests are owned by British Columbians. We need to ensure they receive fair returns on their asset.

Over the past few years, government has asked what should be done, and what should be considered. We have experienced the market for selling lumber at the bottom and the top of the cycle during the last few years. The cycle is responsible for changes in dialogue and perspective. We have solicited regional and provincial perspectives as we sought opinions on a new forest policy. Some discussions generated more robust ideas than others. We have listened carefully and now is the time to act.

This paper sets out our vision for a forest sector that is diverse, competitive, and focused on sustainability. It puts people first. It has been drafted with an understanding of the crucial necessity of working with Indigenous peoples. This is our plan to modernize forest policy in British Columbia. The steps we take in the months ahead, outlined here, are intended to achieve this vision.

Vision for the future of the forest sector and our forests

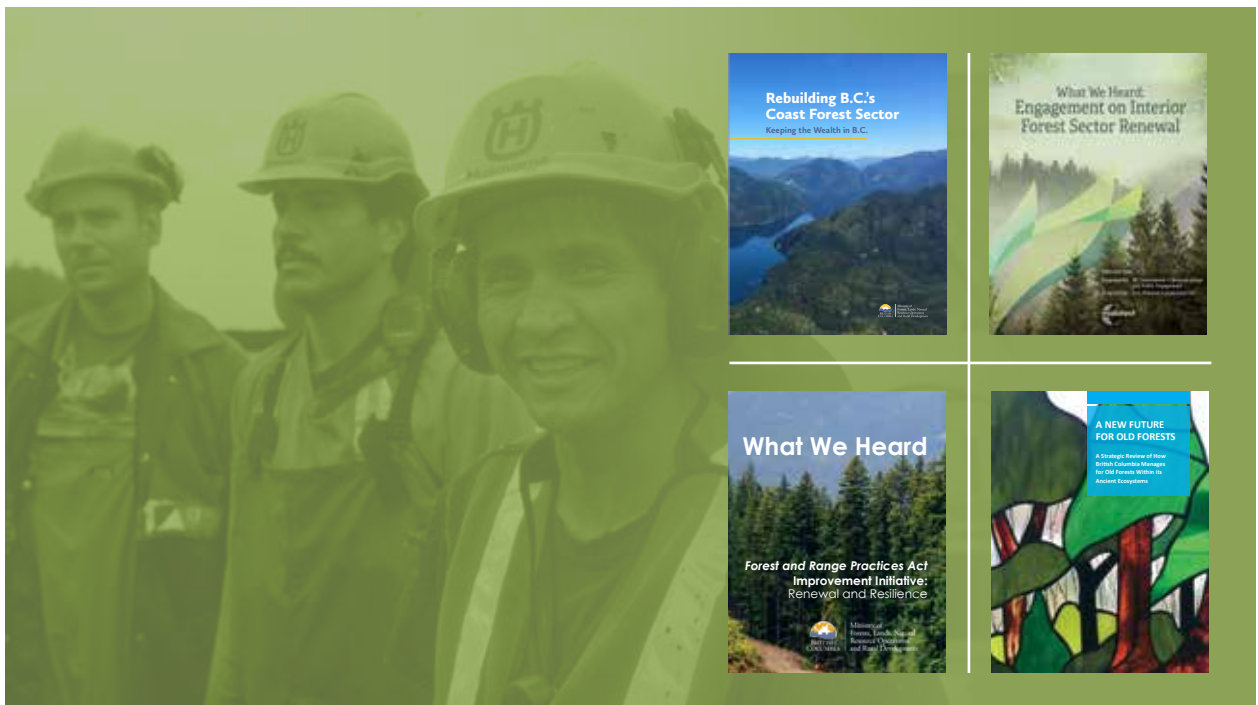
B.C.'S FORESTS ARE WOVEN INTO THE FABRIC OF OUR PROVINCE'S CULTURE.

They are where we live. They are where we play.
They are where we work.

Forestry provides good-paying jobs for British Columbians. Forest companies spend billions on services, transportation and equipment provided by other B.C. companies. Despite a declining timber supply, following years of intense wildfires and mountain pine beetle devastation, as well as changing land-use interests on the coast, forestry remains a major economic sector, integral to people in communities across the province.

The wellbeing of the sector affects everyone in B.C. now and for generations to come. What we do next is important. The decisions taken to modernize forest policy need to reflect the interests of those involved in the sector today, as well as those who will have a role tomorrow.

The vision set out here is the result of listening to many groups. Since 2017, our government has initiated several conversations. We have engaged Indigenous governing bodies, industry, local governments, labour, environmental groups, and the general public, seeking opinions on what forest management and the future of our forest sector should look like. These conversations have included meetings with organizations. We also conducted broader canvasses such as the *Coast Forest Sector Revitalization* and the *Interior Forest Sector Renewal initiatives*, the *Forest and Range Practices Act Improvement Initiative* and the *Old Growth Strategic Review*. Reviews of key issues for workers, such as contractor sustainability, have also informed our plan to support quality jobs into the future.





Vision for the future of the forest sector and our forests

➔ HOW WE GOT HERE

The government has listened to many.
We have talked to:

- Indigenous Peoples whose inherent rights are connected to their respective territories since time immemorial
- Forest companies of all sizes with world-class know-how for harvesting timber
- Contractors of all kinds, from surveyors marking out a site, to road builders and harvesters, to tree planters starting the cycle anew
- Manufacturers making a living turning fibre into useful products
- Workers earning wages to support families
- Rural communities looking to grow, flourish and retain skilled workers, while benefiting from the ecosystem goods and services of the surrounding forests
- Environmental groups who want to ensure proper forest management and the protection of B.C.'s old growth forests
- The general public, who are affected by decisions on forest management, whether they work in the industry or not



All these groups share similar goals, despite their different roles. They see a future with greater opportunity for diverse groups to participate in the industry. A future where larger and smaller tenure holders have more than one economical place to sell their wood, and where fibre flows onto the market with a certainty of supply over time. A future where our forests are stewarded in environmentally sustainable ways. A future where there is clarity in the rules, and clear, predictable expectations on how to stay within them with strengthened compliance and enforcement. A future where Indigenous peoples are more involved than they are today.

Thanks to innovations, the industry can use more of each log in new, environmentally sustainable ways. Numerous lower-carbon footprint products have been created for many uses, from buildings to clothing to personal protective equipment. Companies have developed positive business partnerships directly with Indigenous peoples and with their support have increased their utilization of fibre, helping reduce wildfire risk to communities.

Government policy has also not evolved quickly enough to adapt to the impacts of climate change on our forests. Out-of-control wildfires affect us all, and smoke and ash impact human and ecosystem health. Tragically, homes and lives are lost. Wildfires are a natural part of forest ecosystems, yet decades ago we reduced their occurrence wherever possible with “no broadcast burning” and rapid-wildfire response. Wildfire suppression must now be accompanied by wildfire prevention and mitigation approaches and investments in the use of prescribed fire to help manage forests and reduce the risk of wildfire to communities. Building on our recent investments, such as the Community Resiliency and BC FireSmart programs, we must continue to work in collaboration with Indigenous partners, who have been using fire as a stewardship

Vision for the future of the forest sector and our forests

tool since time immemorial, to integrate Indigenous knowledge and support the re-establishment of traditional burning practices.

An industry needing to mechanize and automate to remain competitive has resulted in steady job losses in forestry communities. These communities are vital to local and provincial economies and need to see themselves better reflected in forestry opportunities. In many cases, sawmills built at a time of higher fibre availability have closed. Surviving mills compete for scarce logs to avoid curtailment or permanent closure.

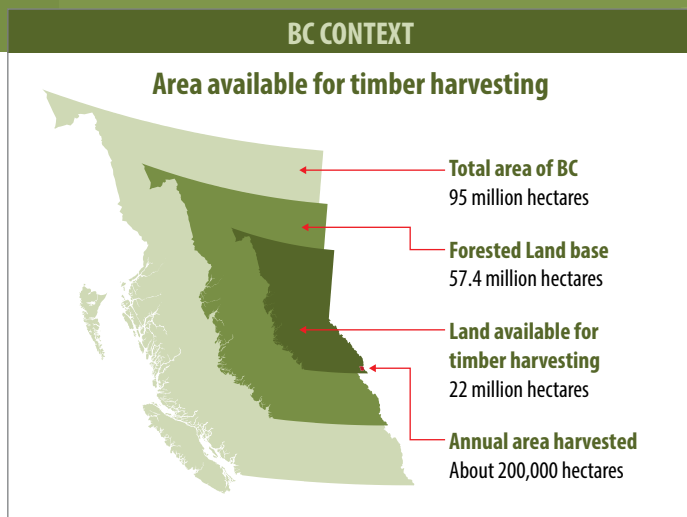
Despite the mill closures, hastened in 2019 when markets were weak, there is an overcapacity in B.C.'s traditional manufacturing facilities, such as sawmills and paper mills, relative to supply.

B.C. needs to derive greater value from the timber we harvest and fibre we produce. While prices for many forest products are high today, they will inevitably fluctuate. We need a more diversified sector that goes beyond being more efficient within existing management models. To do so, an evolution is needed from a largely commodity-based sector to a more diversified one. This will involve creating innovative new products, in turn generating new opportunities to take those products to a global market. Each step in this process adds value and generates economic opportunities for British Columbians.

The forest sector must better reflect local and Indigenous values, complement and encourage higher-value products, and creates jobs in local communities.



The Need for Fibre



TENURE IS THE MECHANISM by which companies gain access to Crown land with the intended goal being access to fibre (timber).

Ensuring clear, predictable access to fibre is key to maintaining investor confidence. Competitively priced fibre is the starting point in a supply chain leading to manufacturing, which can include traditional wood products like dimensional lumber and paper, as well as value-added products like mass timber, remanufactured goods and innovative bioeconomy products. By working with Indigenous peoples to ensure our forest sector incorporates

their interests as rights holders, we also encourage investment by reducing uncertainty for the industry.

There is a pressing need to change the way we manage tenure. Of about 57.4 million hectares of forested land in B.C., half is either protected – meaning it cannot be harvested – or restrictions are in place limiting harvest for numerous reasons. Other forests are uneconomical to manage, due to factors like geography and distance from the nearest mills. Only 36% of B.C.'s forests currently are considered both legal and economical to harvest. Almost all the available forests are already under tenure, which limits government's ability to attract new entrants into the industry.

Our mid- and long-term timber supply is declining due to several factors. The Interior's mid-term timber supply has been severely impacted by the [mountain pine beetle](#) infestation (1999-2015), as well as large wildfires in 2017 and 2018, which together burned approximately 7% of the provincial timber inventory.

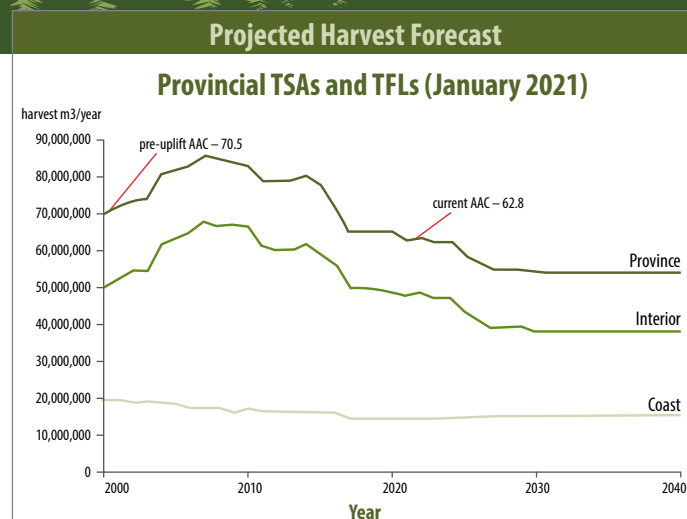


The Allowable Annual Cut (AAC) for Timber Supply Areas and Tree Farm Licensees was once as high as 85 million cubic meters (m³) per year at the height of the pine beetle salvage in 2007 but has since declined to 63 million m³ per year. It is anticipated to further decline to 56 million m³ by 2026.

On the coast, timber supply has changed to reflect important environmental priorities.

Non-timber forest values, such as protecting wildlife habitat and managing community watersheds, collaborative land use planning establishing protected areas, and ecosystem-based management in places like the Great Bear Rainforest, have all allowed B.C. to have an active forest sector while managing for biodiversity in a decentralized and distributed fashion across British Columbia.

We are committed to act on the 14 recommendations of A New Future for Old Forests: A Strategic Review of How British Columbia Manages for Old Forests Within its Ancient Ecosystems in collaboration with Indigenous leaders, labour, industry, and



environmental groups. A renewed old-growth strategy will balance the need to support and protect workers with the need for additional deferrals of old-growth to protect species at risk, key species habitat and enhancing biodiversity. B.C.'s fibre supply will likely see more reductions as a result.

British Columbians deserve a forest sector founded on today's values, where reconciliation is long lasting and meaningful, where communities can see and experience a stronger link between how their local forests are managed, and where manufacturers can better access fibre for their value-added facilities.



Reconciliation

OUR GOVERNMENT was elected with a clear mandate to make Indigenous reconciliation a priority. The 2019 *Declaration on the Rights of Indigenous People Act* (Declaration Act) created a path forward that respects the human rights of Indigenous peoples while introducing better transparency and predictability in the work we do together.

The purpose of the Declaration Act is to provide a process, over time, to work with Indigenous peoples to implement the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration). The intentions reflected here represent steps to ensure Indigenous peoples are meaningful partners in B.C.'s forest sector. This is not the end of the work. It is a step forward. We have much more to do in the years to come.

As the province works government-to-government with Indigenous governing bodies, interest in forest tenure and fibre is frequently expressed. Indigenous peoples want to play a greater role in the forest sector and in forest management. The province's ability to support this through existing legislation and policy tools is limited. Enabling the opportunity for shared decision-making agreements to be negotiated and implemented, government-to-government, will be part of this work.



Guiding Principles

WE WILL FULFILL OUR VISION for the future of the forest sector and our forests based on three principles we have heard repeatedly from partners, stakeholders and communities. We will also fulfill our commitment to collaborate and cooperate with Indigenous peoples by:

- 1. INCREASING FOREST SECTOR PARTICIPATION**
- 2. ENHANCING STEWARDSHIP AND SUSTAINABILITY**
- 3. STRENGTHENING THE SOCIAL CONTRACT**



1. INCREASING FOREST SECTOR PARTICIPATION

We often hear that access to fibre on public land (via tenure) is a critical component to a successful business. Although some businesses operate successfully without forest tenure, purchasing fibre as they require it, we have heard more organizations want an opportunity to manage forest tenure. However, due to existing tenure commitments, and limited flexibility in the existing forest tenure framework, there is not much flexibility or room for new entrants in the forest sector.

Many Indigenous communities have sought greater access to forest tenure in their traditional territories to create economic opportunities for their communities. They also want a greater say over forest activities occurring in their region, and those with forest tenure are managing complex social concerns from their community. Modernizing forest management will create opportunities for partnerships with Indigenous peoples, as well as providing predictability across the sector.

One of our goals is to increase and diversify forest sector participation, to be accomplished over the next several years, to include:

- ***BC Timber Sales (BCTS) provincial allocation:*** BCTS will continue to ensure competitive market-based pricing for forest tenures. We will further strengthen the AAC assigned to BCTS. We will also look for additional opportunity to strengthen value-added forest manufacturing through their Category 2 registrant program.
- ***Indigenous Nations participation:*** Through government-to-government discussions that consider the inherent rights, range of interests and values expressed by Indigenous peoples, our goal is to increase the amount of replaceable forest tenure held by Indigenous peoples to 20% from the current level of approximately 10%. We are also mindful of separate efforts occurring within the formal treaty process, and through business partnerships and sales of tenure between Indigenous Nations and forest companies.
- ***Increased community participation:*** As rural communities strive to define their economic future, the province will review tenure options to communities with a clear plan to manage local forests for forestry, keeping the fibre moving for manufacturing and keeping jobs within communities.

Guiding Principles

This is a multi-year vision and will not be accomplished overnight. It will be implemented over years, allowing for adjustments in the business cycle. In the end, tenure holders will gain increased clarity and predictability on future tenure decisions.

POLICY INTENTIONS:

➤ **Creating future tenure opportunities:**

Enhance the legal mechanisms to allow tenure to be redistributed for harvesting purposes, encouraging diversification in the forest sector. Reasons to redistribute tenure, connected to our goals, include:

- » As a component of an Indigenous Nation treaty or negotiated agreement;
- » Maintaining B.C.'s strong market-pricing system, through the BC Timber Sales program; and
- » As part of a community's vision for economic resilience and local employment.

➤ **Providing clarity on compensation:**

Establish a clear framework laying out where and under what circumstances compensation for lost harvesting rights will apply. Changes will be designed around the nature of the tenure agreement between government and the licensee to provide for a systematic and equitable approach in compensation calculations.

➤ **Creating flexibility when forest licences**

need to be reduced: The province employs a Chief Forester, who sets the sustainable harvest rate, the Annual Allowable Cut (AAC). In some situations, such as when the timber supply is decreasing, the Chief Forester will determine the AAC needs to be reduced to maintain a sustainable harvest rate. This means that the harvest volume allocated through licences in the area must be reduced to maintain a sustainable harvest rate. Current policy uses a proportionate reduction method where all tenure holders (excepting very small ones) experience a similar percentage decrease to their licence. However, this method does not allow for government to consider a number of important elements in our changing environment, such as the unique pressures faced by small operators, or Indigenous or other local community interests. Given this, we plan to introduce a more flexible approach.

➤ **Revising tenure disposition considerations:**

Build on the success of 2019's Bill 22 in addressing tenure concentration and public-interest considerations when a tenure transfer or change of control occurs. This could include a review of impacts of the transfer or change of control to the local economy, including the proposed changes to the regional wood manufacturing sector if a mill is indefinitely curtailed resulting from the proposed transaction, and the interests of local Indigenous peoples.

Guiding Principles



❶ **Enhancing revenue oversight for log exports:**

When logs are exported off provincial lands, a fee-in-lieu of manufacturing domestically is charged. To better ensure the province receives these fees, we plan to add the ability to audit and assess fee-in-lieu of manufacture payments, like our ability to audit and assess stumpage payments.

❷ **Evolving BC Timber Sales (BCTS) policy for maximum sales restrictions:**

BCTS sells about 10-12 million m³ of Crown timber annually through competitive auction. This timber is available to businesses registered in the program. Current limitations to participating businesses limit any entity to holding no more than three timber sale licence (regardless of size) at any time. The system functions well with respect to its primary purpose (setting and

establishing a competitive and market-based price for timber), but license holders are not all the same. (For example, an entity holding three timber sale licence of 5,000 m³ is treated the same as one holding three of 50,000 m³). The province will consider an alternate approach to allow for more sale opportunities at smaller volumes to smaller or value-added manufacturers.

These steps, taken over several years, will increase the tenure opportunities for Indigenous peoples and improve fibre access on the open market. The focus will be on supporting value-added manufacturers, including those producing remanufactured and engineered wood products, as well as emerging businesses using wood fibre in new, innovative products.

Guiding Principles



2. ENHANCING STEWARDSHIP AND SUSTAINABILITY

Over a dozen forms of tenure have been developed over the years to allow access to timber. This diversity in tenures also reflects the needs and interests of tenure holders, whether they are large or small operators, Indigenous peoples, communities, or individuals. Many of the large forest tenures are replaceable (meaning they can be renewed), providing forest companies with a long-term supply of timber.

Regardless of the form of tenure, there is an expectation Crown land be managed sustainably. Many of the instruments that exist for forest managers were not envisioned at a time of declining timber supply and these need improvements to maximize the ability of the province to ensure harvest levels are sustainable on the ground.

It is not enough to rebalance tenure opportunities. We need to find ways to improve the use of fibre in the most sustainable, responsible, and transparent way possible. One way to do this is to fine tune existing tools that help direct harvest more evenly on the landscape.

When the Chief Forester determines an AAC, it is based on the harvest of a forest profile (taking into account, for example, species, minimum volume, distance from mill, slope) and if not harvested to the intent of that profile, can make the AAC unsustainable over time. When a tenure is issued, the public has a reasonable expectation that it will be harvested. In some cases, licensees do not use the full AAC of their tenure. When this happens, it results in reduced economic activity and missed opportunities to benefit from the forest sector.

Tenure holders also need to demonstrate that the profiles expressed in the AAC are reflected in their harvest choices. Sound forest management provides the public confidence that the resource is being harvested and managed responsibly. Having the tools to take firm, decisive action when that social contract is broken is critical to moving industry toward a more sustainable future.



Guiding Principles

POLICY INTENTIONS:

➤ **Committing to implementing further deferrals of old growth forests:**

Government's vision to modernize forest policy complements the ongoing work implementing recommendations out of the strategic review *A New Future for Old Forests*. As a first step, in September 2020, we announced the harvesting deferral of 196,000 hectares of old growth in nine separate areas. To give context, this is equivalent to an area of approximately 480 Stanley Parks. In addition, government also enacted the Special Tree Protection Regulation, protecting up to 1,500 exceptionally large, individual trees. This important work will continue, and we are committed to engaging with Indigenous leaders, industry, labour, environmental groups and communities to further identify potential additional deferral areas. *Appendix A provides more information on this important work.*

- **Continuing to improve the Forest and Range Practices Act:** Our government initiated a multi-phased improvement initiative with the Forest and Range Practices Act in 2018. We engaged with interested Indigenous peoples to understand where they sought improvements and have been working on changes to our legislative framework since. The Forest and Range Practices Act ensures forest values are considered, managed and conserved; we have heard this is important to British Columbians and we intend to move forward with changes like the proposed tactical planning approach of 'Forest Landscape Plans' to better incorporate those values and ensure Indigenous peoples can be involved at the start of the forest planning process. We also plan to better link forest management with fire management through this work.

- **Re-integrating prescribed and cultural fire into forest management:** Forests are a conservation resource and an economic resource, as well as a source of wildfire fuel. Climate change creates the conditions for more frequent and intense wildfires, including mega-wildfires like those triggering widespread evacuations. Wildfires have disrupted local economies and led to an unplanned loss of habitat, including old-growth forests. Fire is a natural process and important for ecosystem health and habitat value. The ministry will work in cooperation, coordination and collaboration with Indigenous partners and stakeholders to re-integrate prescribed and cultural fire as a core part of our forest management toolkit.
- **Advancing apportionment:** Apportionment is a discretionary decision on how the minister would like to divide the AAC in a Timber Supply Area (TSA) among the various tenure types. As government proceeds with rebalancing tenure opportunities, we will be looking to improve the apportionment process so that decisions can be made in a timely way which considers harvest sustainability, the interests of local Indigenous peoples and other stakeholders.
- **Reviewing the cut control process:** Current cut control requirements do not require a tenure holder to:
- » use all of their AAC;
 - » access timber consistent with the intentions of the Chief Forester (including profile instructions for the types of timber harvested or partitions made to determine where harvest occurs); or
 - » fulfill a licence's management plan.

Guiding Principles

As a result, the intention of sustainable harvest within the AAC may not be realised as less-desirable parts of the AAC can be under-utilized in favour of higher value timber. Specifically, in B.C.'s interior, cut control "crediting" has been used for years to encourage the salvage of lower-quality fibre by not attributing for that harvesting to a tenure holder's AAC. This approach was helpful when salvaging timber damaged by the mountain pine beetle but does not address new challenges such as a declining mid-term timber supply. We plan to review how cut control is designed and implemented, so as to make improvements, such as encouraging tenure holders to utilize their AAC in a way that honours the intended harvest profile.

➤ **Improving accountability in tenure management:** Holding a tenure on Crown land puts the holder in a position of public trust. We see an opportunity to strengthen that accountability. Tenure holders employ various tenure management strategies to support their operations at both a cutting authorization level and tenure management level. Examples include licence subdivisions and consolidations, cut control attributions, licence extensions or cut block splitting at a permit level. Although these strategies are often used for legitimate forest management reasons, at times they may not be in the public interest. Our government intends to consider the tools available to decision makers in both monitoring and reporting on tenure agreements to ensure these strategies are employed in the public interest.

➤ **Increasing discretion in authorizing activities:** Currently, when statutory decision makers issue cutting permits or road permits (authorizations to harvest timber or build roads), they have minimal discretion to refuse a permit.

There are instances when a permit request submitted is in stark contrast to the public or Indigenous interests, but these decision makers have limited ability to do anything about it. We will explore options to provide discretion in authorization decisions based on important forest values, such as water, wildlife and Indigenous heritage. Decision makers need to be able to reject authorizations, or to approve an authorization with conditions, if there are concerns the permit could irreparably impair other forest values.

➤ **Supporting silviculture management and innovative investments:** One way to maximize limited timber supply is to increase silviculture investments, helping stands grow back faster and healthier. Licensees are required to replant within a few years of harvest and steward these young trees until they reach a state of "free growing." The Province spends over \$20 million annually on additional silviculture enhancements beyond the "free growing" obligations of the tenure holders. However, investments are not monitored to ensure the resulting trees are harvested at an optimum time to take advantage of the investment. We will consider limits on timber harvest until provincial silviculture investments have optimized harvest opportunity in consideration of risk and other values. This can include activities like commercial thinning, or any innovative forest practices that may be advanced pursuant to recommendation 12 within the Old Growth Strategic Review report.

Together, these measures will lead to more sustainable harvest practices by establishing clear expectations for licensees, and better alignment with environmental and Indigenous stewardship values.

Guiding Principles



3. STRENGTHENING THE SOCIAL CONTRACT

Ensuring a vibrant forest sector is not simply a matter of good processes around distribution and extraction. Supporting local communities by ensuring the growth of good jobs and long-term economic opportunities remains a key priority. It will make B.C. stronger in the years to come.

Forest products are a global commodity, though we must not focus solely on those dynamics while ignoring the economics of local communities. B.C.'s forest sector will continue to export billions

of dollars of forest products into the global market; our government is committed to doing much more than that.

We need to transition from a high-volume structure to one of high value. This does not mean abandoning our world-class lumber and pulp industry. It means supporting local manufacturing and taking steps to capture value at every step in the production chain. The goal is to ensure local communities, including Indigenous communities, have opportunities to benefit from the resources coming from their own backyards. B.C. will promote greater use of our wood products and encourage diversification in the industry. To do this, we need to maximize B.C.'s benefit in terms of jobs and value from our resources.

The value-added sector has enormous potential, and already has a firm foundation on which to build. Specialty wood products range from custom lumber and millwork, to finishing and siding, to cabinets and furniture, as well as musical instruments, mass timber in building construction, and new emerging bioproducts such as biomaterials, biochemicals, and bioplastics.



Guiding Principles

Despite these opportunities, B.C. is not realizing the full value and potential for jobs from its forest resources, in part because the existing value-added sector in British Columbia cannot get access to the fibre supply it needs. In other words, innovative, B.C.-based firms cannot get access to all the timber they could use to produce value-added goods.

Strengthening the social contract includes laying the foundations for good-paying jobs in B.C. that meet the needs of working families, while ensuring policy reform supports and protects those jobs through time. Many rural communities have experienced significant social and economic change in recent years. They still want to realize the economic benefit generated by forestry, in ways that recognize the values of local citizens.

POLICY INTENTIONS:

➤ **Modernizing tenure replaceability**

conditions: While licensees require certainty to make business decisions, we intend to ensure replaceable tenures demonstrate a clear commitment to sustainability and sound management. So-called evergreen tenures, which must by law be renewed, date back to the 1960s, when considerations around Indigenous partnerships, forest sustainability and climate change were very different. We will revisit the criteria and expectations for tenure replacement, which we expect to include licence performance on a range of public interest considerations as part of the replacement process. In essence, we are looking for holders of replaceable tenures to find creative ways to partner and grow the industry, inclusive of Indigenous interests, while maintaining the long-term stability industry needs to thrive.

➤ **Increasing fibre access for value-added domestic manufacturers:**

In support of our vision to diversify manufacturing and increase value, we intend to:

- » Work with value-added sector representatives for traditional remanufacturing products, mass timber, and with new entrants on innovative (including bioeconomy) products to understand what and where the province can act to support competitive value-added businesses.
- » Advance a process to minimize the burning of slash piles created after timber harvesting, so this fibre is available for manufacturing, and that reduced emissions benefit our climate as part of CleanBC.
- » Develop a program for timber sales with a focus on the value-added sector.

➤ **Promoting the use of wood and mass timber:**

The Wood First Act requires wood to be used as a primary building material in public sector buildings (with limited exemptions). Having a good sense of what “primary” means in practice has not yet occurred. We will be improving our legislative framework to ensure wood, mass timber and emerging biomass-based materials, such as biomaterials, are more clearly a priority in public buildings. This work will be promoted as part of B.C.’s mass timber action plan and CleanBC.

➤ **Revising area-based tenure-specific pricing policy:**

Currently there is a disparity between stumpage rates applied to Woodlot Licences, Community Forest Agreements, and First Nation Woodland Licences issued to Indigenous communities. We will harmonize the rate structures, consistent with our market-based pricing system, while being mindful that smaller tenure ownership is impacted by economies of scale.

Guiding Principles

➤ **Strengthening compliance and enforcement:**

The public has a right to know which licensees are fulfilling the public's trust, and which are not. When there are violations, penalties need to be sufficient that they act as a deterrent and not merely treated as the "price of doing business." We intend to reinforce our ability to address issues around poor practices and behaviour. This includes public reporting of infractions and reviewing existing fine and penalty amounts to ensure effective enforcement commensurate to the nature of the violation.

➤ **Protecting good jobs:**

Forestry is not just about high-level, abstract concepts like tenure and timber harvesting rights. It is fundamentally about the workers and communities the sector supports. Due to the nature of the forest industry, tenure conditions can span many decades, but many of the people they employ are smaller contractors, truckers, and logging companies. Our government intends to complete the Contractor Sustainability Review with amendments to the Timber Harvesting Contract and Subcontract Regulation. These amendments will conclude the work done in collaboration with representatives of the forest contracting and large tenure-holder communities. It is important that hard-fought rights to wages and working conditions endure through time. We will also support the Ministry of Labour in advancing their Industrial Inquiry Commission as previously announced to review contract retendering in the forest sector, within the context of Indigenous interests reflected in this paper.

When combined, these measures will ensure that long range planning supports the aspirations of forest companies, workers, and communities.



Conclusion



WE RECOGNIZE that, taken together, these intentions represent significant change that is appropriate and necessary. While we expect to see immediate tangible improvements quickly, the full vision will not be realized overnight. By their nature, forests are a slow-growing, renewable resource. Forest management likewise takes place over multiple years, reflecting the nature of the resource it is designed to govern. However, just as having the right combination of soil nutrients, precipitation and sun ensures a healthy forest, so too will having the right management tools and vision ensure a diverse, sustainable forest sector for today and for generations to come.



Appendix A – Actions to address old growth recommendations

GOVERNMENT'S VISION to modernize forest policy complements its ongoing work to implement the independent panel's recommendations on old growth forests.

On Sept. 20, 2020, the Province announced it was taking a new, holistic approach to managing old growth, informed by the independent panel report, *A New Future for Old Forests*.

As a first step, B.C., in collaboration with Indigenous Nations, immediately deferred the harvesting of 196,000 hectares of old growth in nine areas. This is equivalent to roughly 480 Stanley Parks. Government also enacted the *Special Tree Protection Regulation* to protect up to 1,500 exceptionally large, individual trees and one hectare surrounding each tree.

The Province also committed to engaging with Indigenous leaders, environmental groups, labour, industry and communities to build a plan to protect B.C.'s ancient forests for future generations and this work is underway. Since Sept. 2020, government has taken the following actions:

- As a first step government engaged with the First Nations Leadership Council to discuss the report and begin work on the approach for recommendation number one "engaging the full involvement of Indigenous Leaders and organizations to review the report and work with the Province on any subsequent policy or strategy development and implementation." Since the report's release, government has met with several Indigenous Nations and organizations to work together on recommendations and we will continue to reach out to more Nations.

- Building on the government's announcement in 2020 to defer 196,000 hectares of old-growth forests from harvesting, work is underway with Indigenous leaders and in consultation with stakeholders to identify potential additional deferral areas, to discuss land stewardship of these forests, and assess the potential economic impacts.
- More detailed information on the status of old growth conditions and trends and compliance with existing targets (recommendations five and seven) are in development through the *Forest and Range Evaluation Program*. More information will be released in the summer and autumn months of 2021. Regular updates and all available old growth information are online at: www.gov.bc.ca/oldgrowth
- Given the breadth and scope of the report, the province is recommending a phased approach to addressing the recommendations over the next two years. The diagram below illustrates recommendations numbered 1, 5, 6, and 7 under the heading "Immediate Measures". The center column titled "Elements Required for Change" outlines recommendations numbered 2, 4, 9, 13, 14 which set up a framework of key changes and policy shifts that support change. The third column titled "The New Old Growth Strategy" are recommendations numbered 3, 8, 10, 11, and 12 which are critical to implementing change.

Old Growth Strategic Review – The Path Forward

MAY 2020 - ONGOING

IMMEDIATE MEASURES

- » Commitment to partnership with Indigenous Nations
- » Deferral of old growth at risk of irreversible loss
- » Better public data
- » Compliance with current standards

2021 – ONGOING

ELEMENTS REQUIRED TO SUPPORT CHANGE

- » Prioritize ecosystem health
- » More inclusive governance
- » Framework for setting and managing targets
- » Transition plans: local and provincial
- » Transition support for communities

2023 – ONGOING

THE NEW OLD GROWTH STRATEGY

- » Three zone management
- » Funds for monitoring and evaluation
- » Updated biodiversity targets and guidance
- » Better inventory and classification
- » More innovative practices

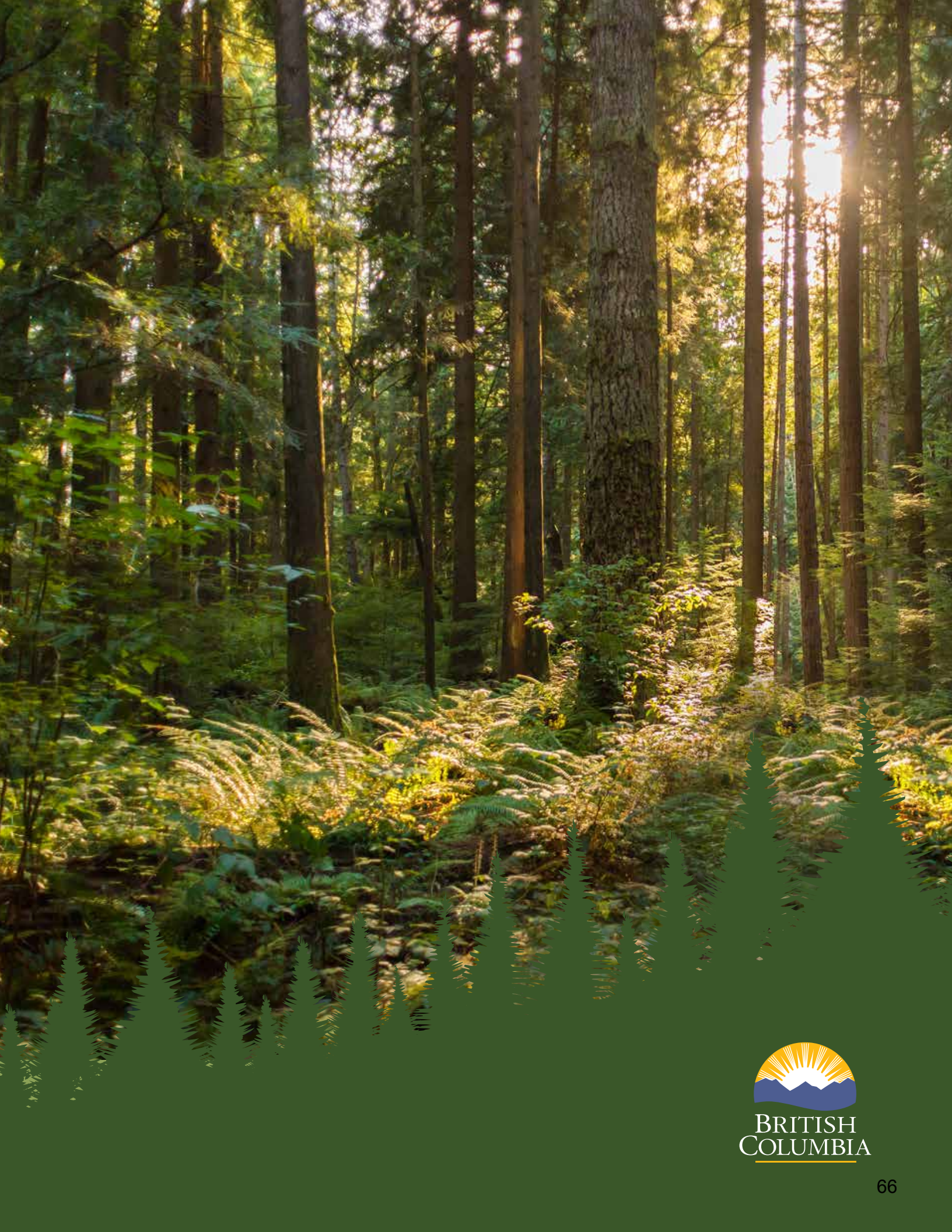
Government's timeline and path to implementing all 14 recommendations in collaboration with Indigenous Nations, communities, and stakeholders (as seen above) can be found at: https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/forestry/stewardship/old-growth-forests/old_growth_path_forward.pdf



FACTS ABOUT OLD GROWTH IN B.C.:

- While the vast majority of old growth in B.C. – 10 million hectares – is protected or not economical to harvest, government is taking action to change current forest management practices in response to the Old Growth Strategic Review. These changes will better support the effective implementation or achievement of the stated and legislated public objectives for old forests.
 - There are 13.7 million hectares of old growth in the province. This is equivalent to an area more than four times the size of Vancouver Island.
 - Old growth makes up about 23% of B.C.'s forests
 - Currently, only 27% of the old growth in BC is legal and economical to harvest.
 - Characteristics of old growth can include tree species, tree age, tree size, surrounding forest structure, ecological function, and historical disturbance. While characteristics vary, old-growth forests tend to have more diverse plant and animal life than younger forests.
 - Old-growth ecosystems support a wide range of plants and animals, from mosses and liverworts to large mammals and some species at risk. These forests also provide habitat for many birds, mammals, and amphibians.
- Many species at risk are found within old growth stands and much of this is already protected including:
 - » Over 1 million hectares of old growth protected to support Northern Goshawk recovery
 - » Over 400,000 hectares of old growth protected to support Marbled Murrelet recovery
 - » Over 450,000 hectares of protected Spotted Owl habitat which includes over 147,000 hectares of old growth
 - » Over 1 million hectares protected to support Fisher recovery
 - » And over 6.5 million hectares of caribou habitat protected which includes 1.5 million hectares of old growth.





- Skip to main content
- Skip to footer

British Columbia News

Old growth harvesting deferred in Fairy Creek, Walbran areas

<https://news.gov.bc.ca/24654>

Wednesday, June 9, 2021 2:40 PM

Victoria - The Province is honouring the request of the Pacheedaht, Ditidaht and Huu-ay-aht First Nations and deferring old-growth harvesting in the Fairy Creek watershed and central Walbran areas in their territories.

This action is consistent with government's commitments to reconciliation and to protecting old-growth forests.

"Reconciliation with Indigenous peoples and protecting the environment are top priorities for our government. We believe they must go hand in hand," said Premier John Horgan. "That's why we're pleased to approve the request from three First Nations to defer old-growth logging on their territory — including in the Fairy Creek watershed. The first step in protecting old growth must be respecting Indigenous peoples' land-management rights in their territories."

The deferrals follow a request made by the Pacheedaht, Ditidaht and Huu-ay-aht First Nations, who issued the Hišuk ma čawak Declaration on June 7, 2021. The deferrals protect all old growth in the Fairy Creek watershed and the central Walbran area – spanning over 2,000 hectares – for two years while the First Nations title holders build resource-stewardship plans for their lands.

"True reconciliation means meaningful partnerships, listening to Indigenous peoples and trusting their stewardship of their territories," said Katrine Conroy, Minister of Forests, Lands, Natural Resource Operations and Rural Development. "This is a step in the right direction, but we know there is more work to do. Our government is doing the hard, but necessary, work to build a plan that protects B.C.'s old growth forests for future generations."

In 2019, government committed to aligning its policies, legislation and actions with the United Nations Declaration on the Rights of Indigenous Peoples through the Declaration on the Rights of Indigenous Peoples Act.

In 2020, government committed to adopting all 14 recommendations of the independent panel on old growth, beginning with the immediate deferral of nearly 200,000 hectares of old-growth forests. Government has committed to continued consultations with Indigenous peoples on further deferrals of old-growth forests.

Learn More:

Old-growth forests and B.C.'s new approach to managing them: www.gov.bc.ca/oldgrowth
(<http://www.gov.bc.ca/oldgrowth>)

B.C. Declaration Act: <https://www2.gov.bc.ca/gov/content/governments/indigenous-people/new-relationship/united-nations-declaration-on-the-rights-of-indigenous-peoples>
(<https://www2.gov.bc.ca/gov/content/governments/indigenous-people/new-relationship/united-nations-declaration-on-the-rights-of-indigenous-peoples>)

B.C.'s new vision for forest policy: www.gov.bc.ca/modernforestpolicy (<http://www.gov.bc.ca/modernforestpolicy>)

A backgrounder follows.
Lindsay Byers

Press Secretary
Deputy Communications Director
Office of the Premier
Lindsay.Byers@gov.bc.ca
778 678-5539

Ministry of Forests, Lands,

Natural Resource Operations
and Rural Development
Media Relations
250 213-8172

Backgrounders

Government honours First Nations request for deferrals

In response to the Hišuk ma c'awak Declaration and deferral request issued June 7, 2021, by the Chiefs of the Pacheedaht, Ditidaht and Huu-ay-aht First Nations, the Government of British Columbia has deferred old-growth logging for two years in the Fairy Creek and central Walbran areas while the Nations prepare their resource-stewardship plans for these areas.

Under these deferrals, all old growth – approximately 2,034 hectares – in the Fairy Creek watershed and central Walbran area will be protected.

- The Fairy Creek watershed is 1,199 hectares in size and includes approximately 884 hectares of old forest.
- The central Walbran area (west of Lake Cowichan) is 1,489 hectares, of which approximately 1,150 hectares is old forest.

Maps of the deferral areas in the Fairy Creek watershed and central Walbran area are available here:

https://news.gov.bc.ca/files/FairyCreek_Walbran_map.pdf

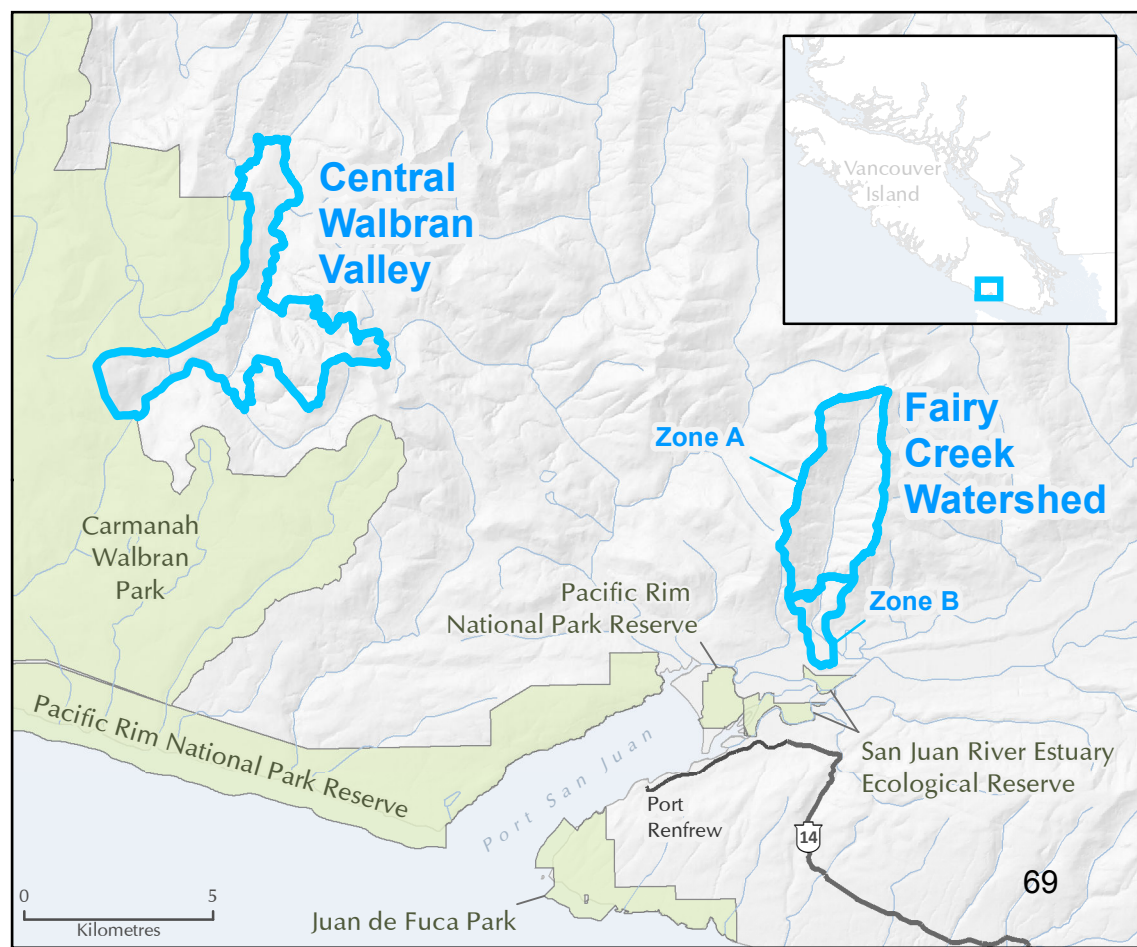
(https://news.gov.bc.ca/files/FairyCreek_Walbran_map.pdf)

The Fairy Creek deferral areas are identified as zone A and zone B. All harvesting in zone A is suspended, including all old-growth areas and an additional 145 hectares of second-growth forest, with two exceptions: removal of trees already on the ground and to harvest trees for Indigenous cultural purposes. In zone B, forestry activities are suspended in all identified old-growth stands, with limited exceptions for safety, environmental and personal uses (firewood).

These latest deferrals are in addition to the nearly 200,000 hectares of old growth – an area nearly double the size of Metro Vancouver – that government protected in September 2020.

In accordance with the request from the Huu-ay-aht, Ditidaht and Pacheedaht First Nations, tenure holders in the Fairy Creek watershed and the central Walbran area will be able to harvest timber in areas not identified as old growth.

New road construction activities will be suspended within identified old growth areas in the central Walbran and Fairy Creek watershed as part of the deferrals. For existing roads in these areas, government and the three Nations expect tenure holders to carry out necessary maintenance to make sure roads are safe and that there is an appropriate level of environmental protection.



COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD June 10, 2021

For the Council meeting of June 24, 2021, the Committee recommends the following:

E.1 425-475 Simcoe Street: Rezoning Application No. 00773 (James Bay)

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00773 for 425- 475 Simcoe Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

F.1 External Grant Review Committee - report on Strategic Plan Grant Applications Allocations

1. That Council

- a. Approve the External Grant Review Committee's recommendations for grant awards for the Strategic Plan Grant program.
- b. Adopt the External Grant Review Committee's recommendations regarding improvements to the Application Form as outlined in their report dated June 10, 2021.
- c. Direct staff to report back to Council before the November 2022 opening of applications, with an analysis of the 2019, 2020, and 2021 Strategic Plan grants under the objective 'Health, Wellbeing and a Welcoming City' with proposed sub-categories for Council's consideration.
- d. Direct staff to report back before the November 2022 opening of applications, with proposed metrics to evaluate the way in which programs support the City's equity goals.
- e. That Council direct staff to report back as part of the 2022 budget considerations on the implications and potential funding source for increasing the Strategic Plan grants.
- f. That Council direct staff to do an analysis of Strategic Plan grant submissions from 2019 through 2021 and recommend to Council a proposed grant cap for Council's consideration.
- g. That Council direct staff to report back on a funding mechanism for the Greater Victoria Cross Guards Association as part of the 2022 financial planning process and request that the Mayor write to the School Board chair asking for consideration of a co-funded program.

- h. Allocate one seat on the Committee to an Indigenous member and direct staff to report back to Council with recommendations for committee composition that reflect the City's equity values.
- i. That Council invite the Victoria Foundation to present its Unravelling report and principles for trust-based philanthropy for Council and staff's consideration for the Strategic Plan Grant process going forward.

H.1 Council Member Motion: Trutch Street

That Council:

1. Direct staff to report back at the next triennial update on implications of changing the name of Trutch Street to Truth Street, including a municipal grant and/or other assistance to offset administrative costs incurred by the approximately 60 households that would be impacted by this address change.
2. Invite comments from the City Family and the Songhees and Esquimalt Nations on this proposed change, to be considered at the next triennial update, and on any cultural or ceremonial work that would take place as part of the renaming process.
3. Invite comments on this proposed change, to be considered at the next triennial update, from current residents of Trutch Street and the Fairfield Gonzales Community Association.

H.2 Council Member Motion: Beacon Hill

That Council:

1. Direct staff to report back on options to improve access to facilities and amenities in Beacon Hill Park for those with mobility impairments while minimizing the impact of motor vehicle traffic on the public enjoyment of the Park.



Council Report

For the Meeting of June 24, 2021

To: Council **Date:** June 15, 2021
From: C. Kingsley, City Clerk
Subject: Land Use Procedures Bylaw

RECOMMENDATION

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

1. Land Use Procedures Bylaw, Amendment Bylaw (No. 13), No. 21-055

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 21-055.

The issue came before Council on February 18, 2021 where the following resolution was approved:

Pre-application Community Consultation During the COVID-19 Pandemic

That Council direct staff to bring forward amendments to the Land Use Procedures Bylaw to require applicants to post development application signs on site and to be available for a virtual community meeting where the Community Association Land Use Committee is able and desires to host a virtual meeting in conjunction with the pre-application community consultation process that is in place during the COVID-19 pandemic.

CARRIED UNANIMOUSLY

Respectfully submitted,

Curt Kingsley
City Clerk

Report accepted and recommended by the City Manager

List of Attachments:

- Bylaw No. 21-055

LAND USE PROCEDURES BYLAW, AMENDMENT BYLAW (NO. 13)

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the *Land Use Procedures Bylaw* to require applicants to post development application signs on the site to notify the public of input opportunities prior to the submission of a development application and to participate in a community meeting where the Community Association Land Use Committee elects to host a meeting by electronic participation in place of an in-person community meeting during the COVID-19 pandemic.

Contents

1. Title
2. Amendments
3. Effective Date

Under its statutory powers, including Part 14 of the *Local Government Act*, the Council of the Corporation of the City of Victoria in a public meeting assembled enacts the following provisions:

Title

1. This Bylaw may be cited as the “LAND USE PROCEDURES BYLAW, AMENDMENT BYLAW (NO. 13)”.

Amendments

2. The Land Use Procedures Bylaw No. 16-028, 2016 is amended:
 - (a) in section 6(b), by striking out “.” and replacing it with “; and”;
 - (b) by adding the following new subsection 6(c) immediately after subsection 6(b):

“(c) post signage in accordance with Schedule C-1 of this Bylaw.”
 - (c) by striking out section 8A(a) and replacing it with:

“(a) If a state of local or provincial emergency has been declared in the City and in-person participation in a Community Meeting is inconsistent with the declaration or impractical,

 - i. Council or the Director may require the applicant to submit plans for the proposed development to the City to post online for public comment to the applicable CALUC not less than 30 days and not more than six months in advance of the application submission date, and
 - ii. a CALUC may elect to host a Community Meeting by electronic participation and if it does so, the applicant or its authorized designate must participate in such Community Meeting not more than six months in advance of the application submission date and comply with sections 6(b) and (c).”

Appendix 1

Schedule C-1

PROCEDURES FOR SIGN POSTING – PRE-APPLICATION PUBLIC INPUT

1. The City shall determine the specifications, format, and content of the sign or signs, and provide the specifications to the applicant or the applicant's agent.
2. The applicant shall, at its sole expense:
 - (a) prepare the sign or signs in accordance with the specifications provided by the City;
 - (b) post the sign or signs on the subject property for 30 consecutive days and no longer than 35 days, with such period of time to be calculated starting from the same day the plans are posted online by the City for public input;
 - (c) post additional signs if required by the City;
 - (d) maintain the sign or signs on the subject property for the duration of the notice period under section 1.
3. The applicant shall post the sign or signs in a prominent location, clearly visible from the street, and on the site that is subject to the application. The City shall determine the required number and location of the sign or signs, taking into account the configuration of the site and visibility to the public.



Council Report

For the Meeting of June 24, 2021

To: Council
From: C. Kingsley, City Clerk
Subject: Parks Regulation Bylaw

Date: June 17, 2021

RECOMMENDATION

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

1. Parks Regulation Bylaw, Amendment Bylaw (No. 16) No. 21-068

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 21-068.

The issue came before Council on June 17, 2021 where the following resolution was approved:

Council Member Motion - Beacon Hill Park Sheltering

That Council direct staff to:

1. *Bring forward amendments to the Parks Regulation Bylaw to add Beacon Hill Park to the list of parks prohibited for overnight sheltering for a two year period from the date of bylaw adoption*
2. *Report back to Council with any additional considerations to those outlined in this report with respect to the condition of Beacon Hill Park and plans for remediation, and with any additional advice or recommendations staff have with respect to overnight sheltering in City parks.*
3. *Report back to Council in May 2023 with an update on the progress of park remediation so that Council can determine whether to extend the prohibition on sheltering in Beacon Hill Park beyond the initial two-year period.*

Respectfully submitted,

Curt Kingsley
City Clerk

Report accepted and recommended by the City Manager

List of Attachments:

- Bylaw No. 21-068

ADOPTED on the

day of

2021

CITY CLERK

MAYOR

NO. 21-043

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the C1-FH2 Zone, Fort Street Commercial Heritage 2 District, and to rezone land known as 1177-1185 Fort Street & 1043-1045 Linden Avenue from the R3-AM-2 Zone, Mid-Rise Multiple Dwelling District to the C1-FH2 Zone, Fort Street Commercial Heritage 2 District.

The Council of The Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT BYLAW
(NO. 1252)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of
Schedule “B” under the caption PART 4 – GENERAL COMMERCIAL ZONES by adding
the following words:
- “4.107 C1-FH2 Zone, Fort Street Commercial Heritage 2 District”
- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 4.106
the provisions contained in Schedule 1 of this Bylaw.
- 4 The lands known as 1177-1185 Fort Street & 1043-1045 Linden Avenue, legally described
as PID: 008-166-854, Lot 3, Fairfield Farm Estate, Victoria City, Plan 675, Except Part
Taken for Road Purposes as Shown on Said Plan and PID 008-166-897, The Westerly 1/2
of Lot 2, Fairfield Farm Estate, Victoria City, Plan 675, Except Part Taken for Road
Purposes as Shown on Said Plan, and shown hatched on the attached map, is removed
from the R3-AM-2 Zone, Mid-Rise Multiple Dwelling District, and placed in the C1-FH2
Zone, Fort Street Commercial Heritage 2 District.

READ A FIRST TIME the **27th** day of **May** 2021

READ A SECOND TIME the **27th** day of **May** 2021

Public hearing held on the **10th** day of **June** 2021

READ A THIRD TIME the **10th** day of **June** 2021

ADOPTED on the _____ day of _____ 2021

CITY CLERK

MAYOR

PART 4.107 – C1-FH2 ZONE, FORT STREET COMMERCIAL HERITAGE 2 DISTRICT

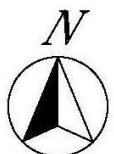
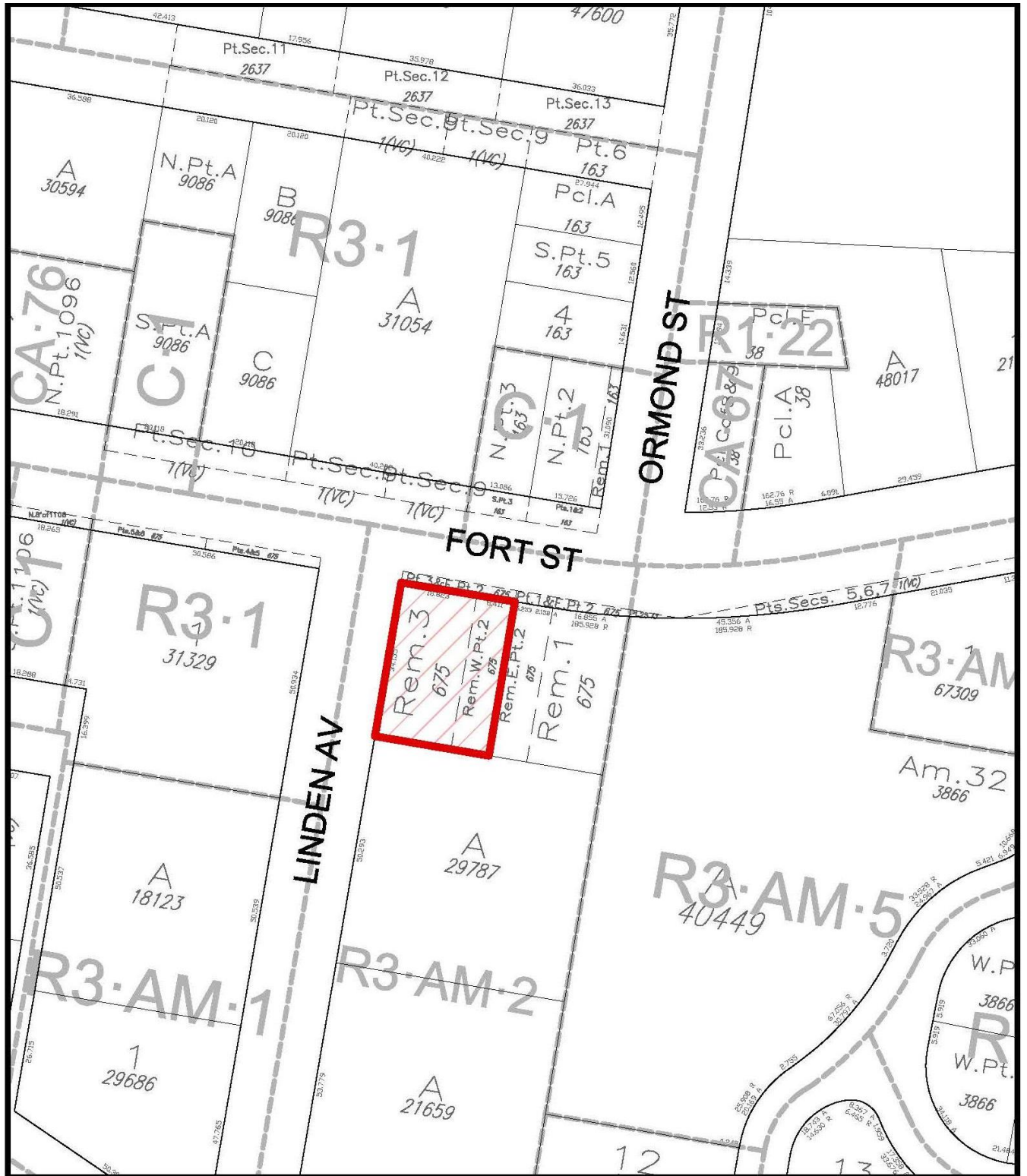
4.107.1 Permitted Uses in this Zone

The following uses are the only uses permitted in this Zone:

- a. Uses permitted in the R3-AM-2 Zone, Mid-Rise Multiple Dwelling District, subject to the regulations set out in Part 3.10 of the Zoning Regulation Bylaw
- b. The uses set out in paragraphs (c) to (p) are permitted in buildings constructed prior to January 1, 2020 and are subject to the regulations set out in Part 3.10 of the Zoning Regulation Bylaw
- c. bakeries used predominantly for the retail sale of bakery products sold from the premises
- d. business and professional offices
- e. financial institutions, including chartered banks, credit unions, trust, insurance and mortgage companies
- f. stores and shops for the sale of goods, wares, or merchandise
- g. restaurants and coffee shops
- h. personal services including barbering, hairdressing, tailoring, shoemaking and shoe repair, optical, watch and jewelry repair, and small animal services
- i. churches and places of worship
- j. cultural facilities including museums, galleries and exhibits
- k. gymnasias
- l. laundrettes and drycleaning establishments used or intended to be used for the purpose of dealing with the public served thereby
- m. a commercial-residential building, provided that the ground floor is not used for residential purposes
- n. studios
- o. high tech
- p. call centre

4.107.2 Vehicle and Bicycle Parking

- | | |
|--|--|
| a. Vehicle parking for all uses combined for <u>buildings</u> constructed prior to January 1, 2020 (minimum) | 4 spaces |
| b. Vehicle parking for all other <u>buildings</u> (minimum) | Subject to the regulations in Schedule "C" |



1177-1185 Fort Street & 1043/1045 Linden Avenue
Rezoning No.00731



June 9, 2021

Right Honourable Justin Trudeau
Office of the Prime Minister
80 Wellington Street
Ottawa, ON K1A 0A2

RE: Truth and Reconciliation Commission's Call to Action 75

Dear Prime Minister Trudeau,

In 2015, the Truth and Reconciliation Commission (TRC) published their final report, based on the oral testimony of Residential School Survivors and their families. The Report included 94 Calls to Action, the majority of which fall upon the Federal and Provincial Governments to implement. To date, only 10 of the 94 actions have been completed.

Last week, Tk'emlúps te Secwépemc First Nation announced the results of a survey at the former Indian Residential School in Kamloops, BC, which uncovered the remains of 215 Indigenous children. This discovery supports and confirms the stories and oral histories of many Residential School Survivors.

It is estimated that up to 6,000 children died in Residential Schools. However, as the discovery by Tk'emlúps te Secwépemc First Nation suggests, this number may be underestimated. In fact, many Residential School Survivors have indicated that the discovery in Kamloops will not be the last. It is therefore imperative that urgent action be taken to address Action 75 of the Commission's Calls to Action, as outlined below:

75. We call upon the federal government to work with provincial, territorial, and municipal governments, churches, Aboriginal communities, former residential school students, and current landowners to develop and implement strategies and procedures for the ongoing identification, documentation, maintenance, commemoration, and protection of residential school cemeteries or other sites at which residential school children were buried. This is to include the provision of appropriate memorial ceremonies and commemorative markers to honour the deceased children.

In order for reconciliation to take place, the truth must be recognized and acknowledged. Identifying, remembering and honouring the Indigenous children who were killed in Residential Schools is a crucial step in the healing of Indigenous communities.

Our community is situated on the unceded, traditional and ancestral territory of the *Skwxwú7mesh Úxwumixw*. We know that many of their members attended the Kamloops school while it was open. We took the opportunity in the past week to recommit to the work we have underway with regard to the Calls to Action and the implementation on the UN Declaration on the Rights of Indigenous People. We hope that your government will find ways to accelerate Action 75 in partnership with Aboriginal communities, provincial and local governments.

Yours sincerely,



Karen Elliott, Mayor
District of Squamish

cc: The Honourable Chrystia Freeland, P.C., M.P. Deputy Prime Minister and Minister of Finance;
The Honourable Carolyn Bennett, P.C., M.P. Minister of Crown-Indigenous Relations;
The Honourable John Horgan, Premier of British Columbia;
The Honourable Murray Rankin, M.L.A. Minister of Indigenous Relations and Reconciliation ADD
Patrick Weiler, MP, West Vancouver-Sunshine Coast-Sea to Sky
BC Municipalities



VIA EMAIL

June 16, 2021

Her Worship Lisa Helps
Mayor of the City of Victoria
1 Centennial Square
Victoria BC V8W 1P6
Email: mayorandcouncil@victoria.ca

Dear Mayor Helps and Council:

**Re: City of Victoria (the "City") Supportive Housing Projects – British Columbia
Housing Management Commission ("BC Housing") Statutory Exemption**

As the City is aware, BC Housing is actively engaged in planning for the use and development of the following four sites located in the City and owned by Provincial Rental Housing Corporation for supportive housing:

- **865 Catherine Street;**
- **959 and 953 Balmoral Road;**
- **1053 and 1075 Meares Street; and**
- **1176 Yates Street**

(together, the "**Supportive Housing Sites**")

Given the urgent need for supportive housing in the City, we confirm that the City and BC Housing are in agreement that BC Housing will not apply for rezoning, a development permit, or a building permit in connection with the use and development of the Supportive Housing Sites. BC Housing will apply for a demolition permit for 959 Balmoral Road to satisfy certain Provincial statutory requirements.

In order to proceed unilaterally in the use and development of the Supportive Housing Sites, we confirm that the City and BC Housing are in agreement that BC Housing will rely on the Statutory Immunity provided by Section 14(2) of the *Interpretation Act* which reads:

Government bound by enactments; exception

14 (1) Unless it specifically provides otherwise, an enactment is binding on the government.

.../2

14 (2) Despite subsection (1), an enactment that would bind or affect the government in the use or development of land, or in the planning, construction, alteration, servicing, maintenance or use of improvements, as defined in the Assessment Act, does not bind or affect the government [emphasis added].

We appreciate the ongoing support and cooperation that you and the City's council have provided as we work to address the urgent housing crisis in the City.

Yours truly,

A handwritten signature in black ink, appearing to be 'D. Eby', written in a cursive style.

David Eby, QC
Attorney General and
Minister Responsible for Housing