



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