



AGENDA - VICTORIA CITY COUNCIL

Thursday, September 2, 2021

COUNCIL CHAMBERS - 1 CENTENNIAL SQUARE, VICTORIA BC

To be held immediately following the Committee of the Whole Meeting

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

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

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Placeholder for time sensitive motions.

F. BYLAWS

F.1.	<u>Bylaw for Council Procedures Bylaw</u>	49
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Adoption of:

- Council Procedures Bylaw, Amendment Bylaw (2021) No. 21-074

The amend the Council Procedures Bylaw to enable current practices to continue after the expiry of Ministerial Order M192.

G. CORRESPONDENCE

G.1.	<u>Letter from the Attorney General and Minister Responsible for Housing</u>	53
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A letter from the Attorney General and Minister Responsible for Housing regarding the release of accused persons on bail.

G.2.	<u>Letter from the Mayor of the Resort Municipality of Whistler</u>	56
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A letter from the Mayor of the Resort Municipality of Whistler regarding the Help Cities Lead Campaign.

G.3. Letter from the President of the Union of BC Municipalities

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A letter from the President of the Union of BC Municipalities regarding the Canada Community-Building Fund/Gas Tax Fund.

H. CLOSED MEETING

MOTION TO CLOSE THE SEPTEMBER 2, 2021 COUNCIL MEETING TO THE PUBLIC

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

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

Section 90(1)(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;

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

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;

I. APPROVAL OF CLOSED AGENDA

J. READING OF CLOSED MINUTES

K. REPORTS OF COMMITTEE

K.1. Land - Community Charter Section 90(1)(i)

L. UNFINISHED BUSINESS

M. CORRESPONDENCE

M.1. Intergovernmental Relations - Community Charter Section 90(2)(b)

N. NEW BUSINESS

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

O. CONSIDERATION TO RISE & REPORT

P. ADJOURNMENT



MINUTES - VICTORIA CITY COUNCIL

June 17, 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 Isitt, Councillor Loveday, Councillor Thornton-Joe,
Councillor Young

PRESENT ELECTRONICALLY: Councillor Dubow, Councillor Potts

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager /
Director of Finance, P. Bruce - Fire Chief, T. Zworski - City
Solicitor, K. Hoese - Director of Sustainable Planning and
Community Development, T. Soulliere - Director of Parks,
Recreation & Facilities, N. Sidhu – Assistant Director of Parks,
Recreation & Facilities, J. Biem – Assistant City Solicitor, J. Jensen
- Head of Human Resources, A. Meyer - Assistant Director of
Development Services, 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, G. Milne – Head of Strategic Operations, M. Sandhu -
Head of Service Innovation & Improvement, M. Fedyczkowska -
Legislation & Policy Analyst, C. Kingsley - City Clerk, S. Stoltz -
Committee Secretary

A. **CONVENE COUNCIL MEETING**

B. **APPROVAL OF AGENDA**

Moved By Councillor Isitt
Seconded By Councillor Alto

That the agenda be approved.

CARRIED UNANIMOUSLY

D. **PROCLAMATIONS**

D.1 **"International Medical Cannabis Day" - June 11, 2021**

Moved By Councillor Isitt
Seconded By Councillor Loveday

That the following proclamation be endorsed: "International Medical Cannabis Day", June 11, 2021

CARRIED UNANIMOUSLY

E. UNFINISHED BUSINESS

E.1 Council Member Motion: Reconsideration of Public Hearing 1250 Dallas Road

Council received a Council Member Motion dated June 7, 2021 from Councillor Andrew regarding the proposed reconsideration of the Public Hearing for 1250 Dallas Road that was defeated by Council on May 27, 2021. The matter was first tabled before Council at the June 10, 2021 meeting and was postponed.

Moved By Councillor Andrew
Seconded By Councillor Alto

That Council reconsider its decision of the public hearing of 1250 Dallas Road and reschedule a new hearing.

FOR (7): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts
OPPOSED (2): Councillor Thornton-Joe, Councillor Young

CARRIED (7 to 2)

F. REPORTS OF COMMITTEE

F.1 Committee of the Whole

F.1.a Report from the June 3 COTW Meeting

F.1.a.a 931 McClure Street – Rezoning Application No. 00669 and Development Permit with Variances Application No. 00127 (Fairfield)

Moved By Mayor Helps
Seconded By Councillor Isitt

That the matter be referred back to staff to undertake a technical review and any other analysis on the revised plans to be submitted by the applicant and bring forward a report to Council on the application at the same time as bringing first and second reading of the bylaws for public hearing.

CARRIED UNANIMOUSLY

**F.1.a.b 610 - 624 Herald Street and 611 - 635 Chatham Street -
Development Permit with Variances Application No.
00156 (Downtown)**

Councillor Isitt recused himself from the meeting at 12:05 p.m. due to a non-pecuniary conflict of interest, as he is member on the board of a society that is an occupant of parcel close to this parcel.

Moved By Councillor Andrew
Seconded By Councillor Alto

That, subject to the preparation and execution of legal agreements to secure all residential units as rental, to the satisfaction of the Director of Planning and minor public realm plan corrections, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 00156 for 610 - 624 Herald Street and 611 - 635 Chatham Street, in accordance with:

1. Plans date stamped May 14, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - i. increase building height to 21.1m.
3. Registration of legal agreements on the property’s title to secure all residential units as rental for 60 years or the life of the building, to the satisfaction of City Staff.
4. A legal agreement to secure public realm improvements as indicated on Plans dated May 14, 2021.
5. Council authorizing the street-level projecting canopies over the City Right-of-Way on Herald, Chatham and Government Streets, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
6. Council authorizing anchor-pinning in the City right-of-way, with form and contents satisfactory to the City Solicitor and the Director of Engineering and Public Works.
7. That the mural be changed to reflect the Old Town and Chinatown neighborhood history and culture.
8. Further consideration of diversifying the brick colours in the project and make colours and design elements more consistent with those found in Chinatown
9. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY

Councillor Isitt returned to the meeting at 12:06 p.m.

F.1.a.c 701 Tye Road - Development Permit with Variances Application No. 00080 (Victoria West)

Moved By Councillor Andrew
Seconded By Councillor Thornton-Joe

That Council, subject to the execution of a Housing Agreement ensuring that no restrictions are placed on the rental of dwelling units within this building, to the satisfaction of the Director of Sustainable Planning and Community Development, and after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

“That Council authorize the issuance of Development Permit with Variances Application No. 00080 for 701 Tye Road, in accordance with:

1. Plans date stamped April 27, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce front (west) setback from 2m to nil for parking levels 1 and 2
 - ii. reduce side (south) setback from 3.5m to nil for parking levels 1 and 2.
3. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY

F.1.a.d 2020 Annual Report - Parks and Open Spaces Master Plan and Urban Forest Master Plan

Moved By Councillor Loveday
Seconded By Councillor Thornton-Joe

That Council receive this report for information.

CARRIED UNANIMOUSLY

F.1.a.e 2020 Annual Report - Community Centre Operations

Moved By Councillor Andrew
Seconded By Councillor Thornton-Joe

That Council receive this report on the operation of the community and seniors' centres for information.

CARRIED UNANIMOUSLY

F.1.a.f Council Member Motion - Release and Monitoring of Repeat Offenders living in Community while awaiting disposition of charges

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That Council request the Mayor to write to David Eby (Attorney General and Minister Responsible for Housing), Josie Osborne (Minister of Municipal Affairs), Mike Farnworth (Minister of Public Safety and Solicitor General) and Capital Region District Municipal Councils, to express the City of Victoria's concern that those charged with violent or serious offences are being released on a "promise to appear" or released from the court prematurely, and to further ask the provincial government to find ways to keep such individuals held in custody until charge disposition or until an informed determination of their potential risk to public safety can be made, and/or to provide sufficient funds for policing, for community safety and social support to assist with and support these individuals while they are living in community while awaiting disposition.

CARRIED UNANIMOUSLY

F.1.a.g Sheltering Update (Verbal)

Moved By Councillor Andrew
Seconded By Councillor Thornton-Joe

That Council receive this report for information.

CARRIED UNANIMOUSLY

F.1.a.h Council Member Motion - Beacon Hill Park Sheltering

Councillor Isitt recused himself at 12:10 p.m. due to a conflict of interest regarding his articling position with Together Against Poverty Society

Councillor Loveday recused himself at 12:10 p.m. due to a conflict of interest as his partner works for Together Against Poverty Society

Moved By Councillor Andrew
Seconded By Councillor Alto

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.

FOR: Mayor Helps, Councillor Alto, Councillor Andrew,
Councillor Thornton-Joe, Councillor Young
OPPOSED (2): Dubow & Potts
CARRIED (5 to 2)

Councillors Isitt and Loveday returned at 12:11 p.m.

F.1.b COTW Report from May 27 - 1419 Mallek item, with update report

Moved By Councillor Isitt
Seconded By Councillor Andrew

That Council approve a grant from the Victoria Housing Reserve Fund to the Kiwanis Village Society of Victoria in the amount of \$305,000 to assist in the construction of a four-storey 78-unit housing project at 1419 Mallek Crescent, subject to the following conditions:

1. The execution of a Housing Fund Grant Agreement acceptable to the Director of Sustainable Planning and Community Development and in the form satisfactory to the City Solicitor, outlining terms for the eligible use of the grant, reporting requirements, repayment, indemnification and construction insurance, and communication protocols.
2. The execution of a Housing Agreement, in the form satisfactory to the City Solicitor, to secure 78 new housing units as rentals for a period of 60 years for seniors (55+) with median income levels as follows:
 - a. 36 studio units;
 - b. 40 one-bedroom units;
 - c. 2 two-bedroom units.
3. The applicant fulfills the applicable requirements of the Victoria Housing Reserve Fund Guidelines; and

4. That the passage of this resolution creates no legal rights for the applicant or any other person, or obligation on the part of the City, until and unless all agreements are fully executed by the City.

CARRIED UNANIMOUSLY

F.1.c COTW report from June 17

F.1.c.a Council Member Motion: UBCM Resolution: Provincial Support for TRC, MMIWG2S and UNDRIP Recommendations

Moved By Councillor Dubow
Seconded By Councillor Isitt

That Council:

1. Endorse the following resolution and direct staff to forward copies to the Union of British Columbia Municipalities and member local governments, requesting favourable consideration:

Resolution: Provincial Support for Action and Implementation of Truth and Reconciliation Calls to Action, Missing and Murdered Indigenous Women, Girls and Two-Spirit People Calls for Justice, and the United Nations Declaration on the Rights of Indigenous Peoples

WHEREAS local governments in British Columbia are integral for the implementation of the Truth and Reconciliation Commission (TRC) of Canada Calls to Action, Murdered Indigenous Women, Girls and Two-Spirit People, (MMIWG2S) Calls for Justice, and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) but have the least resources to do the work meaningfully.

AND WHEREAS local governments are committed to advancing truth, justice, and reconciliation, and understanding that each Aboriginal community has different and diverse histories, making local context and consultation critical to meaningful action;

THEREFORE BE IT RESOLVED THAT UBCM call on the Province of British Columbia to provide support and equitable access to funding for trauma-informed, Indigenous-led education, training, and policy guidance for local governments and associated law enforcement and emergency services to implement municipal-

specific recommendations from the TRC, MMIWG2S, and UNDRIP.

CARRIED UNANIMOUSLY

F.1.c.b

Council Member Motion: UBCM Resolution: Inclusion of Allied Health Workers, including mental health counselling specialties, and physical/ occupational therapists to help communities combat the opioid crisis

Moved By Councillor Dubow

Seconded By Councillor Potts

That Council:

1. Endorse the following resolution and direct staff to forward copies to the Union of British Columbia Municipalities and member local governments, requesting favourable consideration:

Resolution: Inclusion of Allied Health Workers, including mental health counselling professionals
Inclusion of Allied Health Workers, including mental health counselling specialties, and physical/ occupational therapists to help communities combat the opioid crisis:

WHEREAS the opioid crisis and mental health challenges affect at least 1 in 5 BC residents and has been compounded by the COVID-19; at the same time, evidence shows that access to upstream services such as counselling related specialties and physical/ occupational therapy decreases opioid use and/or provides better health intervention outcomes, but these are not accessible to many residents as they are not covered and are much too expensive through fee for services;

WHEREAS communities are currently struggling to meet the needs of our residents, between funding of community programs and increased mental health calls for first responders, which already comprise between 20-30% of local government expenditures and are not often the most appropriate service to support people in crisis;

THEREFORE BE IT RESOLVED THAT UBCM request that the Province expand access to and funding for allied health professionals, particularly mental health counselling specialties, and physical/

occupational therapy related specialties, through expansion of team-based care through not-for-profit delivery including community health centres, available to all BC residents regardless of their immigration status and income, throughout the province.
AND that the Province of BC increased support and funding for Peer Navigators as part of the BC Mental Health and Addictions Strategy.

CARRIED UNANIMOUSLY

H. CORRESPONDENCE

H.1 Letter from the District of Squamish

Council received a letter dated June 4, 2021 from the District of Squamish regarding the BC Climate Action Revenue Incentive Program (CARIP).

Moved By Councillor Isitt
Seconded By Councillor Loveday

That this letter be received for information.

CARRIED UNANIMOUSLY

H.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.

Moved By Councillor Isitt
Seconded By Councillor Loveday

That the letter be referred to the June 24 daytime Council meeting.

CARRIED UNANIMOUSLY

I. CLOSED MEETING AT 12:21 P.M.

Moved By Councillor Andrew
Seconded By Councillor Loveday

MOTION TO CLOSE THE JUNE 17, 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

J. APPROVAL OF CLOSED AGENDA

Moved By Councillor Andrew

Seconded By Councillor Alto

That the closed agenda be approved.

CARRIED UNANIMOUSLY

K. NEW BUSINESS

K.1. Land - Section 90(1)(e) of the Community Charter

This item was withdrawn.

K.2. Legal Advice - Section 90(1)(i) of the Community Charter

Council discussed a legal matter.

The discussion and motion were recorded and kept confidential.

All staff except the City Manager, left the meeting at 12:26 p.m.

K.3. Employee Relations - Section 90(1)(c) of the Community Charter

Council discussed an employee relations matter with the City Manager.

The City Manager left the meeting for the following matter.

K.4. Employee Relations - Section 90(1)(c) of the Community Charter

Council discussed an employee relations matter.

L. ADJOURNMENT

Moved By Councillor Alto
Seconded By Councillor Andrew

As business had concluded, the Council meeting adjourned.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



MINUTES - VICTORIA CITY COUNCIL

July 15, 2021, 4:12 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 Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Director of Finance, C. Kingsley – City Clerk, 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, D. Atkinson – Deputy Fire Chief, A. Meyer - Assistant Director of Development Services, A. Hudson - Assistant Director of Community Planning, C. Havelka - Deputy City Clerk, L. Van Den Dolder - Assistant City Solicitor, C. Moffat – Assistant City Solicitor, K. Moore - Head of Business and Community Relations, C. Mycroft - Manager of Executive Operations, D. Newman – Assistant Director of Facilities and Construction Management, P. Rantucci – Head of Strategic Real Estate, G. Milne – Head of Strategic Operations, M. Sandhu - Head of Service Innovation & Improvement, M. Cittone - Senior Planner, M. Thomaidas – Planning Assistant, 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.

Amendment:

Moved By Councillor Alto
Seconded By Councillor Andrew

That all open Council items be moved to the July 15, 2021 evening Council meeting.

CARRIED UNANIMOUSLY

On the main motion as amended:

CARRIED UNANIMOUSLY

H. CLOSED MEETING

Moved By Councillor Andrew

Seconded By Councillor Loveday

MOTION TO CLOSE THE JULY 15, 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 Loveday

That the agenda be approved.

Amendment:

Moved by Councillor Andrew

Seconded by Councillor Loveday

That items M.2, M.3, and M.4 be moved to the July 22, 2021 Closed Council Meeting

CARRIED UNANIMOUSLY

On the main motion as amended:

CARRIED UNANIMOUSLY

M. NEW BUSINESS

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

Council discussed a legal matter.

The discussion and motion were recorded and kept confidential.

O. ADJOURNMENT

Moved by Councillor Andrew
Seconded by Councillor Dubow

That the meeting adjourn at 4:54 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



MINUTES - VICTORIA CITY COUNCIL

July 22, 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 Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young

PRESENT ELECTRONICALLY: Councillor Dubow

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

B. APPROVAL OF AGENDA

Moved By Councillor Andrew
Seconded By Councillor Potts

That the agenda be approved.

CARRIED UNANIMOUSLY

E. UNFINISHED BUSINESS

E.1 Report Back: Beacon Hill Park Vehicle Access

Council received a staff report in response to the Council Member Motion referred from the July 15, 2021 Council meeting regarding opening roads in Beacon Hill Park.

Moved By Councillor Isitt
Seconded By Councillor Young

That Council receive the report for information.

That Council direct staff:

1. As soon as possible to reopen the following roads in Beacon Hill Park that were closed due to Covid:
 - a. Bridge Way from Arbutus Way to Heywood Way;
2. To work with the disability community to appropriately provide equitable access to facilities and amenities in Beacon Hill Park while reducing the impacts of motor vehicle traffic on all park users including on people with disabilities.
3. To ensure any future closures adhere to British Columbia Human Rights Legislation.
4. Consider an allocation in the 2022 Financial Plan to contract external experts to support the city in providing accessibility for people with mobility impairments in Beacon Hill Park while reducing the impacts of motor vehicle traffic on park users.

Council discussed:

- *Width of Bridge Way*
- *Concerns regarding the impact of motor vehicles on park users*

Moved By Councillor Andrew
Seconded By Councillor Thornton-Joe

MOTION TO CLOSE THE JULY 22, 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)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

CARRIED UNANIMOUSLY

Council went into a closed meeting at 4:39 p.m.

Legal Advice - Section 90(1)(i) of the Community Charter

Council and staff discussed a legal matter. The discussion was recorded and kept confidential.

The open Council meeting reconvened at 4:56 p.m.

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That Councillor Andrew be allowed to speak a second time on the motion.

CARRIED UNANIMOUSLY

On the motion:

FOR (7): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Isitt,
Councillor Loveday, Councillor Potts, Councillor Young
OPPOSED (2): Councillor Andrew, Councillor Thornton-Joe

CARRIED (7 to 2)

F. REPORTS OF COMMITTEE

F.1 Committee of the Whole

F.1.a Report from the July 8 COTW Meeting

F.1.a.a Council Member Motion - Funding for the protection of the Kings Road Community Nature Green Space

Moved By Councillor Andrew
Seconded By Councillor Isitt

That the City provide a donation of \$250,000 to Saanich for the preservation of the King's Road Community Nature Sanctuary subject to:

1. The District of Oak Bay making a contribution of at least \$60,000.
2. Preservation of the entire 2.2 hectare parcel.
3. A plaque or other appropriate measure recognizing the City's contribution on behalf of its residents.
4. Registering a covenant on title to ensure that the parcel remains green space in perpetuity.
5. An agreement, that would require repayment of the grant (adjusted for inflation) if the land is used for a purpose other than publicly accessible community green space.

That Council consider an additional donation of up to \$150,000 as part of the 2022 budget deliberations.

Amendment:

Moved By Councillor Isitt
Seconded By Mayor Helps

That the City provide a donation of \$250,000 to Saanich for the preservation of the King's Road Community Nature Sanctuary subject to:

1. The District of Oak Bay making a contribution of at least \$60,000.
2. Preservation of the entire 2.2 hectare parcel.
3. A plaque or other appropriate measure recognizing the City's contribution on behalf of its residents.
4. Registering a covenant on title to ensure that the parcel remains green space in perpetuity.
5. An agreement, that would require repayment of the grant (adjusted for inflation) if the land is used for a purpose other than publicly accessible community green space.
6. **That council request that Saanich consider whether to incorporate Bowker Creek or an Indigenous place name into a permanent name for this green space.**

CARRIED UNANIMOUSLY

**On the main motion as amended:
CARRIED UNANIMOUSLY**

F.1.a.b 1012 Richardson Street - Heritage Alteration Permit with Variances Application No. 00025 (Fairfield)

Moved By Councillor Alto
Seconded By Councillor Young

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

“That Council authorize the issuance of Heritage Alteration Permit with Variances Application No. 00025 for 1012 Richardson Street, in accordance with:

1. Plans, date stamped June 10, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. increase building height from 7.6 metres to 9.2 metres;
 - ii. decrease the rear yard setback from 9.29 metres to 1.35 metres;
 - iii. decrease the east side yard setback from 1.5 metres to 1.27 metres;

- iv. decrease the west side yard setback from 3 metres to 2.58 metres;
 - v. decrease the combined side yard setback from 4.5 metres to 3.9 metres.
3. Plan revisions to remove one of the proposed front yard parking spaces and to illustrate a driveway crossing that complies with the Highway Access Bylaw, to the satisfaction of the Director of Engineering.
 4. Heritage Alteration Permit with Variances lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY

F.1.a.c

1609 Fort Street - Development Permit with Variance Application No. 00170 (South Jubilee)

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

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

“That Council authorize the issuance of Development Permit with Variance Application No. 00170 for 1609 Fort Street, in accordance with:

1. Plans date stamped June 3, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - i. Increase the total floor area for a liquor store (maximum) from 241m² to 453.8m².
3. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY

F.1.a.d

Council Member Motion: Making Permanent Victoria's Street Patio Policy

Moved By Councillor Dubow
Seconded By Councillor Loveday

1. Council to accept letter appendix 1 and endorse it
2. Council to direct staff to also identify processes for facilitating permanent closures of travel lanes and/or full roadways to facilitate increased public space and/or zones for permitted commercial use, beginning with 1300 Block on Gladstone from Fernwood Street to Stanley Avenue as pilot program with measures to ensure accessibility for people with mobility impairments

3. Council direct staff to report back to update and extend the current Business Recovery from Pandemic Bylaw (#20-072) prior to October 31, 2021 with measures to ensure accessibility for people with mobility impairments
4. That Council include "Extend and optimize the 'Build Back Victoria' patio program" as a 2021 Strategic Plan action item and "Make the Build Back Victoria patio program permanent" as a 2022 Strategic Plan action item.

CARRIED UNANIMOUSLY

F.1.a.e Strategic Plan Workshop and 2022 Budget Motions

Moved By Councillor Isitt
Seconded By Councillor Alto

That Council approve amendments to the Strategic Plan in Appendix A.

Amendment:

Moved By Councillor Alto
Seconded By Councillor Isitt

That Council amend and move the following motion to "Ongoing":

Work with the Greater Victoria Public Library to provide **enhanced** library services in the north end of the city, **while continuing to explore options for a future north end branch.**

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Isitt
Seconded By Councillor Dubow

Work with the Greater Victoria Public Library to provide enhanced library services in the north end of the city, while continuing to **pursue** options for a future north end branch.

CARRIED UNANIMOUSLY

On the main motion as amended:

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Isitt

Seconded By Councillor Alto

That items #10, #12 and #20 be pulled for discussion and the rest of the items be approved.

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

OPPOSED (1): Councillor Young

CARRIED (8 to 1)

Amendment:

Moved By Councillor Isitt

Seconded By Councillor Thornton-Joe

That item #20 (Work with SD61 to explore use of Sundance School as a community centre for Jubilee) be moved to ongoing.

CARRIED UNANIMOUSLY

On the motion to move #12 to 2023:

CARRIED UNANIMOUSLY

On the motion to remove lobbyist registry:

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

OPPOSED (3): Councillor Isitt, Councillor Loveday, Councillor Potts

CARRIED (6 to 3)

F.1.a.f

Strategic Plan Workshop - Motion Arising - Implications of Amending the Recreation Fee Bylaw

Moved By Councillor Potts

Seconded By Councillor Isitt

Staff to report back on the implications of amending Recreation Fee Bylaw No.06-056 to allow community

groups to book Royal Athletic Park at low or no cost and or a re-envisioning of how RAP can be opened for public use following findings of the 1996 Local Area Plan and the example of community based recreation programs held by city staff and the North Park Neighbourhood Association in 2020 and 2021.

CARRIED UNANIMOUSLY

F.1.b Report from the July 22 COTW Meeting

F.1.b.a Agreement with Island Health for Administering COVID-19 Vaccination

Moved By Councillor Andrew
Seconded By Councillor Alto

That Council authorize the City Clerk and Mayor to execute an agreement in a form satisfactory to the City Solicitor, with Island Health for the provision of clinical and non-clinical support by City of Victoria Firefighters at the COVID-19 mass vaccination clinics established in Greater Victoria.

CARRIED UNANIMOUSLY

G. BYLAWS

G.1 Bylaw for Solid Waste Bylaw Amendments for Curbside Comingled Organics Collection

Moved By Councillor Thornton-Joe
Seconded By Councillor Andrew

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

- Solid Waste Bylaw, Amendment Bylaw (No. 10), No. 21-063

FOR (7): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young
OPPOSED (2): Councillor Dubow, Councillor Isitt

CARRIED (7 to 2)

Councillor Isitt gave the following Notice of Motion:

That Council amend the Solid Waste Bylaw to remove language preventing the provision of solid waste collection services for the James Bay childcare society.

G.2 Bylaw for 425 Simcoe Street: Rezoning Application No. 007773

Councillor Isitt recused himself at 5:28 p.m. due to a conflict of interest with this item, as his father lives in close proximity to this parcel.

Moved By Councillor Dubow
Seconded By Councillor Potts

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

- Zoning Regulation Bylaw, Amendment Bylaw (No. 1259), No. 21-073

CARRIED UNANIMOUSLY

H. CLOSED MEETING

Moved By Councillor Andrew
Seconded By Councillor Potts

MOTION TO CLOSE THE July 22, 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)(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)(g) litigation or potential litigation affecting the municipality;

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

CARRIED UNANIMOUSLY

I. APPROVAL OF CLOSED AGENDA

Moved By Councillor Andrew
Seconded By Councillor Potts

That the agenda be approved.

CARRIED UNANIMOUSLY

J. READING OF CLOSED MINUTES

J.1 Minutes from the closed meeting held June 10, 2021

Moved By Councillor Alto
Seconded By Councillor Potts

That the minutes from the closed meeting held June 24, 2021 be adopted.

CARRIED UNANIMOUSLY

K. UNFINISHED BUSINESS

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

Referred from the July 15, 2021 Council Meeting

Council discussed a land use matter.

The discussion and motion were recorded and kept confidential.

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

Referred from the July 15, 2021 Council Meeting

Council discussed a land use matter.

The discussion and motion were recorded and kept confidential.

M. NEW BUSINESS

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

This item was deferred to the July 29th Closed Council meeting.

M.2. Legal Advice/Litigation - Sections 90(1)(g) and 90(1)(i)

This item was deferred to the July 29th Closed Council meeting.

M.3. Employee Relations - Community Charter Section 90(1)(c)

Referred from the July 15, 2021 Council Meeting

This item was deferred to the August 5th Closed Council meeting.

O. **ADJOURNMENT**

Moved By Councillor Thornton-Joe
Seconded By Councillor Andrew

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

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR

DRAFT



MINUTES - VICTORIA CITY COUNCIL

July 29, 2021, 3:21 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 Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young
- STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Director of Finance, C. Kingsley - City Clerk, 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, J. Biem – Assistant City Solicitor, A. Meyer - Assistant Director of Development Services, A. Hudson - Assistant Director of Community Planning, C. Havelka - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, S. Webb - Manager of Transportation, N. Sidhu - Assistant Director of Parks, Recreation & Facilities, P. Bellefontaine - Director of Engineering & Public Works, G. Diamond – Council and Committee Secretary

B. APPROVAL OF AGENDA

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That the agenda be approved.

CARRIED UNANIMOUSLY

Council referred the open meeting items to the July 29, 2021 evening Council meeting.

C. CLOSED MEETING

Moved by Councillor Loveday
Seconded by Councillor Potts

MOTION TO CLOSE THE JULY 29, 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)(n) the consideration of whether a council meeting should be closed under a provision of this subsection or subsection (2).

CARRIED UNANIMOUSLY

C.1 Consideration of a Closed meeting – Community Charter Section 90(1)(n)

Council considered a part of a council meeting that may be closed to the public.

The conversation was recorded and kept confidential.

Council referred item G.8 to the August 5, 2021 evening Council meeting.

The open Council meeting reconvened 3:37 p.m.

Motion to go into a closed Council meeting at 3:44 p.m.

Moved By Councillor Potts

Seconded By Councillor Andrew

MOTION TO CLOSE THE JULY 29, 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)(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)(f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;

Section 90(1)(g) litigation or potential litigation affecting the municipality;

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

Section 90(1)(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;

Section 90(1)(m) a matter that, under another enactment, is such that the public may be excluded from the meeting;

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;

Amendment:

**Moved by Councillor Loveday
Seconded by Councillor Thornton-Joe**

~~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;~~

CARRIED UNANIMOUSLY

On the main motion as amended:

CARRIED UNANIMOUSLY

D. APPROVAL OF CLOSED AGENDA

Moved By Councillor Thornton-Joe
Seconded By Councillor Potts

That the closed agenda be approved.

CARRIED UNANIMOUSLY

E. READING OF CLOSED MINUTES

E.1 Minutes from the closed meeting held July 8, 2021

Moved By Councillor Thornton-Joe
Seconded by Councillor Potts

That the minutes from the closed meeting held July 8, 2021 be adopted.

CARRIED UNANIMOUSLY

E.2 Minutes from the closed COTW meeting held July 8, 2021

Moved By Councillor Thornton-Joe
Seconded by Councillor Potts

That the minutes from the closed COTW meeting held July 8, 2021 be adopted.

CARRIED UNANIMOUSLY

G. NEW BUSINESS

G.1 Appointment – Community Charter Section 90(1)(a)

Council discussed an appointment matter.

The motion was recorded and kept confidential.

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

Council discussed a legal matter.

The motion was recorded and kept confidential.

G.3 Land – Community Charter Section 90(1)(e)

Council discussed a land use matter.

The motion was recorded and kept confidential.

G.4 Labour Relations, Law Enforcement, Litigation, Negotiations – Community Charter Section 90(1)(c), (f), (g), (k)

Council discussed a labour Relations, law Enforcement, litigation, and negotiations matter.

The motion was recorded and kept confidential.

G.5 Matter Under Another Enactment – Community Charter Section 90(1)(m)

Council discussed a matter under another enactment.

The motion was recorded and kept confidential.

G.6 Legal Advice/Litigation – Community Charter Section 90(1)(g) and 90(1)(i)

Council discussed a legal matter.

The motion was recorded and kept confidential.

G.7 Legal Advice – Community Charter Section 90(1)(i)

Council discussed a legal matter.

The motion was recorded and kept confidential.

H. ADJOURNMENT

Moved By Councillor Loveday

Seconded By Councillor Potts

That the Council meeting be adjourned at 5:00 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR



MINUTES - VICTORIA CITY COUNCIL

July 29, 2021, 6:30 P.M.

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

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

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

PRESENT ELECTRONICALLY: Councillor Loveday

STAFF PRESENT: J. Jenkyns - City Manager, C. Kingsley - City Clerk, T. Soulliere - Director of Parks, Recreation & Facilities, P. Bellefontaine - Director of Engineering & Public Works, A. Meyer - Assistant Director of Development Services, C. Havelka - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, J. O'Connor - Deputy Director of Finance, J. O'Reilly - Senior Heritage Planner, M. Betanzo - Senior Planner, S. Johnson - Manager of Engagement, D. Atkinson - Acting Fire Chief, M. Heiser - Council Secretary

A. APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Moved By Councillor Andrew
Seconded By Councillor Potts

That the agenda be approved as amended.

Amendment:

Moved By Councillor Isitt
Seconded By Councillor Potts

That the following agenda items be referred to the August 5, 2021 Daytime Council meeting:

C.3.a.a.b 903, 911, 1045 Yates, 910 View and 1205 Quadra: Rezoning App. No. 00730 for 903, 911, 1045 Yates, 910 View and 1205 Quadra and Associated OCP Amendment, Development Permit with Variances App. No. 00150 for 1045 Yates (London Drugs) (Harris Green)

C.4.b Bylaw for Solid Waste Bylaw Amendments for Curbside Comingled Organics Collection

C.5.a Council Member Motion: Solid Waste Bylaw Amendment

CARRIED UNANIMOUSLY

On the main motion as amended:

CARRIED UNANIMOUSLY

Councillor Dubow joined the meeting at 6:34 p.m.

B. POETRY READING

The Poet Laureate, John Barton, read a poem titled *Bomber Season*.

C. UNFINISHED BUSINESS

C.1 READING OF MINUTES

C.1.a Minutes from the daytime Council meeting held July 8, 2021

Moved By Councillor Alto
Seconded By Councillor Potts

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

CARRIED UNANIMOUSLY

C.2 PROCLAMATIONS

C.2.a "Give a Shot Month" - August 2021

Moved By Councillor Thornton-Joe
Seconded By Councillor Potts

That the following proclamation be endorsed:
1. "Give a Shot Month" - August 2021

CARRIED UNANIMOUSLY

C.2.b "National Polycystic Kidney Disease Awareness Day" - September 4, 2021

Moved By Councillor Potts
Seconded By Councillor Thornton-Joe

That the following proclamation be endorsed:

1. "National Polycystic Kidney Disease Awareness Day" - September 4, 2021

CARRIED UNANIMOUSLY

C.2.c "Wrongful Conviction Day" - October 2, 2021

Moved By Councillor Potts
Seconded By Councillor Alto

That the following proclamation be endorsed:
1. "Wrongful Conviction Day" - October 2, 2021

CARRIED UNANIMOUSLY

C.2.d "Commemoration of the Bicentennial of the Independence of the Republic of Peru Day" - July 28, 2021

Moved By Councillor Isitt
Seconded By Councillor Potts

That the following proclamation be endorsed:
1. "Commemoration of the Bicentennial of the Independence of the Republic of Peru Day" - July 28, 2021

CARRIED UNANIMOUSLY

C.3 REPORTS OF COMMITTEE

C.3.a Committee of the Whole

C.3.a.a Report from the July 15, 2021 COTW Meeting

C.3.a.a.a 931 Redfern Street: Development Variance Permit Application No. 00265 (Gonzales)

Moved By Councillor Potts
Seconded By Councillor Alto

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. 00265 for 931 Redfern Street, in accordance with:

1. Plans date stamped May 6, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the minimum front setback from 7.5m to 3.23m

- ii. reduce the minimum rear setback from 9.1m to 3.64m
 - iii. reduce the minimum south side setback from 2.6m to 1.93m
 - iv. reduce the combined side yards setback from 5.4m to 4.53m.
3. Final Plans to be generally in accordance with the plans date stamped May 6, 2021, to the satisfaction of the Director of Sustainable Planning and Community Development.
 4. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY

C.3.a.b Report from the July 29, 2021 COTW Meeting

C.3.a.b.a Council Member Motion: Emancipation Day

Moved By Councillor Dubow
Seconded By Councillor Isitt

BE IT RESOLVED that Council of the City of Victoria, British Columbia recognize and proclaim Sunday August 01, 2021 as Emancipation Day

BE IT FURTHER RESOLVED that Council direct the Mayor to write to the Government of Canada to call for Emancipation Day on August 1st to be recognized as a national holiday.

Councillor Young requested that the paragraphs within the motion be voted on separately.

BE IT RESOLVED that Council of the City of Victoria, British Columbia recognize and proclaim Sunday August 01, 2021 as Emancipation Day

CARRIED UNANIMOUSLY

BE IT FURTHER RESOLVED that Council direct the Mayor to write to the Government of Canada to call for Emancipation Day on August 1st to be recognized as a national holiday.

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

OPPOSED (2): Councillor Andrew and Councillor Young

CARRIED (7 to 2)

C.4 BYLAWS

C.4.a Bylaw for 11 Chown Place: Victoria Housing Reserve Fund Application

Moved By Councillor Isitt
Seconded By Councillor Dubow

That the following bylaw **be given first, second and third readings:**
1. Housing Agreement (11 Chown Place) Bylaw (2021) No. 21-060

CARRIED UNANIMOUSLY

C.6 CORRESPONDENCE

C.6.a Letter from the Canadian Wildlife Service

Council received a letter from the Acting Regional Director, Canadian Wildlife Service – Pacific Region dated June 10, 2021 regarding the Victoria Harbour Migratory Bird Sanctuary.

Moved By Councillor Isitt
Seconded By Councillor Young

That Council direct staff to:

1. Review the Animal Control Bylaw in light of concerns expressed by the Canadian Wildlife Service; and
2. Report to Council with any recommendations arising from this review.

CARRIED UNANIMOUSLY

C.6.b Letter from the Minister of Environment and Climate Change Strategy

Council received a letter dated July 21, 2021 from the Minister of Environment and Climate Change Strategy regarding an update on the use of anticoagulant rodenticides in B.C.

Moved By Councillor Isitt
Seconded By Councillor Thornton-Joe

That Council request that the Mayor write, on behalf of Council, to the provincial Minister of Environment and Climate Change, copying the Premier of British Columbia, expressing appreciation for the Provincial Government moving forward with restrictions on the sale and use of anticoagulant rodenticides.

CARRIED UNANIMOUSLY

D. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Potts
Seconded By Councillor Dubow

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

D.1 Michelle Wiboltt: Housing

Outlined for Council the importance of decriminalization and legalization of drug use.

D.2 Robert June: Missing Middle Housing

Outlined why Council should proceed with current OCP designated Corridor and Urban Village densification, with regards to Missing Middle Housing, to protect tree canopies

D.3 Jan Firstbrook: Densification, Missing Middle

Outlined why Council should consider the environmental impact of the loss of mature trees when encouraging densification.

F. PUBLIC AND STATUTORY HEARINGS

F.1 546 Yates Street and 566-568 Yates Street: Rezoning Application No. 00770

Zoning Bylaw 2018, Amendment Bylaw (No. 9) - No. 21-071:

To permit a storefront cannabis retailer at 566-568 Yates Street and to remove storefront cannabis retailer as a permitted use at 546 Yates Street.

F.1.a Public Hearing & Consideration of Approval

Miko Betanzo (Planner): Advised that the application is to allow for the use of Storefront Cannabis Retailer at 566-568 Yates Street and remove the use of Storefront Cannabis Retainer from 546 Yates Street.

Mayor Helps opened the public hearing at 7:04 p.m.

Sean Bruce-Hayes, Jeff Prete, and Walter Hick (Applicant): Provided information regarding the application.

Council recessed from 7:18 p.m. until 7:23 p.m. to provide an opportunity for members of the public to call to speak live.

No persons called in to speak to the application.

Mayor Helps closed the public hearing at 7:26 p.m.

Moved By Councillor Andrew
Seconded By Councillor Potts

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

1. Zoning Bylaw 2018, Amendment Bylaw (No. 9) No. 21-071

Council discussed:

- *Licensing and cannabis zoning in proximity*
- *Policy and regulation surrounding this type of rezoning application*

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

OPPOSED (2): Councillor Alto, and Councillor Isitt

CARRIED (7 to 2)

Moved By Councillor Thornton-Joe
Seconded By Councillor Andrew

That the following bylaw **be adopted:**

1. Zoning Bylaw 2018, Amendment Bylaw (No. 9) No. 21-071

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

OPPOSED (2): Councillor Alto, and Councillor Isitt

CARRIED (7 to 2)

F.2 1314 and 1318 Wharf Street: Rezoning Application No. 00701 and Heritage Alteration Permit with Variances Application No. 00236

Zoning Regulation Bylaw, Amendment Bylaw (No. 1256) - No. 21-061:

To rezone the land known as 1314 and 1318 Wharf Street in the IHH Zone, Inner Harbour Heritage District, to increase the maximum density.

Heritage Alteration Permit with Variance Application

The Council of the City of Victoria will also consider issuing a Heritage Alteration Permit for the land known as 1314 and 1318 Wharf Street, in Development Permit Area 9: Inner Harbour, for the purposes approving the exterior alterations to the heritage-designated buildings and the following variances:

- Reduce the required short term bicycle parking spaces from 10 to 0;
- Increase the maximum permitted height from 8 metres to 21 metres.

F.2.a Public Hearing & Consideration of Approval

Miko Betanzo and John O'Reilly (Planners): Advised that the application is for the redevelopment of existing heritage buildings and a residential, ground floor commercial, mixed use addition.

Mayor Helps opened the public hearing at 7:42 p.m.

Jon Stovell, Juan Pereira, Alan Boniface, Adrian Politano, Gerry Mulholland and Clint Plett (Applicants): Provided information regarding the application.

Patricia Mamic (Johnson Street): Expressed support for the application due to the pedestrian and community amenities proposed.

Rick Goodacre (Gathland PI W): Expressed concerns for the application due to the proposed changes to heritage buildings and development height.

Steve Barber (Kimta Road): Expressed concerns for the application due to the non-conformity to the Standards and Guidelines for the Conservation of Historic Places in Canada.

Bruce Hallsor (Douglas Street): Expressed support for the application due to thoughtful design and retaining the heritage street frontage.

Robert Molnar (Dunsmuir Road): Expressed support for the application due to the proposed commercial space and public amenities.

Harold Kalman (Hollywood Crescent): Expressed concerns for the application due to the changes proposed to current heritage buildings.

Ryan Hube (Whittier Ave): Expressed support for the application due to restoration of historic buildings.

Keith Dagg (Victoria): Expressed support for the application due to the thoughtful aspects of the proposal.

Peter Kuran (UVIC Properties): Expressed support for the application due to the increase of market rental housing in the area.

Brian Merth (Richardson Street): Expressed concerns for the application due to the change of views from neighbouring hotels and spaces.

Geoff Stewart (Erie Street): Expressed concerns for the application due to the changes affecting the heritage buildings and harbour views.

Thomas Guerrero (Empire Street): Expressed support for this application due to the dynamic space this application could create.

Stuart Stark: Expressed concerns for the application due to the non-conformity to the Standards and Guidelines for the Conservation of Historic Places in Canada.

Council recessed at 8:56 p.m. and reconvened at 9:01 p.m. Councillor Isitt was not present.

Councillor Isitt returned to the meeting at 9:04 p.m.

Marianne Cummings (Sunny Lane): Expressed concerns for the application due to the current proposed designs.

Robert Saynum (Wharf Street): Expressed support for the application due to the increased vibrancy and heritage restoration.

David Job (Spartan Road): Expressed support for the application due to the proposed mixed use and comprehensive nature of the development.

Wendy Bowkett (Victoria): Expressed concerns for the application due to the changes proposed for the heritage buildings.

Tessa Long (Fairfield): Expressed support for the application due to positive impact proposed by the applicants and increase in densification.

Franc D'Ambrosio (Victoria): Expressed support for the application due to the proposed design and improvement to aspects of the heritage buildings.

Mark Fletcher (Ryan Street): Expressed support for the application due to the continued support and commitment from the developer.

Tristian Trotter (Victoria): Expressed concerns for the application due to non-preservation of Old Town and absorption of the old building shelves.

Robert Wittman: Expressed concerns for the application due to the priorities of the application.

Ian Sutherland (Victoria Downtown Residents Association): Expressed concerns for the application due to the proposed additions to the heritage buildings and non-compliance with national heritage standards.

Bob June (Manor Road): Expressed concerns for the application due to the lack of preservation in appropriate fashion.

Torben Werner (Victoria): Expressed support for the application due to expansion of the walkway and access to the water.

Jeremy Schmidt (Wilson Street): Expressed support for the application due to the proposed design.

Mary Doody Jones (Victoria): Expressed concerns for the application due to the large buildings proposed on top of the heritage structures.

Jayce Scott (Fernwood Road): Expressed concerns for the application due to the current process and the importance of the existing local architecture.

Albert Albers (Cowichan Valley): Expressed support for the application due to the increase in security.

Bree Kip (Humbolt Street): Expressed support for the application due to addition of rental housing supply.

Ken Johnson (Brittany Drive): Expressed concerns for the application due to the currently proposed heritage restoration.

Council recessed at 10:12 p.m. and reconvened at 10:18 p.m.

Donald Lovell (Santa Anita Ave): Expressed concerns for the application due to the inability to meet Victoria's Old Town standards.

Motion to extend:

Moved By Councillor Isitt
Seconded By Councillor Dubow

That the Council meeting be extended to 11:30 p.m.

CARRIED UNANIMOUSLY

Nicholas Vaartnou (Victoria): Expressed support for the application due to the current vacancy of the properties and need for better use.

Sean Scott (Yates Street): Expressed support for the application due to the restoration and maintenance of the heritage buildings.

Allison Jones: Expressed support for the application due to the increase in beautification and vibrancy.

Alex Howes (Victoria): Expressed support for the application due to the increase of safety for residents and tourists in the surrounding area, as well as the proposed continuation of the David Foster Walkway.

Patrick Mascal: Expressed support for the application due to the increase in vibrancy and value to Victoria's downtown core.

Jonathan Baron: Expressed support for the application due to increase in housing.

Michelle Hainsworth: Expressed support the application due to the proposed showcase of an Indigenous artist.

Dave Hall: Expressed support for the application due to the increase in safety and esthetic enhancement in the area.

Mark Foucher: Expressed support for the application due to increase the increase in housing stock and rental units.

Katy Hutchison (Wharf Street): Expressed support for the application due to the continuation of the David Foster Walkway and increase of security.

Alyssa Hindle (View Royal): Expressed support for the application due to the revitalization of heritage structures and increase in density.

Alannah Rodgers (Richardson Street): Expressed support for the application due to the welcoming urban design.

Beate Krohn: Expressed support for the application due to the proposed design and continuation of the walkway.

Braeden Varney: Expressed support for the application due the increased beautification and increase in commercial space.

Catlin Hilyer (Cook Street): Expressed support for application due to the positive impact on the surrounding area by making it more usable to many people.

Daniel Blaney (Victoria): Expressed support for the application due to proposed increase in beautification.

Danny Buchanan: Expressed support for the application due to increased safety.

Darrin De Stephanis: Expressed support for the application due to the creation an expanded community.

Jill Carruthers (Victoria): Expressed support for the application due to the proposed art installation and accessibility designs.

Richard Resident: Expressed support for the application due to the affordable rentals.

Sarah Holmes (Victoria): Expressed support for the application due to the proposed heritage restoration and current state of buildings.

Scott Sexton (Victoria): Expressed support for the application due to the proposed expansion of the harbour pathway.

Spirit Donahue (Victoria): Expressed support for the application due to the addition of amenities for local residents.

Tasha Sadoway (Victoria): Expressed support for the application due to the reasoning that housing downtown will encourage people to support local businesses.

Anna Quinn (Victoria): Expressed support for the application due to the increase in safety.

Brenden Bankowski (Victoria): Expressed support for the application due to the addition of much needed housing.

Geoff Purdon (Victoria): Expressed support for the application due to the proposed design.

Kristi Meredith (Victoria): Expressed support for the development due to the addition of indigenous art.

Orion Rodgers (Victoria): Expressed support for the application due to revitalization of heritage buildings and added value to the downtown core.

Jackie Miller (Victoria): Expressed support for the application due to the increase in proposed use of space.

Peter Quinn (Victoria): Expressed support for the application due to the proposed design and revitalization.

Joshua Coutts (Victoria): Expressed support for the application due to the fact that the current buildings hold no value and the proposed rental aspect.

Irene Allen (Victoria): Expressed support for the application due to creative solution proposed for a difficult site.

James Mayer: Expressed support for the application due to the high quality design and the water path extension.

Michael Miller (Lansdowne Road): Expressed support for the application due to the thoughtful and gentle densification.

Martin Segger (Patly Place): Expressed concerns for the application due to the historical significance of the current buildings.

Motion to extend:

Moved By Councillor Alto

Seconded By Councillor Potts

That the Council meeting be extended to 11:40 p.m.

CARRIED UNANIMOUSLY

Pat McGuire (Victoria): Expressed concerns for the application due to the size of the proposal and lack of enhancements to the heritage buildings.

No further persons called in to speak to the application.

Mayor Helps closed the public hearing at 11:38 p.m.

Motion to adjourn the hearing:

Moved By Councillor Andrew

Seconded By Councillor Potts

That the public hearing for 1314 and 1318 Wharf Street be adjourned.

Council, by unanimous consent, adjourned the public hearing.

Consideration of the application will be continued at the evening Council Meeting on August 5, 2021.

N. ADJOURNMENT

Moved By Councillor Andrew
Seconded By Councillor Thornton-Joe

That the Council meeting adjourn.
TIME: 11:40 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD JULY 29, 2021

For the Council meeting of September 2, 2021, the Committee recommends the following:

H.3 Council Member Motion: Bank Street School

That Mayor ask SD61 to meet with the South Jubilee Neighbourhood Association Board to discuss the future of and answer questions regarding Bank School.

E.1 953 Balmoral - Requests from BC Housing to Terminate Housing Agreement, cancel Development Permit with Variance, and Discharge Legal Agreements Registered on the Title of 953 Balmoral Road (North Park)

That Council:

1. Instruct City Solicitor to bring forward a bylaw that would authorize termination of the Housing Agreement for 953 Balmoral Road.
2. Authorize the City Solicitor discharge the existing Car Share Covenant and associated Statutory Right-of-Way (CA7872359 and CA7872361) from the title of 953 Balmoral Road.
3. Cancel Development Permit with Variance No. 000506.
4. Direct staff to prepare the legal agreements to secure a Statutory Right-of-Way of 1.22m along the frontage of 959 Balmoral Road.

F.2 Interim Equity Decision-Making Tool

That Council

1. Endorse the Interim Equity Decision-Making Tool for use by Council and staff to assess equity impacts on decisions, subject to comment by the Accessibility Advisory Committee; and
2. Direct staff to bring forward a revised Equity Decision-Making Tool as part of the Equity Framework in the fall of 2021.
3. That Council direct staff to provide recommendations on how to integrate the decision making tool into the staff reports going forward and have a template as a user-guide.
4. Direct staff to consider including the following question as a new Step 1 in the Equity Decision-Making Tool when staff report back to Council in the fall of 2021: "Step 1. Will the project have positive impacts on one or more equity seeking groups? If not, why should the project be prioritized over projects that would have positive impacts? Or, how could the project be adapted in order to have positive impacts on one or more equity seeking groups?"

H.1 Council Member Motion: Gate for Ross Bay Cemetery

That staff report back on mechanisms so that this project can be completed as soon as possible, possibly before the heritage alteration permit expires in November and direct staff to report back on what will need to be dropped from existing work in order to accomplish this project.

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD AUGUST 5, 2021

For the Council meeting of September 2, 2021, the Committee recommends the following:

D.1 Report Back: Expanding food and pollinator growing initiatives on municipal land

1. That Council receive this report for information
2. That Council direct staff to include all options outlined in this report for consideration in the draft 2022 Financial Plan.
3. That Council direct staff to report back as part of the 2022 budget on the resource requirements for enhanced city-led support for the design, installation and operations of Food Forests and allotment gardens on City land including options for the enhanced planting and stewardship of food-bearing trees in the City-managed urban forest.

E.1 3150 Somerset Street: Rezoning Application No. 00763 and Development Permit Application No. 000592 (Hillside/Quadra)

Rezoning Application No. 00763 for 3150 Somerset Street

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00763 for 3150 Somerset Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Development Permit Application No. 000592 for 3150 Somerset Street

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. 00763, if it is approved, consider the following motion:

“That Council authorizes the issuance of Development Permit Application No. 000592 for 3150 Somerset Street, in accordance with:

1. Plans date stamped April 6, 2021.
2. The Development Permit lapsing two years from the date of this resolution.”

E.2 645 and 655 Tye Road: Rezoning Application No. 00749 (Victoria West)

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00749 for 645 and 655 Tye Road, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once staff have received a Development Permit Application to add permanent outdoor seating to the northwest plaza at 645 Tye Road.

That Council, after the Public Hearing for Rezoning Application No. 00749, if it is approved, authorize the Mayor and City Clerk to execute legal instrument, in a form

satisfactory to the City Solicitor, to discharge covenant number EV35208 from the properties located at 645 Tyee Road and 655 Tyee Road.

F.1 AAA Priority Cycling Network: Remaining Projects & Network Completion

That Council:

1. Approve the designs for Superior Street and Montreal Street as part of the priority AAA cycling network and direct staff to incorporate detailed design and construction costs into the 2022 Financial Plan;
2. Approve the current designs for Government Street South as part of the priority AAA cycling network and direct staff to incorporate detailed design and construction costs into the 2022 Financial Plan. Continue to work with agency partners and community stakeholders on establishing an implementation strategy for achieving ultimate streetscape and public space designs in conjunction with future works in the Inner Harbour District;
3. Approve the Gorge Road project and direct staff to complete detailed design and construction, with costs incorporated into the 2022 Financial Plan; and
4. Direct staff to undertake public engagement on the design of the Pandora East Project in 2022 and incorporate construction costs into the 2023 Financial Plan.
5. Direct staff to report back to Council by the end of Q2 2022 with a progress update on planning for future enhancements to the cycling network.

F.3 Topaz Park Improvement Plan: Phase 1 Concept Design Proposals

That Council approve the following two concept designs for Phase 1 improvements to Topaz Park;

- A. Skate and Bike Parks Project, as shown in Attachment A, and that consideration be given to maintaining connectivity of the Garry Oak ecosystem and providing opportunities for passive enjoyment of that area by the public.
- B. Artificial Turf Sport Field Replacement Project, as shown in Attachment B, subject to a staff review of the replacement lighting to minimize light pollution to nearby households to the greatest extent possible.

That Council direct staff to report by Q3, 2022 on the next phase of implementation of the Topaz Park improvement plan.

That Council direct staff to include in the accessibility washroom:

1. An adult change table complete with a lift and sling with a 600lb capacity that allows ability to move around the room.
2. Contrasting floor tiles to help those with visibility impairments
3. Grab bars attached to the walls

And direct staff to engage the Accessibility Advisory Committee on potential additional accessibility provisions for this washroom.

That Council ensure that a detailed design doesn't prohibit a covered portion of the skate board park and include this potential expenditure as part of the long term capital plan.

COUNCIL PROCEDURES BYLAW, AMENDMENT BYLAW

A BYLAW OF THE CITY OF VICTORIA

The Council of the Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

Title

1. This bylaw may be cited as the “Council Procedures Bylaw, Amendment Bylaw (2021) No. 21-074”.

Amendments

2. The Council Procedures Bylaw No. 16-011 is amended as follows:
 - (1) Section 7 is repealed and replaced with the following section:

“7 (1) Council must establish and the City Clerk must make available to the public a schedule of the date, time and place of regular Council meetings.

(2) The City Clerk must give notice of the availability of the schedule referred to in subsection (1), at least once a year in accordance with section 94 and 127 of the *Community Charter*.”

(3) At least 48 hours before a regular Council meeting, the City Clerk must give advanced public notice of the date, time and place of that meeting by

 - (a) posting the agenda at the public notice board at City Hall,
 - (b) delivering copies of the agenda to each of the member of Council, and
 - (c) leaving copies of the agenda at a public counter at City Hall for the purpose of making the agenda available to members of the public.”
 - (2) Section 9 is repealed and replaced with the following section:

“9 (1) For the purposes of this section, electronic participation in a meeting means participation by use of electronic, telephone, or other communication facilities that

 - (a) enable the meeting’s participants to hear and speak with each other, and
 - (b) enable the public to hear the participation of Council members during the part of the meeting that is open to the public.

(2) Two members of Council may participate electronically in a Council meeting if:

- (a) at least 24 hours before the meeting those members notify the City Clerk of their intention to participate electronically, and
 - (b) A majority of the members of Council are physically present at the meeting.
- (3) Notwithstanding subsection (2), the Mayor may authorize more than two Council members to participate electronically provided that:
- (a) a state of local emergency has been declared by the City and in person participation in the Council meeting would be inconsistent with the declaration; or
 - (b) in the Mayor's opinion extra-ordinary circumstances exist that make it unsafe or impractical for Council members to physically participate in a meeting.

and for clarity, subsection 2(b) does not apply to a meeting authorized by this section.

- (4) Written material at a meeting at which there is electronic participation, if that material is presented to the meeting without being included in either the agenda package or late agenda items sent to the members participating electronically must be audibly read into the record.
 - (5) A member, who is participating electronically in the voting on a matter, must vote by audibly stating that they vote in favour or oppose.
 - (6) If there is an interruption in the communications' link to a member who is participating electronically, the other Council members may
 - (a) decide on a short recess until it is determined whether or not the link can be re-established, or
 - (b) continue the meeting and treat the interruption in the same manner as if a member who is physically present leaves the room."
- (3) Section 15 is repealed and replaced with the following section:
- "15 (1) Particular business at a regular Council meeting must be listed on the agenda and taken up in the following order, unless Council resolves otherwise or there are no matters under an item for consideration at that meeting:
- (a) Approval of Agenda;
 - (b) Reading of Minutes;
 - (c) Requests to address Council (maximum 6 requests);
 - (d) Proclamations;

- (e) Public and statutory hearings (including third reading or adoption of bylaws and approval of permits where applicable after each hearing);
 - (f) Requests to address Council;
 - (g) Unfinished Business;
 - (h) Reports of Committee;
 - (i) Notice of Motions;
 - (j) Bylaws;
 - (k) Correspondence;
 - (l) New Business;
 - (i) Late items;
 - (m) Question Period;
 - (n) Closed meeting, if required;
 - (o) Adjournment.
- (2) Council may proceed with a particular item of business at a regular Council meeting in the absence of the Council member in whose name the item is listed on the agenda only if that member has given written permission for another Council member to proceed with that business.
- (3) Prior to each Council meeting the City Clerk must prepare an agenda setting out all items for consideration at that meeting, noting in short form a summary for each item on the agenda.
- (4) The deadline for submissions by the public to the City Clerk of items for inclusion on a Council meeting agenda is 11:00AM on the day before the meeting.
- (5) Council must not consider any matters not listed on the agenda unless introduction of the late item is approved by Council at the time allocated on the agenda for such matters.
- (6) If the Council makes a resolution under subsection (5), information pertaining to the late items must be distributed to the members.”
- (4) Subsection 28(1) is repealed and replaced with the following subsection:
- “(1) Only by an affirmative vote of 2/3 of the Council members present may a daytime Council meeting continue after 4:30PM, or an evening Council meeting continue after 11:00PM.”

(5) Section 40 is repealed and replaced with the following section:

“Adjournment of Committee of the Whole meetings

- 40 (1) Regular Committee of the Whole meetings must adjourn at 2:00PM unless a motion for continuation is approved by 2/3 of the members present.
- (2) A motion for continuation under subsection (1) must establish a specific time for the adjournment of the Committee of the Whole meeting.”

(7) Subsection 42(2)(b) is repealed and replaced with the following subsection:

“(b) section 7 [*Schedule and public notice of meetings*];”

READ A FIRST TIME the	5th	day of	August	2021
READ A SECOND TIME the	5th	day of	August	2021
READ A THIRD TIME the	5th	day of	August	2021
ADOPTED on the		day of		2021

CITY CLERK

MAYOR



BRITISH
COLUMBIA

VIA EMAIL

Ref. 618795

August 10, 2021

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

Dear Mayor Helps:

Thank you for your letter of July 9, 2021, regarding the release of accused persons on bail.

In my role as Attorney General, except in the most extraordinary circumstances, I am not involved in individual cases, nor do I have authority over the judiciary. Under our system of law, the judicial branch of government is separate and independent from the executive branch of government.

In your letter, you ask about options for keeping accused in custody. Within 24 hours of their arrest, arrested persons must be released or be brought before a judge for a bail hearing. “Judicial interim release,” also known as bail, occurs when a judge or justice releases an accused into the community, with or without conditions, after a charge has been laid and pending trial. Under our system of law, accused persons, even those facing serious charges, have the right to be presumed innocent until proven guilty according to law in a fair and public hearing by an independent and impartial tribunal. This principle is fundamental to the right, guaranteed under s. 11(e) of the *Canadian Charter of Rights and Freedoms*, not to be denied reasonable bail without just cause.

As your letter notes, Parliament has directed the courts to exercise a “principle of restraint” in bail hearings, and give primary consideration to the release of the accused at the earliest reasonable opportunity, on the least onerous conditions that are appropriate in the circumstances and are reasonably practicable for the accused to comply with (*Criminal Code*, s 493.1).

.../2

Ministry of
Attorney General

Office of the
Attorney General

Mailing Address:
PO Box 9044 Stn Prov Govt
Victoria BC V8W 9E2
Email: AG.Minister@gov.bc.ca
website: www.gov.bc.ca/ag

Telephone: 250-387-1866
Facsimile: 250-387-6411

For most offences, an accused person can only be detained in custody pending trial if the Crown can satisfy the Court that detention is necessary to secure the accused's attendance in court, to ensure the protection or safety of the public, or maintain confidence in the administration of justice, pursuant to s. 515(10) of the *Criminal Code*. In most circumstances, Crown Counsel bear the burden of proof to show that an accused should be detained.

An accused can be released on conditions that are intended to protect the public, including terms that allow for close monitoring through bail supervisors, police or a private person known as a surety. Pursuant to s. 515(13), judges are required to consider the safety and security of every victim of an offence when making release orders. The form of bail used in a particular case will depend on the nature of the offence the accused is alleged to have committed, the background of the accused, and the risk the accused would present if released. Non-compliance with a term of bail can result in a new charge for breaching bail, a revocation of bail, or both.

Judges, in determining bail, are bound by the legal and procedural rules laid out in the *Criminal Code*. Bail provisions under the *Criminal Code* are the responsibility of the federal Department of Justice and may only be amended by the federal government. If you are of the view that the *Criminal Code* provisions related to these matters require amendment, you may wish to share your views with the Honourable David Lametti, Minister of Justice and Attorney General of Canada. Minister Lametti is responsible for proposing such amendments to Parliament and may be reached at:

The Honourable David Lametti, PC, QC, MP
Minister of Justice and Attorney General of Canada
House of Commons
Ottawa ON K1A 0A6
Email: MCU@Justice.gc.ca

In your letter, you also refer to matters of public safety as well as resourcing for police to support accused who are released in the community. The Ministry of Public Safety and Solicitor General has administrative responsibility for policing and public safety. Accordingly, the Honourable Mike Farnworth, Minister of Public Safety and Solicitor General, has been copied on this correspondence for his consideration.

Please be assured that in cases involving crimes where public safety is at risk, the importance of the protection of the public is taken into full and proper consideration. We know that an integrated approach is necessary to address the factors that contribute to prolific problematic behavior and justice, health, social services and community partners must work together to support timely and coordinated access to support services. The Ministry of Attorney General is committed to working towards this goal within the scope of our legal authority.

.../3

Her Worship Lisa Helps
Page 3

Thank you for taking the time to write expressing your concerns. I hope you find this information of assistance.

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

pc: The Honourable Mike Farnworth



RESORT MUNICIPALITY OF WHISTLER

4325 Blackcomb Way TEL 604 932 5535
Whistler, BC Canada V8E 0X5 TF 1 866 932 5535
whistler.ca FAX 604 935 8109

21 July 2021

Lisa Helps
Mayor
City of Victoria
1 Centennial Square
Victoria, BC V8W 1P6

Dear Ms. Helps;

Thank you for your correspondence to the Resort Municipality of Whistler in regards to the Help Cities Lead campaign designed for education and awareness to build support for more focused collaboration between the Province of British Columbia and local governments regarding building climate policy.

Our community is very focused on climate action and this initiative is aligned with our objectives.

This email is to advise that Council, at their Regular Council Meeting held on April 6, 2021 received your correspondence.

Your correspondence was included in the Regular Council Package, which is on permanent record and on our website. Check [whistler.ca/council](https://www.whistler.ca/council) to access packages and other information about Council.

Should you or members of your organization be interested, you can watch a recording of the meeting online here: <https://www.whistler.ca/municipal-gov/council/meeting-agendas-and-minutes>

Thank you for bringing this matter forward, we will keep this in mind in our interactions with the Province of British Columbia and use it to help inform decisions and discussions on related matters at the next Union of British Columbia Municipalities Convention and Annual General Meeting.

Thank you for keeping us apprised of important matters you are spearheading that may benefit all municipalities in the province.

Sincerely,

Jack Crompton
Mayor

August 11, 2021



Mayor Lisa Helps
City of Victoria
1 Centennial Square
Victoria, BC V8W 1P6

MAYOR'S OFFICE

AUG 17 2021

VICTORIA, B.C.

Dear Lisa Helps:

**RE: CANADA COMMUNITY-BUILDING FUND/GAS TAX FUND:
COMMUNITY WORKS FUND TOP-UP PAYMENT AND UPDATED ELIGIBILITY
GUIDELINES**

I am pleased to advise that UBCM is in the process of distributing a top-up to your Community Works Fund (CWF) payment for fiscal 2021/2022. An electronic transfer of \$3,667,996.92 is expected to occur the week of August 16, 2021.

This additional one-time payment from UBCM for the CWF was approved for disbursement by the Government of Canada to supplement the fiscal 2021/2022 allocation which was delivered in July.

Also announced by the Government of Canada is the expansion of CWF investment categories to now include fire halls and fire station infrastructure.

CWF is made available to eligible local governments by the Government of Canada pursuant to the Administrative Agreement on the Federal Gas Tax Fund in British Columbia. Funding under the program may be directed to local priorities that fall within one of the eligible project categories.

Further details regarding use of CWF and project eligibility are outlined in your CWF Agreement and details on the Canada Community-Building Fund (Gas Tax Fund) can be found on our website at www.ubcm.ca.

For further information, please contact Canada Community-Building Fund Program Services by e-mail at ccbf@ubcm.ca or by phone at 250-356-5134.

Yours truly,

A handwritten signature in black ink that reads "B. Frenkel".

Brian Frenkel
UBCM President

PC: Susanne Thompson, Director of Finance

August 11, 2021



Mayor Lisa Helps
City of Victoria
1 Centennial Square
Victoria, BC V8W 1P6

Dear Lisa Helps:

**RE: CANADA COMMUNITY-BUILDING FUND/GAS TAX FUND:
COMMUNITY WORKS FUND TOP-UP PAYMENT AND UPDATED ELIGIBILITY
GUIDELINES**

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For further information, please contact Canada Community-Building Fund Program Services by e-mail at ccbf@ubcm.ca or by phone at 250-356-5134.

Yours truly,

A handwritten signature in black ink that reads "B. Frenkel". The signature is fluid and cursive.

Brian Frenkel
UBCM President

PC: **Susanne Thompson, Director of Finance**