



MINUTES – SPECIAL VICTORIA CITY COUNCIL

September 16, 2021, 2:36 P.M.

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

PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe

PRESENT ELECTRONICALLY: Councillor Andrew (arrived at 2:42 p.m.), Councillor Dubow

ABSENT: 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, K. Hoese - Director of Sustainable Planning and Community Development, C. Havelka - Deputy City Clerk, D. Atkinson - Acting Fire Chief, R. Tooke - Manager, Sustainability, Assets and Support Services, K. Moore - Head of Business and Community Relations, C. Mycroft - Manager of Executive Operations, G. Milne – Manager of Strategic Operations, D. Newman - Assistant Director, Facilities and Construction Management, A. Cusack – Senior Planner – Housing Policy, P. Bellefontaine - Director of Engineering & Public Works, G. Diamond – Council/Committee Secretary

B. APPROVAL OF AGENDA

Moved By Councillor Alto
Seconded By Councillor Loveday

That the agenda be approved.

Amendment:

Moved by Councillor Dubow
Seconded by Councillor Alto

That the Closed Council agenda be amended to add the following item under sections 90(1)(f) and 90(2)(b) of the Community Charter:

M.1 Law Enforcement and Intergovernmental Negotiations – Community Charter Section 90(1)(f) and Community Charter Section 90(2)(b)

CARRIED UNANIMOUSLY

On the main motion as amended:

CARRIED UNANIMOUSLY

C. READING OF MINUTES

C.1 Minutes from the evening meeting held July 15, 2021

Moved By Councillor Alto
Seconded By Councillor Potts

That the minutes from the evening meeting held July 15, 2021 be adopted.

CARRIED UNANIMOUSLY

C.2 Minutes from the evening meeting held August 5, 2021

Moved By Councillor Alto
Seconded By Councillor Potts

That the minutes from the evening meeting held August 5, 2021 be adopted.

CARRIED UNANIMOUSLY

C.3 Minutes from the evening meeting held September 9, 2021

Moved By Councillor Alto
Seconded By Councillor Potts

That the minutes from the evening meeting held September 9, 2021 be adopted.

CARRIED UNANIMOUSLY

E. REPORTS OF COMMITTEE

E.1 Committee of the Whole

E.1.a Report from the September 2, 2021 COTW Meeting

E.1.a.a VicPD Q2 Community Safety Report Card

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That Council receive the report for information.

CARRIED UNANIMOUSLY

**E.1.a.b737 Belton Avenue: Development Permit with Variances
Application No. 00162 (Victoria West)**

Moved By Councillor Thornton-Joe
Seconded By Councillor Loveday

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. 00162 for 737 Belton Avenue, in accordance with:

1. Plans date stamped June 8, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the front yard setback from 6.0m to 4.0m to the building face and from 6.0m to 0.58m to the stairs
 - ii. permit vertical supports on a porch roof that projects into the front yard setback
 - iii. reduce the rear yard setback from 6.0m to 3.34m
 - iv. increase the site coverage from 40% to 40.16%.
3. Revised Arborist Report, Tree Management Plan and landscape plan to the satisfaction of the Director of Parks, Recreation and Facilities.
4. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY

E.1.a.c Council Member Motion: Conference Request – Canadian Capital Cities Organization Annual Meeting and Conference in Whitehorse, Yukon, from September 19 through 22, 2021.

Motion to postpone:

Moved by Councillor Alto

Seconded By Councillor Thornton-Joe

That consideration of this item and item E.1.a.d. be postponed until the February 24, 2022 Council meeting as the conference has been postponed.

CARRIED UNANIMOUSLY

That Council authorizes the attendance and associated costs for Councillor Alto to attend the Canadian Capital Cities Organization annual meeting and conference to be held in Whitehorse, Yukon, from September 19 through 22, 2021.

The approximate cost for attending is:

Conference Registration Fee	\$300.00
Travel to/from Whitehorse, Yukon	\$478.01
Accommodation (3 nights)	\$674.10
Incidentals	\$100.00
Carbon footprint calculation	\$72.00

Estimated total cost **\$1624.11**

E.1.a.d Canadian Capital Cities Organization Annual Meeting and Conference in Whitehorse, Yukon, from September 19 through 22, 2021.

Consideration of this item was postponed until the February 24, 2021 Council meeting in the previous motion.

That Council authorizes the attendance and associated costs for Councillor Young to attend the Canadian Capital Cities Organization annual meeting and conference to be held in Whitehorse, Yukon, from September 19 through 22, 2021.

The approximate cost for attending is:

Conference Registration Fee	\$300.00
Travel from Vancouver to Whitehorse to Victoria	\$763.83
Accommodation (3 nights)	\$584.00
Incidentals	\$200.00

Carbon footprint calculation	\$70.50
Estimated total cost	\$ 1918.33

**E.1.a.e 235 Russell Street: Development Permit with Variances
Application No. 00163 (Victoria West)**

Councillor Andrew arrived at 2:42 p.m.

Moved By Councillor Loveday
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 Permit with Variance Application No. 00163 for 235 Russell Street, in accordance with:

1. Plans date stamped July 13, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the number of loading stalls from 1 to nil
 - ii. reduce the number of vehicle parking stalls from 20 to 14
 - iii. increase the distance between the main entrance and the short term bicycle stalls from 15m to 19.13m.
3. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY

E.1.a.f Rental Business Licensing Bylaw

Councillor Isitt withdrew from the meeting at 2:43 p.m. due to a non-pecuniary conflict of interest as he is a member of a professional association related to this item.

The Director of Sustainable Planning and Community Development provided a correction related to the Rental Tenancy Act process to end tenancies.

Moved By Councillor Loveday
Seconded By Councillor Alto

1. That Council refer recommendation #1: *Suspend development of a Rental Business Licensing Bylaw given changes to the provincial Residential Tenancy Act (RTA) designed to prevent evictions carried out to renovate or repair a rental unit that came into effect on July 1, 2021, and this report to the Renters' Advisory Committee and direct staff to bring this report to Council in 4 months and look at what other municipalities are doing.*

That Council direct the Director of Sustainable Planning and Community Development to:

2. Monitor the implementation of the provincial legislative updates and report back to Council in the fall of 2022 on its efficacy and whether future City initiatives to further enhance protections for tenants are needed;
3. Facilitate public awareness and access to information regarding RTA requirements on repair and renovations of rental housing;
4. Undertake tenant capacity-building and outreach activities regarding RTA requirements on repair and renovations of rental housing.
5. That Council direct staff to engage with municipalities that have renovation bylaws to discern ways to strengthen a municipal approach that the City of Victoria could take.

Amendment to replace #1, add a new #2 and strike out #5:

Moved By Councillor Loveday

Seconded By Councillor Dubow

1. **That council direct staff to report back with an updated bylaw to augment and fill the gaps in the Provincial legislation, with an aim of providing displaced tenants with assistance during renovations and preserving affordability when the renovated unit is ready for occupation**
2. **And that council direct staff to send the drafted bylaw to the Renters Advisory Committee.**
1. ~~That Council refer recommendation #1: *Suspend development of a Rental Business Licensing Bylaw given changes to the provincial Residential Tenancy Act (RTA) designed to prevent evictions carried out to renovate or repair a rental unit that came into effect on July 1, 2021, and this report to the Renters' Advisory Committee and direct staff to bring this report to Council in 4 months and look at what other municipalities are doing.*~~

That Council direct the Director of Sustainable Planning and Community Development to:

2. Monitor the implementation of the provincial legislative updates and report back to Council in the fall of 2022 on its efficacy and whether future City initiatives to further enhance protections for tenants are needed;
3. Facilitate public awareness and access to information regarding RTA requirements on repair and renovations of rental housing;
4. Undertake tenant capacity-building and outreach activities regarding RTA requirements on repair and renovations of rental housing.

5. ~~That Council direct staff to engage with municipalities that have renovation bylaws to discern ways to strengthen a municipal approach that the City of Victoria could take.~~

On adding #1 and #2:

FOR (6): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe

OPPOSED (1): Councillor Andrew

CARRIED (6 to 1)

On striking #5:

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

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

CARRIED (4 to 3)

On the main motion as amended:

1. That Council direct staff to report back with an updated bylaw to augment and fill the gaps in the Provincial legislation, with an aim of providing displaced tenants with assistance during renovations and preserving affordability when the renovated unit is ready for occupation.
2. And that Council direct staff to send the drafted bylaw to the Renters Advisory Committee.

That Council direct the Director of Sustainable Planning and Community Development to:

3. Monitor the implementation of the provincial legislative updates and report back to Council in the fall of 2022 on its efficacy and whether future City initiatives to further enhance protections for tenants are needed;
4. Facilitate public awareness and access to information regarding RTA requirements on repair and renovations of rental housing;
5. Undertake tenant capacity-building and outreach activities regarding RTA requirements on repair and renovations of rental housing.

CARRIED UNANIMOUSLY

E.1.a.g The City of Victoria Corporate Energy and Emissions Management Plan

Councillor Isitt returned to the meeting at 3:03 p.m.

Moved By Mayor Helps
Seconded By Councillor Loveday

That Council:

- a. Adopt the directions as outlined in the City of Victoria Corporate Energy and Emissions Management Plan (Appendix A) to support implementation of the Climate Leadership Plan.
- b. Request that the Police Board endorse targets and actions identified in the Municipal Operations section of the City's Climate Leadership Plan.
- c. Request that the Police Board adopt the directions outlined in the City of Victoria Corporate Energy and Emissions Management Plan (Appendix A) to support implementation of the of the Climate Leadership Plan.

CARRIED UNANIMOUSLY

E.1.b Report from the September 16, 2021 COTW meeting
E.1.b.a Animal Responsibility Bylaw - Amendments

Moved By Councillor Isitt
Seconded By Councillor Potts

That Council instruct the Director of Parks, Recreation and Facilities to bring forward bylaw amendments necessary to remove Gonzales Beach from the designated off-leash areas within the Animal Responsibility Bylaw to align with federal regulations within the Victoria Harbour Migratory Bird Sanctuary ("VHMBS").

CARRIED UNANIMOUSLY

G. CORRESPONDENCE

G.1 Letter from the Mayor of the City of Langford

Council received a letter dated August 19, 2021 from the Mayor of the City of Langford regarding support for the City of Victoria in response to a letter regarding the release of violent and/or repeat offenders who are awaiting charge disposition.

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That the correspondence dated August 19, 2021 from the Mayor of the City of Langford be received for information.

CARRIED UNANIMOUSLY

H. CLOSED MEETING

Moved By Councillor Potts

Seconded By Councillor Loveday

MOTION TO CLOSE THE SEPTEMBER 16, 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)(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(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

H. CLOSED MEETING

Council, by unanimous consent, considered the following motion:

That the closed agenda be approved.

CARRIED UNANIMOUSLY

M. NEW BUSINESS

M.1 Law Enforcement and Intergovernmental Negotiations – Community Charter Section 90(1)(f) and Community Charter Section 90(2)(b)

Council discussed a law enforcement and intergovernmental negotiations matter.

The discussion was recorded and kept confidential.

P. ADJOURNMENT

Moved By Councillor Alto
Seconded By Councillor Potts

That the Council meeting be adjourned at 3:32 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR