



## MINUTES - VICTORIA CITY COUNCIL

October 28, 2021, 3:47 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 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, 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, 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, P. Rantucci – Head of Strategic Real Estate, M. Maclean – Community Planner, C. Kingsley - City Clerk, S. Stoltz - Committee Secretary

**A. CONVENE COUNCIL MEETING**

**B. APPROVAL OF AGENDA**

**Moved By** Councillor Alto  
**Seconded By** Councillor Thornton-Joe

That the agenda be approved.

**CARRIED UNANIMOUSLY**

**E. PROCLAMATIONS**

**E.1 "Colour the World Orange Day" - November 1, 2021**

**Moved By** Councillor Alto  
**Seconded By** Councillor Thornton-Joe

That the following proclamation be endorsed:  
1. "Colour the World Orange Day" - November 1, 2021

**CARRIED UNANIMOUSLY**

**E.2 "Respiratory Therapy Week" - October 24 to October 30, 2021**

**Moved By** Councillor Andrew  
**Seconded By** Councillor Thornton-Joe

That the following proclamation be endorsed:  
1. "Respiratory Therapy Week" - October 24 to October 30, 2021

**CARRIED UNANIMOUSLY**

**E.3 "Indigenous Disability Awareness Month" - November 2021**

**Moved By** Councillor Thornton-Joe  
**Seconded By** Councillor Dubow

That the following proclamation be endorsed:  
1. "Indigenous Disability Awareness Month" - November 2021

**CARRIED UNANIMOUSLY**

**E.4 "Rising Economy Week 2021" - November 22 to November 25, 2021**

**Moved By** Councillor Alto  
**Seconded By** Councillor Dubow

"Rising Economy Week 2021" - November 22 to November 25, 2021

**CARRIED UNANIMOUSLY**

**F. REPORTS OF COMMITTEE**

**F.1 Committee of the Whole**

**F.1.a Report from the October 14, 2021 COTW Meeting**

**F.1.a.a Development Variance Permit Application No. 00274 for 3130  
Jutland Road and 496-498 Cecelia Road (Burnside Gorge)**

**Moved By** Councillor Alto  
**Seconded By** Councillor Thornton-Joe

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

"That Council authorize the issuance of Development Variance Permit Application No. 00274 for 3130 Jutland Road and 496-498 Cecelia Road in accordance with:

1. Survey plan date stamped September 9, 2021, and landscape plan date stamped December 17, 2020.

2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - a. reduce the continuous soft landscaping area between a surface vehicle parking area and adjacent lot used primarily for residential purposes from 1m to 0.38m on proposed Lot B.
3. The Development Variance Permit lapsing two years from the date of this resolution.”

**CARRIED UNANIMOUSLY**

**F.1.a.b Council Meeting Schedule for 2022**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Alto

That Council approve the 2022 Committee of the Whole and Council meeting schedule attached to this report and make it available to the public as required under Section 127 of the Community Charter.

**CARRIED UNANIMOUSLY**

**F.1.a.c Rezoning Application No. 00769 for 941 Fullerton Avenue (Victoria West)**

**Moved By** Councillor Potts

**Seconded By** Councillor Alto

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00769 for 941 Fullerton Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

**CARRIED UNANIMOUSLY**

**F.1.a.d CRD Regional Transportation Priorities**

**Moved By** Councillor Isitt

**Seconded By** Councillor Loveday

That Council:

1. Receive this report for information.
2. Endorse the creation of a CRD Transportation Advisory Committee (TAC) and;
3. Direct staff to work with municipal, electoral area, and agency partners through the TAC to advise on regional transportation

matters requiring coordination and reporting through the CRD Transportation Committee.

**CARRIED UNANIMOUSLY**

**F.1.b Report from the October 28, 2021 COTW Meeting**

**F.1.b.a431 Parry Street: Development Variance Permit No. 00235  
(James Bay)**

**Moved By** Councillor Loveday  
**Seconded By** Councillor Alto

That Council waive the requirement for an opportunity for public comment and authorize the issuance of Development Variance Permit No. 00235 for 431 Parry Street in accordance with:

1. Plans date stamped December 23, 2019 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. reduce the front yard setback from 7.5m to 4.14m;
  - ii. reduce the rear yard setback from 8.28m to 4.42m for the rear stairs and 4.95m for the building;
  - iii. reduce the south side yard setback from 1.5m to 1.2m;
  - iv. reduce the north side yard setback from 3m to 2m; and
  - v. reduce the combined side yard setback from 4.5m to 3.2m.
2. The Development Permits lapsing two years from the date of this resolution.

**CARRIED UNANIMOUSLY**

**G. BYLAWS**

**G.1 Bylaw for Victoria Subdivision and Development Servicing Bylaw, Amendment Bylaw (No. 4)**

The purpose of this Bylaw is to amend the Victoria Subdivision and Development Servicing Bylaw to clarify requirements regarding highway works and services.

**Moved By** Councillor Isitt  
**Seconded By** Councillor Dubow

**MOTION TO CLOSE THE OCTOBER 28, 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 closed the meeting to the public at 3:57 p.m.*

**Legal Advice – Community Charter Section 90(1)(i)**

Committee discussed a legal advice matter.

The conversation and motions were recorded and kept confidential.

*The open Council meeting reconvened at 4:11 p.m.*

**Moved By** Mayor Helps

**Seconded By** Councillor Loveday

That the following bylaw be adopted:

1. Victoria Subdivision and Development Servicing Bylaw, Amendment Bylaw (NO. 4) No. 21-097

**CARRIED UNANIMOUSLY**

**G.2 Bylaw for Business Recovery from Pandemic Bylaw Amendment Bylaw (No. 2)**

The purpose of this bylaw is to amend the Business Recovery from Pandemic Bylaw to extend the duration of that bylaw and impose time limits for new applications or applications for extensions and renewals.

**Moved By** Councillor Loveday

**Seconded By** Councillor Alto

That the following bylaw be adopted:

1. Business Recovery from Pandemic Bylaw Amendment Bylaw (No.2), No. 21-095

**CARRIED UNANIMOUSLY**

**H. CORRESPONDENCE**

## **H.1 Letter from the Minister of Mental Health and Addictions**

Council received a letter dated October 6, 2021 from the Minister of Mental Health and Addictions regarding the use of police resources for individuals apprehended under the Mental Health Act (the Act).

**Moved By** Councillor Alto  
**Seconded By** Councillor Potts

That the letter be received for information.

### **Motion to refer:**

**Moved By** Councillor Isitt  
**Seconded By** Councillor Andrew

That this item of correspondence be referred to the November 4<sup>th</sup> meeting.

**CARRIED UNANIMOUSLY**

## **H.2 Letter from the Mayor of the District of North Saanich**

Council received a letter dated September 28, 2021 from the Mayor of the District of North Saanich regarding the Release of Violent and/or Repeat Offenders.

**Moved By** Councillor Alto  
**Seconded By** Councillor Thornton-Joe

That the letter be received for information.

**CARRIED UNANIMOUSLY**

## **I. CLOSED MEETING**

**Moved By** Councillor Andrew  
**Seconded By** Councillor Potts

MOTION TO CLOSE THE OCTOBER 28, 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)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;*

**CARRIED UNANIMOUSLY**

**K. APPROVAL OF CLOSED AGENDA**

**Moved By** Councillor Andrew

**Seconded By** Councillor Loveday

That the closed agenda be approved.

**CARRIED UNANIMOUSLY**

**M. NEW BUSINESS**

**M.1. Legal Advice - Section 90(1)(i)**

Council discussed a legal advice matter.

The conversation and motions were recorded and kept confidential.

**M.2. Legal Advice - Section 90(1)(i)**

Council discussed a legal advice matter.

The conversation and motions were recorded and kept confidential.

*The recording secretary was excused from the meeting at 4:32 p.m.*

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

Council discussed an Employee Relations matter.

The discussion was recorded and kept confidential.

**O. ADJOURNMENT**

**Moved By** Councillor Alto

**Seconded By** Councillor Andrew

That the Closed Council Meeting be adjourned at 4:47 p.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR