



## REVISED AGENDA - VICTORIA CITY COUNCIL

Thursday, September 22, 2022

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

Pages

A.	CONVENE COUNCIL MEETING	
B.	APPROVAL OF AGENDA	
C.	READING OF MINUTES	
C.1.	<u>Minutes from the daytime meeting held January 27, 2022</u>	1
C.2.	<u>Minutes from the Special evening meeting held September 1, 2022</u>	15
C.3.	<u>Minutes from the daytime meeting held September 1, 2022</u>	22
C.4.	<u>Minutes from the Special daytime meeting held September 2, 2022</u>	30
D.	PROCLAMATIONS	
D.1.	<u>"National Children's Grief Awareness Day" - November 17, 2022</u>	36
D.2.	<u>"Circular Economy Month" - October 2022</u>	37
D.3.	<u>"Small Business Month" - October 2022</u>	38
E.	UNFINISHED BUSINESS	
E.1.	<u>Rise and Report</u>	
E.1.a.	From the Closed Meeting held September 8, 2022	39
	<i>That Council rise and report on the attached letter from Mayors Desjardins and Helps to Minister Farnworth at the discretion of the Mayor.</i>	
F.	REPORTS OF COMMITTEE	
F.1.	<u>Committee of the Whole</u>	

[Link to the September 8, 2022 COTW Agenda](#)

F.1.a.a. 203, 211 and 335 Harbour Road: Development Permit No. 000617 (Victoria West)

F.1.a.b. Council Member Motion: Being Muslim in Victoria and Saanich – 2023 Budget Recommendation

F.1.a.c. Council Member Motion: Apology to Chinese-Canadians in Victoria for Systemic Racism and Discrimination

F.1.b. Report from September 22, 2022 COTW Meeting

*Placeholder for time-sensitive motions*

## G. CORRESPONDENCE

G.1. Letter from Deputy Minister of Tourism, Arts, Culture and Sport

43

*A letter of response from Deputy Minister of Tourism, Arts, Culture and Sport regarding sustainable funding for Point Ellice House.*

G.2. Letter from Minister of Public Safety and Solicitor General and Deputy Premier

46

*A letter of response from Minister of Public Safety and Solicitor General and Deputy Premier regarding harm reduction services and provincial cannabis regulation.*

## H. BYLAWS

\*H.1. Bylaw for Business Licence, Amendment Bylaw

48

***Addendum: New Item***

A report recommending:

- 1st, 2nd and 3rd readings of:
  - Business Licence Bylaw, Amendment Bylaw (No. 32) No. 22-090
- Direct staff to schedule an opportunity for persons who consider they are affected by the bylaw to make representations to Council, and give notice of this opportunity to municipally licensed cannabis retailer stores.

The purpose of this Bylaw is to repeal the Storefront Cannabis Retailer Regulation Bylaw No. 19-053 and amend the Business Licence Bylaw No. 89-071 to incorporate a reduced business licence fee and conditions for holding a business licence for storefront cannabis retailers.

**I. CLOSED MEETING**

MOTION TO CLOSE THE SEPTEMBER 22, 2022 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; and*

*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*

**J. APPROVAL OF CLOSED AGENDA**

**K. READING OF CLOSED MINUTES**

**L. UNFINISHED BUSINESS**

**M. CORRESPONDENCE**

**N. NEW BUSINESS**

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

N.2. Appointment - Community Charter Section 90(1)(a)

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

N.4. Employee Relations - Community Charter Section 90(1)(c)

N.5. Employee Relations - Community Charter Section 90(1)(c)

**O. CONSIDERATION TO RISE & REPORT**

P. ADJOURNMENT



## MINUTES - VICTORIA CITY COUNCIL

January 27, 2022, 1:57 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:** Councillor Alto in the Chair, Councillor Andrew, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young

**ABSENT:** Mayor Helps and Councillor Dubow

**STAFF PRESENT:** J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Chief Financial Officer, T. Soulliere - Director of Parks, Recreation & Facilities, T. Zworski - City Solicitor, B. Eisenhauer - Head of Engagement, P. Bellefontaine - Director of Engineering & Public Works, K. Hoese - Director of Sustainable Planning and Community Development, A. Hudson - Assistant Director of Community Planning, C. Anderson - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, K. Moore - Head of Business and Community Relations, C. Kingsley - City Clerk, J. Jensen - Director, People and Culture, P. Angelblazer - Committee Secretary

### **B. APPROVAL OF AGENDA**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Andrew

That the agenda be approved.

**CARRIED UNANIMOUSLY**

### **C. READING OF MINUTES**

#### **C.1 Minutes from the daytime meeting held January 13, 2022**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Andrew

That the minutes from the daytime meeting held January 13, 2022 are approved.

**CARRIED UNANIMOUSLY**

**D. PROCLAMATIONS**

**D.1 "Congenital Heart Disease Awareness Week" - February 7th to 14th, 2022**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Andrew

That the following proclamation be endorsed:

1. "Congenital Heart Disease Awareness Week" - February 7th to 14th, 2022

**CARRIED UNANIMOUSLY**

**E. REPORTS OF COMMITTEE**

**E.1 Committee of the Whole**

**E.1.a Report from the January 13, 2022 COTW Meeting**

**E.1.a.a 801 Bank Street: Development Variance Permit Application No. 00271 (Gonzales)**

**Moved By** Councillor Andrew

**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 Development Variance Permit Application No. 00271 for 801 Bank Street, in accordance with:

1. Plans date stamped July 26, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  1. increase the building height for the accessory gymnasium building from 3.50m to 6.76m
  2. increase the building height for the accessory classroom building from 3.50m to 4.06m.
3. The Development Variance Permit lapsing two years from the date of this resolution."

**CARRIED UNANIMOUSLY**

**E.1.a.b**

**Review of Business Licensing Fee for Cannabis Retail Stores**

*Council discussed the following:*

- *Prescribed minimum staffing levels within the bylaw*
- *Safety of budtender staff*
- *A jurisdictional overview of cannabis retail licensing fees*

*Councillor Isitt requested that 1.a. be considered separately.*

**Moved By** Councillor Andrew

**Seconded By** Councillor Alto

That Council:

1. Direct the City Solicitor to draft necessary bylaws to:
  - a. Amend the Business Licence Bylaw to establish a business licensing fee of \$3,500 for cannabis retail stores in 2022, and \$2,000 starting in 2023, and bring it forward for first and second readings.
  - b. Amend the Business Licence Bylaw to regulate ground floor commercial display windows to ensure that windows of cannabis retail stores on any street frontage are not blocked by translucent or opaque material, artwork, posters, shelving, display cases or similar elements that prevent visibility into and out of the premises and bring it forward for first and second readings.
  - c. Repeal the Storefront Cannabis Retailer Regulation Bylaw 19-053, but not before the necessary amendments to the Business Licence Bylaw.
2. Direct staff to schedule an opportunity for public comment at a Council meeting.

**Amendment:**

**Moved By** Councillor Isitt

**Seconded By** Councillor Alto

That Council:

1. Direct the City Solicitor to draft necessary bylaws to:
  - a. Amend the Business Licence Bylaw to establish a business licensing fee of \$3,500 for cannabis retail stores in 2022, and \$2,000 starting in 2023, and bring it forward for first and second readings.
  - b. Amend the Business Licence Bylaw to regulate ground floor commercial display windows to ensure that windows of cannabis retail stores on any street frontage are not blocked by translucent or opaque material, artwork, posters, shelving, display cases or similar elements that prevent visibility into and out of the premises, **maintain minimum staffing levels from the previous bylaw**, and bring it forward for first and second readings.
  - c. Repeal the Storefront Cannabis Retailer Regulation Bylaw 19-053, but not before the necessary amendments to the Business Licence Bylaw.
2. Direct staff to schedule an opportunity for public comment at a Council meeting.

**Motion to postpone:**

**Moved By** Councillor Andrew

**Seconded By** Councillor Thornton-Joe

That the matter is postponed until the February 10th, 2022 Council meeting.

FOR (6): Councillor Alto, Councillor Andrew, Councillor Isitt, Councillor Potts, Councillor Thornton-Joe, and Councillor Young

OPPOSED (1): Councillor Loveday

**CARRIED (6 to 1)**

**E.1.a.c**

**Rapid Deployment of Affordable Housing**

*Council discussed the following:*

- *Proposed level of staff involvement in affordable housing applications*
- *Appropriate venues for public engagement*

**Moved By** Councillor Alto

**Seconded By** Councillor Loveday

That Council direct staff to:

1. Prepare and bring forward, for first and second readings, amendments to the Zoning Regulation Bylaw and Zoning Bylaw 2018 to add regulations that would increase the maximum density affordable housing projects can achieve, to the maximum density identified in the Official Community Plan, as outlined in this report and with the inclusion of non-profit housing co-operatives.
2. Prepare and bring forward, for first, second and third readings, amendments to the Land Use Procedures Bylaw to delegate Development Permits with or without Variances as well as Development Variance Permits for affordable housing developments to staff, as outlined in this report, and that Council consider enacting the Land Use Procedures Bylaw Amendment if the Zoning Regulation Amendment Bylaw and Zoning Bylaw 2018 Amendment Bylaw identified in #1 are adopted.
3. That the definition of affordable housing at 1.b of page 13 include revision for a minimum 60 year lease to the public housing body.



FOR (4): Councillor Alto, Councillor Isitt, Councillor Loveday, and Councillor Potts  
OPPOSED (3): Councillor Andrew, Councillor Thornton-Joe, and Councillor Young

**CARRIED (4 to 3)**

**E.1.b Report from the January 27, 2022 COTW Meeting**

**E.1.b.a 1124 Vancouver St, 841 and 953 View St: Rezoning Application No. 00718 and Development Permit with Variances Application No. 00133**

**Moved By** Councillor Andrew  
**Seconded By** Councillor Young

That the application proceed to a Public Hearing on February 10, 2022, as scheduled.

**CARRIED UNANIMOUSLY**

**E.1.b.b Council Member Motion: Renters' Advisory Committee – AVICC & UBCM Advocacy Resolutions**

**Moved By** Councillor Potts  
**Seconded By** Councillor Loveday

That Council endorse the following resolutions and submit them for consideration at the Association of Vancouver Island Coastal Communities and the Union of BC Municipalities:

1. WHEREAS vacancy control does not apply to new construction and developers will still have incentive to build new units;

WHEREAS in B.C. there are mechanisms through which a landlord may apply to the Residential Tenancy Branch for an additional rent increase if they have incurred eligible capital expenditures or expenses to the residential property in which the rental unit is located;

WHEREAS rents continue to rise faster than inflation and the provincially allowable rent increases and the loss of stable rental housing stock and displaced renters adversely affects local economy, community, and ability to maintain health and essential services;

THEREFORE BE IT RESOLVED that for the health of our local economies, AVICC and UBCM advocate that the Provincial Government explore a vacancy control policy that would limit rent increases between tenancies.

FOR (6): Councillor Alto, Councillor Andrew, Councillor Isitt, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe  
OPPOSED (1): Councillor Young

**CARRIED (6 to 1)**

*Councillor Isitt withdrew from the meeting at 2:32 p.m. due to a potential pecuniary conflict of interest*

*Councillor Loveday withdrew from the meeting at 2:32 p.m. due to a potential pecuniary conflict of interest*

**Moved By** Councillor Potts

**Seconded By** Councillor Loveday

2. WHEREAS to expand the supply of community and affordable housing, experts tasked with delivering the final report of the Canada-British Columbia Expert Panel on the Future of Housing Supply and Affordability recommend that:

*The federal and provincial governments independently or jointly create an acquisition fund to enable non-profit housing organizations to acquire currently affordable housing properties at risk of being repriced or redeveloped into more expensive units. Conditions should be attached to this funding that will prevent forced displacement of existing tenants when a building is acquired. The B.C. government should exempt non-profit organizations from the property transfer tax for building acquisitions that will be used to provide affordable housing.*

THEREFORE BE IT RESOLVED that AVICC and UBCM advocate that the Provincial Government support the recommendation of the Canada-British Columbia Expert Panel on the Future of Housing Supply and Affordability, to develop a provincial acquisition strategy and grant program that would allow non-profit housing providers to purchase and repair aging rental stock for the purposes of maintaining existing affordable housing

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Potts

**Seconded By** Councillor Alto

3. WHEREAS the Provincial Government has pledged to, alleviate the rental housing crisis, strengthen tenant protections, and expand the efficacy of the Residential Tenancy Branch;

WHEREAS B.C. is in the midst of a housing crisis which has pushed many tenants into vulnerable living situations and legal aid funding for tenancy issues would provide tenants with a fair opportunity to participate in the adjudication of their tenancy issues;

THEREFORE BE IT RESOLVED that AVICC and UBCM advocate that the Provincial Government reinstate the funding of poverty law legal aid for tenancy issues.

**CARRIED UNANIMOUSLY**

*Councillor Isitt rejoined the meeting at 2:34 p.m.*

*Councillor Loveday rejoined the meeting at 2:34 p.m.*

**E.1.b.c**

**Bylaw Officer Appointments**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Andrew

1. That Council approve the appointment of Lauren Carr, Jimmy Arauz, Tyson Walters, Robert Halkett and Megan Vande Burgt
  - a. As a Bylaw Officer pursuant to section 2(a) of the Inspection Bylaw (06-061); and
  - b. As a Business Licence Inspector for the City of Victoria.

**CARRIED UNANIMOUSLY**

**E.1.b.d**

**Council Member Motion: Guaranteed Liveable Basic Income Advocacy to AVICC**

**Moved By** Councillor Alto

**Seconded By** Councillor Loveday

That Council endorse the following Resolution and forward the same to the Association of Vancouver Island and Coastal Communities (AVICC) for consideration at its annual convention in April 2022.

That this resolution be forwarded to the January 27, 2022 Council to follow Committee of the Whole meeting for ratification.

*Whereas municipalities are at the front line in dealing with community impacts when people are unable to support their own wellbeing,*

*And whereas poverty has a downstream effect on municipalities, putting unsustainable pressure on their limited resources to deliver necessary public services and social supports as they struggle to keep up with downloaded responsibilities,*

*And whereas the Covid-19 pandemic has exacerbated municipal constraints, leaving them to deal with exposed gaps in our social safety net resulting from growing economic, racial and health inequalities,*

*And whereas basic income addresses key social determinants of health, such as income and housing, it can alleviate pressures on municipalities to address poverty and fill gaps in social supports, such as shelter, housing, food security and mental health,*

*And whereas evidence from basic income research and pilots shows that when people have a sufficient and secure income their mental and physical health improves; they have the capacity to secure more affordable, suitable, and safe housing, childcare, healthy food, and transportation; and poverty rates decrease thereby helping to alleviate the downloaded pressure on municipalities to support the wellbeing of their residents,*

*And whereas the provision of a guaranteed livable basic income would benefit individuals, families and communities and protect the most vulnerable in society, it would also support community resilience by facilitating the transition to a local economy that responds to the climate crisis and other major challenges,*

*And whereas evidence shows that a federally funded basic income that improves people's financial stability is possible, as successful income transfer programs already exist in Canada for seniors (Old Age Security and the Guaranteed Income Supplement) and parents (Canada Child Benefit (CCB)),*

*Therefore be it resolved that AVICC calls on the Government of Canada to implement a Guaranteed Livable Basic Income, ensuring everyone has sufficient income to meet their needs, which would go a long way towards eradicating poverty and homelessness, alleviating the pressure on municipalities to use their limited resources to fill gaps in our failing social safe net, And be it further resolved that AVICC endorse this Resolution, and forward the same to the Union of British*

*Columbia Municipalities (UBCM) for consideration at its annual convention in September 2022.*

**CARRIED UNANIMOUSLY**

**E.1.b.e**

**Council Member Motion: Advocacy for Liveable Income Support Programs - AVICC & UBCM Advocacy Resolutions**

**Moved By** Councillor Loveday

**Seconded By** Councillor Isitt

That Council endorse the following resolution and direct staff to forward electronic copies to the Association of Vancouver Island and Coastal Communities, the Union of BC Municipalities and member local governments, requesting favourable consideration and resolutions of support:

Resolution: Advocacy for Liveable Income Support Programs

WHEREAS adequate incomes are essential for the wellbeing of community members and families;

AND WHEREAS the current level of Income Assistance is not sufficient to cover the cost of the necessities of life, a problem made worse by sharp increases in the cost of housing, food, transportation and other human needs;

THEREFORE BE IT RESOLVED THAT the Province of British Columbia revise provincial Income Assistance programs to provide a liveable income for seniors, people with disabilities, and community members living in poverty.

**CARRIED UNANIMOUSLY**

**E.1.b.f**

**Council Member Motion: Advocacy for Partnerships for Fare-Free Public Transit - AVICC & UBCM Advocacy Resolutions**

**Moved By** Councillor Isitt

**Seconded By** Councillor Loveday

That Council endorse the following resolution and direct staff to forward electronic copies to the Association of Vancouver Island and Coastal Communities, the Union of BC Municipalities and member local governments, requesting favourable consideration and resolutions of support:

Resolution: Partnerships for Fare-Free Public Transit

WHEREAS equitable access to mobility is fundamental to full and meaningful participation in local communities, including access to education, employment, services, recreation, culture and community life;

AND WHEREAS the Province of British Columbia has shown leadership by eliminating use-fee barriers to public transit ridership for people 12 years of age and under;

AND WHEREAS emissions from transportation generate a majority of community-based emissions in many communities, meaning that changes in transportation options have the potential to have a substantial impact in reducing green-house gas emissions;

AND WHEREAS forward-looking jurisdictions around the world from Kingston, Ontario to Kansas City, Missouri, to Luxembourg and Estonia are eliminating user-fee barriers to public transit ridership, with residents paying for transit services through the tax system rather than at the fare box;

THEREFORE BE IT RESOLVED THAT the Province of British Columbia work with local governments to introduce bold investments in sustainable transportation networks, including fare-free public transit services in communities that support the elimination of user-fee barriers to public transit ridership.

**CARRIED UNANIMOUSLY**

**F. BYLAWS**

**F.1 Bylaw for Business Improvement Area Amendment Bylaw**

**Moved By** Councillor Young

**Seconded By** Councillor Thornton-Joe

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

1. Business Improvement Area Bylaw, Amendment Bylaw (NO. 1) No. 22-023

**CARRIED UNANIMOUSLY**

**F.2 Bylaw for Land Use Procedures Bylaw Amendment Bylaw**

**Moved By** Councillor Loveday

**Seconded By** Councillor Alto

That the following bylaw **be adopted:**

1. Land Use Procedures Bylaw, Amendment Bylaw (No. 14), 2022 No. 22.014

**CARRIED UNANIMOUSLY**

**F.3 Bylaw for Officers Bylaw Amendment Bylaw**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Andrew

That the following bylaw **be adopted**:

1. Officers Bylaw, Amendment Bylaw (No. 2), 2022 No. 22-016

**CARRIED UNANIMOUSLY**

**F.4 Bylaw for 137/139 Robertson Street and 1848/1850 Hollywood Crescent: Rezoning Application No. 00723 and Development Permit with Variances Application No. 00181**

**Moved By** Councillor Potts

**Seconded By** Councillor Loveday

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1265) No. 22-022

FOR (6): Councillor Alto, Councillor Andrew, Councillor Isitt, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe

OPPOSED (1): Councillor Young

**CARRIED (6 to 1)**

**Moved By** Councillor Potts

**Seconded By** Councillor Loveday

Development Permit with Variances Application No. 00181

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. 00723, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variances Application No. 00181 for 137/139 Robertson Street and 1848/1850 Hollywood Crescent, in accordance with:

1. Plans date stamped September 23, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  1. reduce the vehicle parking from three stalls to two stalls;
  2. increase the number of storeys from two and a half to three;
  3. increase the height from 7.6m to 8.03m;
  4. allow for roof decks;
  5. reduce the front yard setback from 7.5m to 3.22m;
  6. reduce the rear yard setback from 7.5m to 3.20m;
  7. permit an accessory building to be located in the side yard rather than the rear yard;
  8. reduce the building separation distance between an accessory building and the principal building from 2.4m to 0.3m.
3. Registration on title of a car share agreement to secure one car share membership per dwelling unit, 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.”

FOR (6): Councillor Alto, Councillor Andrew, Councillor Isitt, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe  
OPPOSED (1): Councillor Young

**CARRIED (6 to 1)**

**G. CORRESPONDENCE**

**G.1 Letter from Victoria-Beacon Hill MLA**

*Council discussed the following:*

- *The pending staff response from the Ministry of Mental Health and Addictions*

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Potts

That Council receive the letter for information.

**CARRIED UNANIMOUSLY**

**H. CLOSED MEETING**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Potts

**MOTION TO CLOSE THE JANUARY 27, 2022 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; and*  
*Section 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;*

**CARRIED UNANIMOUSLY**

*The daytime Council meeting was closed to the public at 2:50 p.m.*

**J. APPROVAL OF CLOSED AGENDA**

**Moved By** Councillor Andrew

**Seconded By** Councillor Young

That the closed agenda be approved.



**Amendment:**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Andrew

That the agenda be amended to add; Legal Advice – Community Charter Section 90(1)(i)

**CARRIED UNANIMOUSLY**

**Amendment:**

**Moved By** Councillor Andrew

**Seconded By** Councillor Thornton-Joe

That the agenda be amended to add; Legal Advice – Community Charter Section 90(1)(i)

**CARRIED UNANIMOUSLY**

**On the main motion as amended:**

**CARRIED UNANIMOUSLY**

*Councillor Isitt requested that item L.2. be considered before item L.1.*

**K. READING OF CLOSED MINUTES**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Loveday

That the following sets of minutes are approved:

- Minutes from the closed COTW meeting held January 13, 2022
- Minutes from the closed meeting held January 13, 2022

**CARRIED UNANIMOUSLY**

**L. NEW BUSINESS**

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

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

**L.1 Land – Community Charter Section 90(1)(e)**

*Council discussed a land matter. The discussion and motion was recorded and kept confidential.*

**L.3    Legal Advice – Community Charter Section 90(1)(i)**

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

**G.    ADJOURNMENT**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Dubow

That the Closed Council Meeting be adjourned at 4:00 p.m.

**CARRIED UNANIMOUSLY**

---

CITY CLERK

---

MAYOR



## **MINUTES - SPECIAL VICTORIA CITY COUNCIL**

**September 1, 2022, 6:30 P.M.**

**Council Chambers, City Hall, 1 Centennial Square**

**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, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhauer - Head of Engagement, P. Bellefontaine - Director of Engineering & Public Works, K. Hoesé - Director of Sustainable Planning and Community Development, C. Kingsley - City Clerk, D. Atkinson - Acting Fire Chief A. Hudson - Assistant Director of Community Planning, C. Anderson - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, L. Van Den Dolder – Assistant City Solicitor, M. Maclean – Community Planner, P. Rantucci – Head of Strategic Real Estate, 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.

**CARRIED UNANIMOUSLY**

### **C. PUBLIC AND STATUTORY HEARINGS**

#### **C.1 Missing Middle Housing Initiative: Zoning Regulation Bylaw and Official Community Plan Bylaw Amendments and Policy Updates**

***Continuation of the Public Hearing held on August 4, 2022.***

Council is considering four bylaws:

1. A bylaw to amend the Official Community Plan to support implementation of the Missing Middle Housing Initiative, including supporting three storeys within Traditional Residential areas and establishing a new development permit area (DPA 15F, Missing Middle Housing) to regulate the design of Missing Middle developments.

2. A bylaw to amend the Zoning Regulation Bylaw to permit houseplexes, corner townhouses, and heritage conserving infill housing forms
3. A bylaw to amend the Land Use Procedures Bylaw to delegate approval of Development Permit applications without variances to the Director of Sustainable Planning and Community Development.
4. A new Affordable Housing Standards Bylaw which would specify the qualifying incomes and maximum rent rates for below-market ownership and affordable rental housing.

Council is also considering approval of an updated Tenant Assistance Policy to specify the tenant assistance provisions necessary to qualify for a partial development permit fee refund, as would be established by the Land Use Procedures Bylaw amendment.

### **C.1.a Public Hearing & Consideration of Approval**

*Mayor Helps re-opened the public hearing at 6:35 p.m.*

Max Thomson (Government St): Expressed support for the initiative due to the increase in housing supply and more affordable units this may provide.

Jack Sandor (Saanich): Expressed support for the initiative due to the potential for more affordable units replacing older, single-family units.

Jeremy Caradonna (Victoria): Expressed support for the initiative due to the much-needed housing supply this may provide.

Cord Corcese (Bear St): Expressed support for the initiative due to the current housing crisis and how this may address it.

Megen Rees (Forest Rd): Expressed support for the initiative due to the increase in housing options in the area this may provide individuals in need.

Phillip Meckellar (Cedar Hill Rd): Expressed support for the initiative due to the change in policies and potential for more housing options to be built.

Andrea Hilborn (Graham St): Expressed support for the initiative due to the built-in sense of community missing middle housing can provide.

Daniel Kolls (Gorge Rd E): Expressed concerns for the initiative due to the changes this may permit in neighbourhoods of the City and lack of affordability.

Jill Walshaw (Howe St): Expressed concerns for the initiative due to the lack of Council oversight on development incorporated in the policies.

Sarah Buchanan (Haro Rd): Expressed support for the initiative as it will add to the housing stock for students and others in need.

Peter Nagati (Cowichan St): Expressed concerns for the initiative due to the potential change this can impose to a neighbourhood.

Brian Siddall (Douglas St): Expressed concerns for the initiative due to the drastic change in policy and how it may affect the old-style of housing and mass development.

Wayne Hollohan (Cook St): Expressed concerns for the initiative due to the change in policy.

Justin Gammon (Government St): Expressed support for the initiative due to the increase in housing supply this may provide.

Greg Middleton (Victoria): Expressed support for the initiative due to the increase in housing and more options for buyers.

Peter Nadler (No address provided): Expressed concerns for the initiative as it will not address affordability or directly provide rental housing.

Kelly Drabit (No address provided): Expressed concerns for the initiative as this policy does not address affordable rentals.

*Council recessed at 7:58 p.m. and reconvened at 8:03 p.m.*

Monica Lee (James Bay): Expressed concerns for the initiative as it does not directly address housing affordability.

David Thompson (No address provided): Expressed support for the initiative due to the policy that addresses the housing crisis.

Susanne Rautio (Gonzales Neighbourhood Association): Expressed concerns for the initiative as they believe it does not address the urban forest and parks.

Soma Morse (Fernwood Community Association): Expressed concerns for the initiative due to the design guidelines, redevelopment, and potential removal of mature trees.

Anna King (Fernwood): Expressed support for the initiative as this will add more housing to communities.

Mark Hornell (Clare St): Expressed support for the initiative as it addresses a type of housing that is in need.

Abdoul Abal (Victoria): Expressed support for the initiative as this type of housing is suitable for families.

Tony Joe (Fernwood): Expressed support for the initiative as this type of housing will provide gentle densification in residential communities.

Brendan Marshall (Victoria): Expressed concerns for the initiative as this housing may take away from the character of the neighbourhood.

John O'Brien (No address provided): Expressed concerns for the initiative surrounding the policies as written.

Jan Firstbrook (No address provided): Expressed concerns for the initiative as this may displace tenants in current affordable rentals and remove trees.

Alyssa Jackson (Victoria): Expressed support for the initiative as this will benefit students and their housing needs.

Ken Rouche (Howe St): Expressed concerns for the initiative as this may provide density that it is out of context in neighbourhoods.

James Grey (Victoria): Expressed support for the initiative as this will provide more housing options for families.

AJ Stone (North Park St): Expressed concerns for the initiative as it has the potential to displace current tenants.

David Matthys (Fairfield): Expressed concerns for the initiative as this policy may change neighbourhood characteristics.

Henriette Fraik (No address provided): Expressed concerns for the initiative as the proposed policy permits staff to approve applications rather than elected officials.

Jason Jones (No address provided): Expressed concerns for the initiative as this policy may lead to a lack of Council oversight.

*Council recessed at 9:30 p.m. and reconvened at 9:44 p.m.*

Maggie Collins (Prior St): Expressed concerns for the initiative as this policy will not address affordable housing.

Stephen Hammond (Victoria): Expressed concerns for this initiative as this will create expensive housing.

Noah Bastito (No address provided): Expressed support for the initiative as this will provide housing for more individuals in the City.

Hayley Johnson (No address provided): Expressed support for the initiative as it will fit the form and character of the neighbourhood while providing gentle density.

George Anderson (Victoria): Expressed concerns for the initiative as it does not directly address affordable rentals.

Graham Whitehead (Victoria): Expressed concerns for the initiative as this policy will remove community consultation.

Verna Stone (Rockland): Expressed concerns for the initiative as it does not address affordability.

Anna Cal (No address provided): Expressed concerns for the initiative as it does not add to the affordable housing stock.

Bill McKechnie (No address provided): Expressed concerns for the initiative due to the increase in neighbourhood density.

No name provided (Victoria): Expressed support for the initiative due to the increase in housing supply.

Neal Wasser (Manor Rd): Expressed support for the initiative due to the engagement conducted and potential addition to housing stock.

Kelsey Grant (No address provided): Expressed support for the initiative as it will add to the missing housing stock.

Haley McCleoud (No address provided): Expressed support for the initiative as it helps address the housing crisis.

Jade Pitt (No address provided): Expressed support for the initiative as it will ease the pressure of the housing crisis in the region.

Thomas Wheatly (Fairfield): Expressed concerns for the initiative as it does not address housing affordability.

Jane Grace (Victoria): Expressed concerns for the initiative as they believe it affects the democratic process and needs more research.

Trevor Moat (No address provided): Expressed concerns for the application due to increase in neighbourhood density.

**Motion to extend:**

**Moved By** Councillor Loveday

**Seconded By** Councillor Dubow

That the meeting be extended to 12:00 a.m.

**CARRIED UNANIMOUSLY**

*Council recessed at 10:57p.m. and reconvened 11:07 p.m.*

James John (No address provided): Expressed concerns for the initiative as it does not address housing affordability.

Shelley Urguhart (Irma St): Expressed concerns for the initiative as it will displace current renters.

Robin Blencoe (Rosebury Ave): Expressed concerns for the initiative due to the community divide on this matter.

Virginia Gray (Lotbiniere Ave): Expressed concerns for the initiative as it will not provide gentle density and there will be a loss in trees.

Mauricio Curbel (Saanich): Expressed support for the initiative as it will provide additional housing and density.

Rob Duncan (Adanac St): Expressed concerns for the initiative.

Don Call (Pentrelew Pl): Expressed concerns for the initiative as it does not address affordability or vacancies.

Eric James (Ryan St): Expressed concerns for the initiative as it removes oversight of certain developments from Council.

Pat McGuire (No address provided): Expressed concerns for the initiative as it lacks neighbourhood engagement.

Kirk Buhne (Medena St): Expressed concerns for the initiative as it will negatively affect neighbourhoods and doesn't address affordability.

No name provided (No address provided): Expressed support for the initiative as it allows individuals to build multiple unit dwellings.

**Motion to extend:**

**Moved By** Councillor Alto

**Seconded By** Councillor Potts

That the meeting be extended to 12:25 a.m.

**CARRIED UNANIMOUSLY**

Alan Lowe (No address provided): Expressed concerns for the initiative as it will be a change to the traditional single-family housing neighbourhoods.

Bella Lee (Rockland): Expressed support for the initiative as it allows gentle density in neighbourhoods and increases livability.

Wayne Poochachoff (No address provided): Expressed concerns for the initiative as not enough engagement was conducted.

Samuel Holland (Howard St): Expressed support for the initiative as it will provide additional housing for families.



No name provided (No address provided): Expressed concerns for the initiative as it will not provide affordable housing.

*No further persons called in to speak to the proposed bylaws.*

*Mayor Helps closed the public hearing at 12:24 a.m. until Friday, September 2, at 12:00 p.m. for the purpose of viewing video submissions and Council deliberations.*

**J. ADJOURNMENT**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Andrew

That the Council meeting be adjourned at 12:25 a.m.

**CARRIED UNANIMOUSLY**

---

CITY CLERK

---

MAYOR



## MINUTES - VICTORIA CITY COUNCIL

September 1, 2022, 9:11 A.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 Isitt, Councillor Potts, Councillor Thornton-Joe, Councillor Young

PRESENT ELECTRONICALLY: Councillor Dubow

ABSENT: Councillor Loveday

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Chief Financial Officer, C. Kingsley - City Clerk, C. Anderson - Deputy City Clerk, T. Zworski - City Solicitor, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhauer - Head of Engagement, C. Mycroft - Manager of Executive Operations, P. Bellefontaine - Director of Engineering & Public Works, D. Atkinson - Acting Fire Chief, L. Berndt - Manager of Energy and Climate Action, P. Angelblazer - Committee Secretary

### **B. APPROVAL OF AGENDA**

**Moved By** Councillor Alto

**Seconded By** Councillor Thornton-Joe

That the agenda be approved.

**CARRIED UNANIMOUSLY**

### **C. READING OF MINUTES**

**Moved By** Councillor Young

**Seconded By** Councillor Potts

That the minutes from the following meetings be approved:

- Daytime meeting held July 14, 2022
- Daytime meeting held July 21, 2022
- Daytime meeting held July 28, 2022
- Evening meeting held July 28, 2022
- Evening meeting held August 4, 2022

**CARRIED UNANIMOUSLY**

**D. PROCLAMATIONS**

**D.1 "100th Anniversary of the Chinese Students' Strike Against Racism and Segregation Day" - September 1, 2022**

*Council discussed the following:*

- *Issuing a statement in support of the strike re-enactment*

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Alto

That the following proclamation be endorsed:

1. "100th Anniversary of the Chinese Students' Strike Against Racism and Segregation Day" - September 1, 2022

**CARRIED UNANIMOUSLY**

**E. REPORTS OF COMMITTEE**

**E.1 Committee of the Whole**

**E.1.a Report from the September 1, 2022 Committee of the Whole**

**E.1.a.a**

**Proposed Capital Regional District Regional Parks  
Loan Authorization Bylaw No. 4506**

**Moved By** Councillor Andrew

**Seconded By** Councillor Alto

That Council:

1. Consent to the adoption of Capital Regional District Bylaw 4506, "Capital Regional District Bylaw No. 4506, "Regional Parks Loan Authorization Bylaw No. 1, 2022."

**CARRIED UNANIMOUSLY**

**F. BYLAWS**

**F.1 Bylaw for 235 Russell Street and 247 Russell Street: Rezoning Application No. 00798 and Rezoning Application No. 00799**

**Moved By** Councillor Alto

**Seconded By** Councillor Potts

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1284) No. 22-076

**CARRIED UNANIMOUSLY**

**F.2 Bylaw for 3117 Blackwood Street: Rezoning Application No. 00783 and Development Permit with Variances Application No. 00184**

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

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1272) No. 22-018

**CARRIED UNANIMOUSLY**

**F.3 Bylaws for 902 Foul Bay Road: Rezoning Application No. 00737, Development Permit with Variances Application No. 00192, and Heritage Alteration Permit No. 00250**

**Moved By** Councillor Alto  
**Seconded By** Councillor Andrew

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1280) No. 22-063
2. Heritage Designation (902 Foul Bay Road) Bylaw, Amendment Bylaw (No. 1) No. 22-065

FOR (6): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Isitt, and Councillor Potts

OPPOSED (2): Councillor Thornton-Joe, and Councillor Young

**CARRIED (6 to 2)**

**Moved By** Councillor Alto  
**Seconded By** Councillor Andrew

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

1. Housing Agreement (902 Foul Bay Road) Bylaw (2022) No. 22-064

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Alto  
**Seconded By** Councillor Andrew

**Development Permit with Variances Application No. 00192**

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. 00737, if it is approved, consider the following motion:

1. That Council authorize the issuance of Development Permit with Variances Application No. 00192 for 902 Foul Bay Road, in accordance with:

- a. Plans date stamped July 28, 2022.
- b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. increase the building height from 10.5m to 11.54m;
  - ii. reduce the vehicle parking from 27 stalls to 14 stalls and the visitor parking from two stalls to one stall;
  - iii. reduce the short-term bicycle parking from 12 stalls to four stalls
  - iv. reduce the separation distance between long-term bicycle parking racks from 45cm to 40cm
  - v. reduce the front (Quamichan Street) setback requirement from 6m to 3.10 (to building) and 1.38m (to stairs);
  - vi. reduce the flanking street (Redfern Street) setback from 6m to 3.37m (to building) and 0.37m (to stairs);
  - vii. reduce the flanking street (Foul Bay Road) setback from 6m to 3.73m;
  - viii. reduce the rear yard setback from 4m to 3m
  - ix. reduce the minimum separation distance for an accessory building from 2.4m to 1.9m.
- c. That the Development Permit lapses two years from the date of this resolution.”

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

OPPOSED (1): Councillor Young

**CARRIED (7 to 1)**

**Moved By** Councillor Alto

**Seconded By** Councillor Potts

Heritage Alteration Permit No. 00250

That Council, after the Public Hearing for Rezoning Application No. 00737, if it is approved, consider the following motion:

- 2. That Council authorize the issuance of Heritage Alteration Permit Application No. 00250 for 902 Foul Bay Road, in accordance with:
  - a. Plans date stamped July 28, 2022.
  - b. The Rock Wall Heritage Conservation Plan by Donald Luxton and Associates Inc. dated March 2020.
  - c. That the Heritage Alteration Permit lapses two years from the date of this resolution.”

**CARRIED UNANIMOUSLY**

**F.4 Bylaws for Accessible Parking: Amendments to Land Use Procedures Bylaw and Victoria Subdivision and Development Servicing Bylaw**

**Moved By** Councillor Alto

**Seconded By** Councillor Potts

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

1. Land Use Procedures Bylaw, Amendment Bylaw (No. 18) No. 22-072
2. Victoria Subdivision and Development Servicing Bylaw, Amendment Bylaw (No. 5) No. 22-078

**CARRIED UNANIMOUSLY**

**F.5 Bylaw for Tax Exemption (Permissive) 2023-2025**

**Moved By** Councillor Alto

**Seconded By** Councillor Potts

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

1. Tax Exemption (permissive) Bylaw, 2023-2025 No. 22-079

**CARRIED UNANIMOUSLY**

**F.6 Bylaw for Streets and Traffic, Amendment Bylaw**

**Moved By** Councillor Alto

**Seconded By** Councillor Potts

That the following bylaw **be adopted:**

1. Streets and Traffic Bylaw, Amendment Bylaw (No. 12) No. 22-028

**CARRIED UNANIMOUSLY**

**F.7 Bylaw for 2740 Bridge Street and 450 Hillside Avenue: Rezoning Application No. 00779**

**Moved By** Councillor Alto

**Seconded By** Councillor Potts

That the following bylaw **be adopted:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1276) No. 22-038

**CARRIED UNANIMOUSLY**

**G. CORRESPONDENCE**

**G.1 Letter from the Minister of Public Safety and Solicitor General**

Council received a letter dated August 22, 2022 from the Minister of Public Safety and Solicitor General regarding public safety and liquor policy.

**Moved By** Councillor Potts

**Seconded By** Councillor Alto

That the letter from the Minister of Public Safety and Solicitor General regarding public safety and liquor policy be received for information.

**CARRIED UNANIMOUSLY**

**G.2 Letter from the Minister of Mental Health and Addictions, and the Minister of Public Safety and Solicitor General**

Council received a letter dated August 22, 2022 from the Minister of Mental Health and Addictions, and the Minister of Public Safety and Solicitor General regarding the allocation of police resources for patients apprehended under the Mental Health Act.

*Council discussed the following:*

- *Inadequate response from the Province*
- *Options available to the Province to respond to the issue appropriately.*

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Alto

That the letter from the Minister of Mental Health and Addictions, and the Minister of Public Safety and Solicitor General regarding the allocation of police resources for patients apprehended under the Mental Health Act be received for information.

**Motion to refer:**

**Moved By** Councillor Isitt

**Seconded By** Councillor Andrew

That this matter be referred to the September 8, 2022 Council Meeting.

**CARRIED UNANIMOUSLY**

**G.3 Letter from the Minister of Public Safety and Solicitor General**

Council received a letter dated August 23, 2022 from the Minister of Mental Health and Addictions, and the Minister of Public Safety and Solicitor General regarding the detention of immigrants by CBSA in provincial correctional centres.

**Moved By** Councillor Isitt

**Seconded By** Councillor Dubow

That the letter from the Minister of Public Safety and Solicitor General regarding the detention of immigrants by CBSA in provincial correctional centres be received for information.

**CARRIED UNANIMOUSLY**

**H. CLOSED MEETING**

**Moved By** Councillor Andrew

**Seconded By** Councillor Potts

MOTION TO CLOSE THE SEPTEMBER 1, 2022 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)(h) an administrative tribunal hearing or potential administrative tribunal hearing affecting the municipality, other than a hearing to be conducted by the council or a delegate of council;

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

Section 90(1)(n) the consideration of whether a council meeting should be closed under a provision of this subsection or subsection (2).

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**

*The meeting was closed to the public at 9:33 a.m.*

**I. APPROVAL OF CLOSED AGENDA**

**Moved By** Councillor Andrew

**Seconded By** Councillor Potts

That the closed agenda be approved.

**CARRIED UNANIMOUSLY**

**J. READING OF CLOSED MINUTES**



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

That the minutes from the following meetings are approved:

- Minutes from the closed meeting held July 14, 2022
- Minutes from the closed meeting held July 21, 2022
- Minutes from the closed meeting held July 28, 2022

**CARRIED UNANIMOUSLY**

**L. NEW BUSINESS**

**L.1 Administrative Tribunal Hearing/Legal Advice - Community Charter Sections 90(1)(h) and 90(1)(i)**

*Council discussed an Administrative Tribunal Hearing and Legal Advice. The discussion and motions were recorded and kept confidential.*

**L.2 Consideration of a Closed Meeting Provision - Section 90(1)(n)**

*Council discussed a closed matter. The discussion and motion was recorded and kept confidential.*

**L.3 Intergovernmental Relation - Section 90(2)(b)**

*Council discussed an intergovernmental relations matter. The discussion and motion was recorded and kept confidential.*

**N. ADJOURNMENT**

**Moved By** Councillor Andrew  
**Seconded By** Councillor Alto

That the Closed Council Meeting be adjourned at 10:04 p.m.

**CARRIED UNANIMOUSLY**

---

CITY CLERK

---

MAYOR



## MINUTES - SPECIAL VICTORIA CITY COUNCIL

September 2, 2022, 12:00 P.M.

Council Chambers, City Hall, 1 Centennial Square

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

PRESENT  
ELECTRONICALLY  
FOR A PORTION OF  
THE MEETING:

Councillor Isitt

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Chief Financial Officer, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhauer - Head of Engagement, A. Hudson - Assistant Director of Community Planning, C. Anderson - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, K. Moore - Head of Business and Community Relations, C. Kingsley - City Clerk, J. Paul - Assistant Director - Engineering, M. Maclean - Community Planner, L. Van Den Dolder - Assistant City Solicitor, R. Kenney - Assistant Director of Transportation, S. Webb - Manager, Sustainable Transportation Plan. & Dev Transportation, D. Atkinson - Acting Fire Chief, S. Stoltz - Committee Secretary

### A. APPROVAL OF AGENDA

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

That the agenda be approved.

**CARRIED UNANIMOUSLY**

### C. PUBLIC AND STATUTORY HEARINGS

#### C.1 Missing Middle Housing Initiative: Zoning Regulation Bylaw and Official Community Plan Bylaw Amendments and Policy Updates

***Continuation of the Public Hearing held on September 1, 2022.***

*Council is considering four bylaws:*

1. *A bylaw to amend the Official Community Plan to support implementation of the Missing Middle Housing Initiative, including supporting three storeys within Traditional Residential areas and establishing a new*

*development permit area (DPA 15F, Missing Middle Housing) to regulate the design of Missing Middle developments.*

- 2. A bylaw to amend the Zoning Regulation Bylaw to permit houseplexes, corner townhouses, and heritage conserving infill housing forms*
- 3. A bylaw to amend the Land Use Procedures Bylaw to delegate approval of Development Permit applications without variances to the Director of Sustainable Planning and Community Development.*
- 4. A new Affordable Housing Standards Bylaw which would specify the qualifying incomes and maximum rent rates for below-market ownership and affordable rental housing.*

*Council is also considering approval of an updated Tenant Assistance Policy to specify the tenant assistance provisions necessary to qualify for a partial development permit fee refund, as would be established by the Land Use Procedures Bylaw amendment.*

#### **C.1.a Public Hearing & Consideration of Approval**

*The continuation of the Public Hearing adjourned on September 1, 2022 opened at 12:01 p.m. for the purposes of viewing pre-recorded video submissions received up to September 1, 2022.*

*Councillor Isitt joined the meeting in person at 12:07 p.m.*

Irene Allen (Tyee Rd): Expressed support for the initiative due to the increase in housing supply and gentle densification of areas near community hubs in order to be close to amenities and support small local businesses.

Jim Mayer (Tyee Rd): Expressed support for the gentle densification of neighborhoods in Victoria in order to lessen exclusionary single-family zoning and increase the options for young families, students, and working professionals.

Carolyn Graham (Fairfield): Expressed opposition to the initiative due to the threat to wildlife that potential developers could pose.

Hannah Rabinovitch (Caledonia Ave): Expressed support for the initiative due to the need for gentle densification of neighborhoods in Victoria in order to increase the options for young families, students, and working professionals so that people are able to stay in the city.

Luke Mari: Expressed support for the initiative due to frustrations with the current rezoning process and the significant impact on affordability that the current process has.

Stacey Fitzsimmons (Washington Ave): Expressed support for the initiative due to the need for an increase in housing options for young families, students, and working professionals so that people are able to move up in the housing ladder and stay within the city.

Brian Vatne: Expressed support for the initiative due to the severe housing shortage that Victorians are currently facing, and the need for more housing options for people.

Tamara Bonnemaïson (Herewood Rd): Expressed support for the initiative due to the severe housing shortage that Victorians are currently facing, and the current lack of housing options.

Jean Wallace (Mackenzie St): Expressed opposition to the initiative due to the potential loss of current affordable housing and the high cost of construction.

Steve New (Mackenzie St): Expressed opposition to the initiative due to the potential increase in densification, scale of developments, and current affordability provisions.

Torben Werner: Expressed support for the initiative and the gentle densification of neighborhoods in Victoria in order to lessen exclusionary single-family zoning as well as concerns about the environment and urban sprawl, and the desire to avoid this by increasing density near the urban core.

John Michael McColl (Roseberry Ave): Expressed support for the initiative and the gentle densification of neighborhoods in Victoria in order to lessen exclusionary single-family zoning, increase supply, and diversify Victoria's housing supply.

Quinn Paterson (Rue St Mathieu St): Expressed support for the initiative and the gentle densification of neighborhoods in Victoria in order to increase supply, and concerns about students and young professionals having to leave the city due to affordability and housing concerns.

Jack Boomer (Rockland Ave): Expressed opposition to the initiative due to the potential loss of current affordable housing and the high cost of construction.

Tom Braybook (Doncaster Dr): Expressed opposition to the initiative due to concerns about the potential increase in population that could accompany it, as well affordability.

Aza Bryson (Community Social Planning Council): Expressed support for the initiative due to young professionals having to leave the city due to affordability and housing concerns, and support for more housing in the city that will increase the supply and have a positive climate impact.

Jeremy Schmidt: Expressed support for the initiative due to current housing instability that many Victorians are facing and the increase in affordability that the initiative would bring.

William Scott: Expressed concerns regarding the initiative due to the potential lack of renter protections and concerns regarding affordability.

Lieu Nguyen (Henderson Rd): Expressed support for the initiative and the gentle densification of neighborhoods in Victoria in order to increase supply and allow Victorians to find more housing options.

Nick Lam (Vancouver St): Expressed support for the initiative and the gentle densification of neighborhoods in Victoria in order to allow students to stay in the city and avoid more significant potential densification of the downtown in the form of towers.

Ian Sutherland (Government St): Expressed opposition to the initiative due to concerns about blanket upzoning causing an increase in housing prices and the potential increase in Victoria's population.

Celia Culley (Griffiths St): Expressed support for the initiative and the gentle densification of neighborhoods in Victoria in order to allow families to stay in the city and increase housing diversity in the city.

Tim Shah (Griffiths St): Expressed support for the initiative and the gentle densification of neighborhoods in Victoria in order to allow families to stay in the city and increase housing diversity so that different types of housing can be viable for Victorians.

Lynn Philips: Expressed opposition to the initiative due to concerns about communications regarding the initiative and the potential cost of new developments.

Rik Leaf (Camosun St): Expressed support for the initiative in order to allow young Victorians to stay in the city and increase housing diversity so that different types of housing can be affordable for Victorians.

Benjamin Yu (Topaz Ave): Expressed support for the initiative in order to allow young families to stay in the city and increase housing diversity so that different types of housing can be affordable for Victorians.

Justin Aylaward (Fairfield): Expressed opposition to the initiative due to concerns about communications regarding the initiative and the potential loss of sense of community.

Jaime Korchinski (Victoria): Expressed support for the initiative in order to allow other people in Victoria to stay in the city and increase housing diversity so that different types of housing can be affordable for Victorians.

Si Heng Tang: Expressed support for the initiative in order to allow students in Victoria to stay in the city and increase housing diversity so that there is different types of housing for future generations.

Monika Loreth (Victoria): Expressed support for the initiative in order to allow people in Victoria to stay in the city and increase housing supply to lessen the severity of the housing shortage.

*Council recessed at 1:35 p.m. and reconvened at 1:41 p.m.*

*Committee discussed the following during the question period:*

- *Affordability provisions in the bylaws*
- *The emphasis on diversity in housing choice*
- *How the initiative would support the transition of neighborhoods to increase and support density near the urban core*
- *Types of missing middle housing and how it differs from existing housing in terms of site space and site coverage*
- *Heritage conservation within the context of the Missing Middle Housing Initiative*
- *Clarifications and concerns regarding tenant protections, and how tenant vulnerabilities already exist within the system*
- *Comparisons and statistics of other Missing Middle Housing initiatives currently being explored by other cities such as Toronto and Vancouver, as well as international cities such as San Francisco and Auckland.*

**Moved By** Councillor Isitt

**Seconded By** Councillor Dubow

**MOTION TO CLOSE THE SEPTEMBER 2, 2022 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.*

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)**

*The Council meeting was closed to the public at 3:39 p.m.*

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

*The Council meeting was reopened to the public at 4:04 p.m.*

*Council recessed at 4:04 p.m. and reconvened at 4:08 p.m.*

*The Council meeting was adjourned to the daytime council of September 8, 2022 at 10:30 a.m.*

**G. ADJOURNMENT**

**Moved By** Councillor Alto

**Seconded By** Councillor Andrew

That the Council Meeting be adjourned at 4:30 p.m.

**CARRIED UNANIMOUSLY**

---

CITY CLERK

---

MAYOR



## CITY OF VICTORIA

# PROCLAMATION

### **“NATIONAL CHILDREN’S GRIEF AWARENESS DAY”**

- WHEREAS** *Organizations in Local communities across Canada, including non-profits, school, hospitals and social service agencies, work to help foster resilience and emotional healing in children and youth who are grieving a loss from a life altering crisis; and*
- WHEREAS** *Children’s Grief Awareness Day raises awareness of the impact of loss on children and their support, and to help others understand how to best to show their support for and solidarity with grieving children; and*
- WHEREAS** *for many grieving children, the most helpful bereavement support to receive is a listening ear, acknowledgement of their feelings, and the support of caring individuals like family, friends or others also grieving a loss; and*
- WHEREAS** *Children’s Grief Awareness Day is an opportunity to support the grieving process of children and to let grieving children know they are not forgotten.*

**NOW, THEREFORE** *I do hereby proclaim Thursday November 17<sup>th</sup>, 2022 as “NATIONAL CHILDREN’S GRIEF AWARENESS DAY” on the HOMELANDS of the Lekwungen speaking SONGHEES AND ESQUIMALT PEOPLE in the CITY OF VICTORIA, CAPITAL CITY of the PROVINCE of BRITISH COLUMBIA.*

**IN WITNESS WHEREOF**, *I hereunto set my hand this 22<sup>nd</sup> day of September, Two Thousand and Twenty-Two.*

---

**LISA HELPS**  
**MAYOR**  
**CITY OF VICTORIA**  
**BRITISH COLUMBIA**

**Sponsored by:**  
**RAINBOWS FOR ALL**  
**CHILDREN CANADA**





## CITY OF VICTORIA

# PROCLAMATION

### **“CIRCULAR ECONOMY MONTH”**

**WHEREAS** *As a municipality, we are committed to conserving resources, protecting the environment and educating the community; and*

**WHEREAS** *We recognize the generation of solid waste and the needless waste of water and energy resources as global environmental problems and endeavor to take the lead in our community toward environmental sustainability and a circular economy; and*

**WHEREAS** *Municipal governments have an important role to play in promoting waste reduction, reuse, recycling, composting and other conservation measures; and*

**WHEREAS** *Communities, businesses and organizations across Canada have committed to working together to raise awareness of these issues during Circular Economy Month in Canada.*

**NOW, THEREFORE** *I do hereby proclaim October 1<sup>st</sup> to October 31<sup>st</sup>, 2022 as “CIRCULAR ECONOMY MONTH” on the HOMELANDS of the Lekwungen speaking SONGHEES AND ESQUIMALT PEOPLE in the CITY OF VICTORIA, CAPITAL CITY of the PROVINCE of BRITISH COLUMBIA.*

**IN WITNESS WHEREOF**, *I hereunto set my hand this 22<sup>nd</sup> day of September, Two Thousand and Twenty-Two.*

---

**LISA HELPS**  
**MAYOR**  
**CITY OF VICTORIA**  
**BRITISH COLUMBIA**

**Sponsored by:**  
**Recycling Council of British Columbia**



## CITY OF VICTORIA

---

### PROCLAMATION

#### **“SMALL BUSINESS MONTH”**

**WHEREAS** *Small businesses contribute greatly to the vibrancy and vitality of Victoria; and*

**WHEREAS** *Small businesses are and essential to our local, provincial, and national economic wellbeing; and*

**WHEREAS** *Small businesses make up 98 percent of all business in BC; and*

**WHEREAS** *The City of Victoria values our city’s many small businesses; and*

**WHEREAS** *The Downtown Victoria Business Association coordinates a campaign to promote small businesses and highlights their importance to our city’s economy and community.*

**NOW, THEREFORE** *I do hereby proclaim the month of October 2022 as “**SMALL BUSINESS MONTH**” on the HOMELANDS of the Lekwungen speaking **SONGHEES AND ESQUIMALT PEOPLE** in the **CITY OF VICTORIA, CAPITAL CITY** of the **PROVINCE** of **BRITISH COLUMBIA**.*

**IN WITNESS WHEREOF**, *I hereunto set my hand this 22<sup>nd</sup> day of September, Two Thousand and Twenty-Two.*

---

**LISA HELPS**  
**MAYOR**  
**CITY OF VICTORIA**  
**BRITISH COLUMBIA**

**Sponsored By:**  
**The Downtown Victoria Business Association**

Closed resolution recommended for Release

Date	Agenda Item	Motion	Decision
September 8 Closed	Consideration of Closed Provision – Rise and Report on Letter to Minister Farnworth	That Council rise and report on the attached letter from Mayors Desjardins and Helps to Minister Farnworth at the discretion of the Mayor.	CARRIED UNANIMOUSLY



March 17, 2021

Honourable Mike Farnworth  
Minister of Public Safety and Solicitor General  
PO Box 9010 Stn Prov Gov  
Victoria BC  
V8W 9E2

Dear Minister Farnworth,

We are writing to you regarding the amalgamated police service for the Township of Esquimalt and the City of Victoria. The 2002 Order In Council 1137 (OIC) and Ministerial Order M365 to create an amalgamated police service for the Township of Esquimalt and the City of Victoria was intended as the first step in establishing a larger regional police service. It is now almost 20 years later, and no further amalgamation has taken place nor does the Province appear to be planning any future police amalgamation in the Capital Region.

As you are aware, in the time that the OIC and Ministerial Order have been in place forcing the amalgamation, there have been ongoing issues in several areas for both municipalities including budget allocation, budget process, governance model, costs, use of resources, approval for additional resources, use of reserve funds and allocation of surplus. These issues have been the impetus for numerous reviews, consultant reports, efficiency reviews, administrative committee discussions, financing and framework agreements and eventually dispute resolution requests submitted to the Province.

The latest consultant reports commissioned by Director of Police Services have resulted in requests to convene the administrative committee for dispute resolution. While the City of Victoria and the Township of Esquimalt have both expressed their support for a regional approach to policing in the Capital Region, they have also both clearly expressed that they do not want to remain part of the current limited amalgamation.

The recent reports by Mr. LePard reinforce that the existing amalgamated force is not well positioned to adequately address the unique and different needs of each community, and the reports support a conclusion that unless policing is amalgamated on a regional basis, those needs would be better addressed through separate forces governed by their respective boards, as is the case for all other municipalities in the province. For this to occur, OIC 1137, Ministerial Order M365 creating the amalgamated police service must be rescinded.

The Township of Esquimalt and the City of Victoria are jointly calling on the Province to bring all of the other police departments in the region, into an amalgamated police service, as was intended in 2002 or to rescind the OIC and Ministerial Order and allow Esquimalt and Victoria to provide policing independently in accordance with the Police Act.

If the Province is not planning to develop an amalgamated regional police service, we jointly request that the Province reinstate separate police departments to serve Esquimalt and Victoria. This will allow each community to choose and guide policing priorities and objectives through their respective Boards, and subject to the budgetary decisions of their respective communities as provided for by the Police Act, just as all other municipalities in our region and across the Province are able to do.

Sincerely,



Lisa Helps  
Mayor of Victoria



Barb Desjardins  
Mayor of Esquimalt

**COMMITTEE OF THE WHOLE REPORT**  
**FROM THE MEETING HELD SEPTEMBER 8, 2022**

For the Council meeting of September 22, 2022, the Committee recommends the following:

**E. LAND USE MATTERS**

**E.1 203, 211 and 335 Harbour Road: Development Permit No. 000617 (Victoria West)**

That Council consider the following motion:

1. That Council authorize the issuance of Development Permit Application No. 000617 for 203, 211 and 335 Harbour Road, in accordance with:
  - a. Plans date stamped July 22, 2022.
  - b. Development meeting all *Zoning Regulation Bylaw* requirements.
2. That the Development Permit, if issued, lapses in two years from the date of this resolution.

**H. NEW BUSINESS**

**H.1 Council Member Motion: Being Muslim in Victoria and Saanich – 2023 Budget Recommendation**

1. That Council consider a budget allocation of \$17,500 to support the work as outlined in this report in the 2023 budget and that this report be included as part of the 2023 budget package for Council's consideration.
2. That Victoria Council write to Saanich Council requesting matching funding in 2023 for this initiative once their Office of Diversity, Equity and Inclusion has been established.
3. That Council direct staff to amend the City's noise bylaw to make the reference to "churches" more inclusive of all places of worship.

**H.2 Council Member Motion: Apology to Chinese-Canadians in Victoria for Systemic Racism and Discrimination**

1. That Council request the next Council to include for consideration as part of its strategic planning process developing and delivering an apology for historical wrongs committed by the City of Victoria against Chinese residents of the city.



Ref: 47379

September 7, 2022

Their Worship Mayor Lisa Helps  
City of Victoria  
1 Centennial Square  
Victoria, BC V8W 1P6  
Email: [mayorandcouncil@victoria.ca](mailto:mayorandcouncil@victoria.ca)

Dear Mayor Helps:

Thank you for your letter of August 15, 2022, addressed to the Honourable Melanie Mark, Minister of Tourism, Arts, Culture and Sport. On behalf of Minister Mark, I am happy to provide a response regarding Point Ellice House funding.

As a Provincial Heritage Site, the Provincial Government provides funding to Point Ellice House to maintain the provincial asset, support its basic operations and ensure conservation and public access. The Ministry recognizes the site's importance in Victoria and the work the site manager has completed by expanding narratives of public history at the site.

The Province has made significant financial investments in Point Ellice House since 2019 when the Vancouver Island Local History Society assumed the role of site manager under contract with the Province. To be specific, \$425,000 has been provided for annual site operations, \$337,813 for site maintenance, and a one-time grant investment of \$226,000 through the BC 150 Time Immemorial program.

Point Ellice house is an important property within the provincial historic properties portfolio and will continue to be considered for funding within available resources. Fluctuations in financial assistance is not uncommon as the Province services a broad portfolio of heritage property and related commitments.

Heritage Branch staff will continue to work with site operators, including Point Ellice House, to help meet growth demands by exploring uses for properties that conserve their heritage value, provide for public access, and reduce reliance on public funds.

.../2

Their Worship Mayor Lisa Helps  
Page 2

We appreciate your interest in Point Ellice House specifically and provincial heritage properties in general.

Thank you again for writing.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Neilane Mayhew', with a long horizontal flourish extending to the right.

Neilane Mayhew  
Deputy Minister





August 15, 2022

Honourable Melanie Mark  
Minister of Tourism, Arts, Culture and Sport  
Sent via email: TACS.Minister@gov.bc.ca

Dear Minister Mark,

On behalf of Victoria City Council, I am writing today to request sustainable funding for Point Ellice House and other provincially owned Heritage Sites.

Point Ellice House is one of two provincially owned Heritage Sites in the City of Victoria, along with Carr House. Point Ellice House has been advocating for a number of years for sustainable funding for provincially owned Heritage Sites.

Point Ellice House staff, board and volunteers are undertaking important work to grapple with the legacy of colonization and to re-interpret Point Ellice House through a post-colonial lens that aims at establishing respectful relations between Indigenous and non-Indigenous peoples.

In addition to its provincial significance, Point Ellice House also has important cultural, economic and environmental value to the City of Victoria – as a tourist attraction in the Burnside-Gorge neighbourhood, and as a rare conservancy of vital natural shoreline and forested land in the Rock Bay precinct.

For these reasons, Council wishes to advocate to the Government of British Columbia for sustainable funding for Point Ellice House and other provincially owned Heritage Sites.

Thank you in advance for your attention to this matter. Please do not hesitate to contact me should you have any questions regarding this letter.

Sincerely,

Lisa Helps  
Victoria Mayor

Cc: MLAs representing constituencies in the Capital Region

*“The City of Victoria recognizes the Songhees and Esquimalt Nations in whose traditional territories we live and work “Hay swx qa”*



VIA EMAIL

Ref. 633306

September 2, 2022

Her Worship Lisa Helps  
Mayor of the City of Victoria  
1 Centennial Square  
Victoria BC V8W 1P6  
Email: [mayorandcouncil@victoria.ca](mailto:mayorandcouncil@victoria.ca); [LHelps@victoria.ca](mailto:LHelps@victoria.ca)

Dear Mayor Helps:

Thank you for your letter of July 28, 2022, regarding harm reduction services and provincial cannabis regulation. As the Minister responsible for implementation of the legal non-medical cannabis framework in British Columbia, I would like to take the opportunity to clarify the scope of provincial regulatory authority in this area.

For context, the federal *Cannabis Act* created a strict national framework for controlling the production, distribution, sale and possession of cannabis in Canada. Under this framework, provincial and territorial governments are responsible for determining how non-medical cannabis is distributed and sold in their jurisdictions. However, the federal government, through Health Canada, is responsible for administering and regulating access to medical cannabis. Health Canada is also responsible for licensing and oversight of producers who grow and manufacture cannabis and sets the strict national rules and standards for products, packaging and labelling and prohibitions on promotion.

The provincial regulatory framework does not regulate the distribution of legal medical cannabis, but it does include provincial offences relating to the distribution of cannabis that is illegal under the federal *Cannabis Act*. Even if provincial legislation did not include such offences, organized distribution of cannabis produced outside the federal licensing regime would continue to be a criminal offence, regardless of whether a commercial transaction takes place.

The Province has encouraged the federal government to explore licencing options for certain harm reduction services and has expressed willingness to collaborate with Health Canada on this matter.

.../2

Her Worship Lisa Helps  
Page 2

Thank you again for writing.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike Farnworth". The signature is stylized with a large, looped initial "M" and a trailing flourish.

Mike Farnworth  
Minister of Public Safety and Solicitor General  
and Deputy Premier

pc: The Honourable Sheila Malcolmson



## Council Report

### For the Meeting of September 22, 2022

---

**To:** Council **Date:** September 9, 2022  
**From:** Curt Kingsley, City Clerk  
**Subject:** Business Licence Bylaw, Amendment Bylaw No. 22-090

---

### RECOMMENDATIONS

1. That *Business Licence Bylaw, Amendment Bylaw No. 22-090* be given first, second and third readings.
2. That Council direct staff to schedule an opportunity for persons who consider they are affected by the bylaw to make representations to Council, and give notice of this opportunity to municipally licensed cannabis retailer stores.

### EXECUTIVE SUMMARY

At the January 13, 2022 Committee of the Whole meeting, staff reported back to Council in response to Council's previous resolution to undertake a review and analysis of business licence fees for cannabis retailers once Provincial licencing and enforcement had stabilized. Council adopted the following resolution:

*That Council:*

1. *Direct the City Solicitor to draft necessary bylaws to:*
  - a. *Amend the Business Licence Bylaw to establish a business licensing fee of \$1,500 for cannabis retail stores and bring it forward for first and second readings.*
  - b. *Amend the Business Licence Bylaw to regulate ground floor commercial display windows to ensure that windows of cannabis retail stores on any street frontage are not blocked by translucent or opaque material, artwork, posters, shelving, display cases or similar elements that prevent visibility into and out of the premises, maintain minimum staffing levels from the previous bylaw and bring it forward for first and second readings.*
  - c. *Repeal the Storefront Cannabis Retailer Regulation Bylaw 19-053, but not before the necessary amendments to the Business Licence Bylaw*
2. *Direct staff to schedule an opportunity for public comment at a Council meeting.*
3. *Direct staff to review the cannabis fee regulations bi-annually.*

The proposed amendment bylaw is attached as Attachment A. If Council adopts this bylaw, it would:

- set business licensing fees at \$1500,
- require two employees at all in times in each store, including one manager, and
- require transparent and unobstructed windows above 4 feet while allowing for each store to animate the windows without impacting visibility into and out of the store by adults.

Prior to adoption, the *Community Charter* requires that Council provide an opportunity for persons who consider they are affected by the bylaw to make representations to Council.

Respectfully submitted,

Monika Fedyczkowska  
Legislative and Policy Analyst

Curt Kingsley  
City Clerk

Susanne Thompson  
Deputy City Manager

Barrie Nicholls  
Legislation and Policy Analyst

**Report accepted and recommended by the City Manager**

**List of Attachments**

Attachment A: *Business Licence Bylaw, Amendment Bylaw No. 22-090*

## **BUSINESS LICENCE BYLAW, AMENDMENT BYLAW (NO. 32)**

### **A BYLAW OF THE CITY OF VICTORIA**

The purpose of this Bylaw is to repeal the *Storefront Cannabis Retailer Regulation Bylaw No. 19-053* and amend the *Business Licence Bylaw No. 89-071* to incorporate a reduced business licence fee and conditions for holding a business licence for storefront cannabis retailers.

#### **Contents**

- 1 Title
- 2 Amendments
- 3 Repeal of *Storefront Cannabis Retailer Regulation Bylaw*
- 4 Commencement

Under its statutory powers, including section 8(6), 15 and 137 of the *Community Charter*, 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 “Business Licence Bylaw, Amendment Bylaw (No. 32)”.

#### **Amendments**

- 2 The Business Licence Bylaw No. 89-071 is amended as follows:
  - i. in section 2, by inserting the following definition immediately after the definition of “Licence Inspector”:

“storefront cannabis retailer” means a business where cannabis is sold or otherwise provided to a person who attends the premises.”
  - ii. by inserting a new section 35 immediately after section 34:

“35(1) It is a condition for obtaining, continuing to hold or renewing a licence for a storefront cannabis retailer that the person carrying on a storefront cannabis retailer ensure that:

    - (a) two employees including one manager are present on the premises at all times when the business is open to the public; and
    - (b) subject to subsection (2), windows on any ground-level frontage of the premises are not blocked by translucent or opaque material, artwork, posters, shelving, display cases, or similar elements.

(2) Notwithstanding subsection 1(b), windows on any ground-level frontage of the premises of a storefront cannabis retailer may be covered by

artwork or posters provided that such artwork or posters do not extend above 1.22 metres (4 feet) measured from ground level.”

- iii. in the Schedule of Licence Fees by adding the following immediately after section 54:

55. Any person carrying on the business of a storefront cannabis retailer \$1,500

**Repeal of *Storefront Cannabis Retailer Regulation Bylaw***

**3** The *Storefront Cannabis Retailer Regulation Bylaw* No. 19-053 is repealed.

**Commencement**

**4** This Bylaw comes into force on adoption.

READ A FIRST TIME the	day of	2022
READ A SECOND TIME the	day of	2022
READ A THIRD TIME the	day of	2022
ADOPTED on the	day of	2022

CITY CLERK

MAYOR