



MINUTES - VICTORIA CITY COUNCIL

June 25, 2020, 2:00 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

Due to the COVID-19 Pandemic, public access to City Hall is not permitted.

This meeting may be viewed on the City's webcast at www.victoria.ca

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

PRESENT VIA ELECTRONIC PARTICIPATION: Councillor Isitt

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Director of Finance, C. Coates - City Clerk, T. Soulliere - Director of Parks, Recreation & Facilities, T. Zworski - City Solicitor, B. Eisenhauer - Head of Engagement, K. Hoese - Director of Sustainable Planning and Community Development, P. Bellefontaine – Acting Director of Engineering & Public Works, A. Hudson - Assistant Director of Community Planning, C. Havelka - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, K. Moore - Head of Business and Community Relations, A. James - Head of Strategic Operations, 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

C.1 Minutes from the daytime meeting held May 21, 2020

Moved By Councillor Loveday

Seconded By Councillor Thornton-Joe

That the minutes from the daytime meeting held May 21, 2020 are adopted
CARRIED UNANIMOUSLY

D. PROCLAMATIONS

D.1 "Pride Week" - June 28 to July 5, 2020

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the following proclamation be endorsed:

1. "Pride Week" - June 28 to July 5, 2020

CARRIED UNANIMOUSLY

D.2 "Parachute National Injury Prevention Day" - July 6, 2020

Moved By Councillor Thornton-Joe
Seconded By Councillor Loveday

That the following proclamation be endorsed:

1. "Parachute National Injury Prevention Day" - July 6, 2020

CARRIED UNANIMOUSLY

E. REPORTS OF COMMITTEE

E.1 Committee of the Whole

E.1.a Report from the June 18, 2020 COTW Meeting

**E.1.a.a 580 and 582 Niagara Street: Rezoning Application No. 00721
(James Bay)**

Moved By Councillor Thornton-Joe
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.00721 for 580-582 Niagara Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation and execution on the property's title to secure:
 - a. a Statutory Right of Way, to the satisfaction of the Director of Engineering; and
 - b. a Housing Agreement to secure two of the four units as rental in perpetuity.

CARRIED UNANIMOUSLY

**E.1.a.b324/328 Cook Street and 1044, 1048 and 1052/1054
Pendergast Street: Rezoning Application No. 00634 and DPV
No. 000527 - Advance for Consideration after Signage
Replaced (Fairfield)**

Council discussed the following:

- *Concerns about the proposal's affordability*

Moved By Councillor Young
Seconded By Councillor Alto

Rezoning Application No. 00634

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00634 for 324/328 Cook Street and 1044, 1048 and 1052/1054 Pendergast Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation and execution of the following legal agreements:
 - a. Statutory Right-of-Way securing 1.38 metres of the site adjacent to Pendergast Street, to the satisfaction of the Director of Engineering and Public Works.
 - b. Housing Agreement ensuring that future strata bylaws cannot restrict the rental of units to non-owners, to the satisfaction of the Director of Sustainable Planning and Community Development.
 - c. Section 219 Covenant securing an amenity contribution in the amount of \$136,163.47 toward the Local Amenities Reserve Fund, to the satisfaction of the Director of Sustainable Planning and Community Development.
 - d. Section 219 Covenant to secure the construction of the following public realm improvements, to the satisfaction of the Director of Engineering and Public Works:
 - i. raingardens along Pendergast Street;
 - ii. enhanced boulevard planting and low seating walls;
and
 - iii. permeable and impermeable concrete sidewalk pavers.

- e. Section 219 Covenant to secure the maintenance of the proposed rain gardens and boulevard planting for a period of one year to the satisfaction of the Director of Parks, Recreation and Facilities.
 - f. Section 219 Covenant securing an amenity contribution in the amount of \$161,356.80 toward the Victoria Housing Reserve Fund, to the satisfaction of the Director of Sustainable Planning and Community Development.
2. Update report to Council on the potential acquisition of the commercial strata unit located at 380 Cook Street at 25% below market value.

Development Permit with Variance No. 000527

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. 00634, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 00527 for 324/328 Cook Street and 1044, 1048, 1052/1054 Pendergast Street, in accordance with:

- 1. Receipt of final plans, generally in accordance with the plans date stamped October 9, 2019, with refinement of the artwork panels and to the satisfaction of the Director of Sustainable Planning and Community Development.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - i. increase the building height from 13.5m to 16.2m (to the projecting portions of the roof).
- 3. The Development Permit lapsing two years from the date of this resolution.”

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

OPPOSED (2): Councillor Dubow, and Councillor Isitt

CARRIED (6 to 2)

E.1.a.c Electric Vehicle Ready Requirements for New Construction

Moved By Councillor Loveday

Seconded By Councillor Alto

That Council:

- 1. Direct staff to forward Zoning Amendment Bylaw Nos. 20-001 and 20-075 to require that Electric Vehicle (EV) readiness be

provided for all new residential development and five percent of new institutional, commercial and industrial development to the July 9th Council meeting for introductory readings.

2. Direct staff to monitor EV demand and the use of charging infrastructure in institutional, commercial and industrial land uses and bring forward recommended amendments to the requirement levels as deemed necessary.

CARRIED UNANIMOUSLY

E.1.a.d Council Member Motion: Alternative Response

Council discussed the following:

- *The aims and composition of the Community Wellness and Peer-Informed Taskforce*

Moved By Councillor Alto

Seconded By Councillor Potts

1. A) That Council direct staff to report back on how to develop a framework for an accessible, culturally safe, and appropriate Alternative Response model in time for consideration as part of Council's 2021 budget deliberations, and that this process include research to review and consider other municipalities' approaches to alternative response models including the Cahoots model, and consideration of what community wellness and safety means to communities in Victoria.
B) That the first public dialogue of what community wellness and safety means to communities in Victoria be achieved via a virtual community town hall (due to social distancing requirements) and an information gathering period, ensuring a range of opportunities for individuals and communities to engage, and strong representation of those disproportionately harmed within the current system namely black, Indigenous, and POC communities, TNB2s people, persons with lived and living experience (PWLLE) of poverty, homelessness, mental health challenges, or substance use. This engagement will help inform the development of an Alternative Response and other actions that support community wellness and safety. Funding to be drawn from the unused engagement budget of Councillor Potts or remaining Community Wellness Task Force budget.
2. That Council appoints one or more council liaisons to attend the community partner meetings and engagement sessions that are held in the development of the Alternative Response model.

3. That Council endorse the three overarching statements of the Community Wellness Task Force.
4. That funding for this initial project development work be drawn from the remaining research budget in the Community Wellness Task Force budget and the 2020 contingency if needed.

Amendment:

Moved By Councillor Dubow

Seconded By Mayor Helps

5. **That staff report back on how they plan to engage.**

CARRIED UNANIMOUSLY

On the main motion as amended:

1. A) That Council direct staff to report back on how to develop a framework for an accessible, culturally safe, and appropriate Alternative Response model in time for consideration as part of Council's 2021 budget deliberations, and that this process include research to review and consider other municipalities' approaches to alternative response models including the Cahoots model, and consideration of what community wellness and safety means to communities in Victoria.

B) That the first public dialogue of what community wellness and safety means to communities in Victoria be achieved via a virtual community town hall (due to social distancing requirements) and an information gathering period, ensuring a range of opportunities for individuals and communities to engage, and strong representation of those disproportionately harmed within the current system namely black, Indigenous, and POC communities, TNB2s people, persons with lived and living experience (PWLLE) of poverty, homelessness, mental health challenges, or substance use. This engagement will help inform the development of an Alternative Response and other actions that support community wellness and safety. Funding to be drawn from the unused engagement budget of Councillor Potts or remaining Community Wellness Task Force budget.
2. That Council appoints one or more council liaisons to attend the community partner meetings and engagement sessions that are held in the development of the Alternative Response model.
3. That Council endorse the three overarching statements of the Community Wellness Task Force.

4. That funding for this initial project development work be drawn from the remaining research budget in the Community Wellness Task Force budget and the 2020 contingency if needed.
5. That staff report back on how they plan to engage.

CARRIED UNANIMOUSLY

F. BYLAWS

F.1 Bylaws for 359-369 Tyee Road (Dockside Green): Development Permit Application No. 000550

Moved By Councillor Alto

Seconded By Councillor Loveday

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

1. Housing Agreement (359, 363, & 369 Tyee Road) Bylaw (2020) No. 20-045
2. Housing Agreement (359, 363, & 369 Tyee Road) Bylaw (2020) No. 20-046

CARRIED UNANIMOUSLY

F.2 Bylaw for 1302 Finlayson Street: Rezoning Application No. 00687 and Development Permit with Variances Application No. 000546

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. 1224) No. 20-051

CARRIED UNANIMOUSLY

F.3 Bylaw for 1023 Tolmie Avenue: Rezoning Application No. 00672 and Development Permit with Variances Application No. 00097

Moved By Councillor Loveday

Seconded By Councillor Potts

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1227) No. 20-064

CARRIED UNANIMOUSLY

G. CLOSED MEETING

Moved By Councillor Loveday

Seconded By Councillor Potts

MOTION TO CLOSE THE JUNE 25, 2020 COUNCIL MEETING TO THE PUBLIC

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

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

Section 90(1)(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;

Section 90(1)(c) labour relations or other employee relations;

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

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

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

H. APPROVAL OF CLOSED AGENDA

Moved By Councillor Loveday

Seconded By Councillor Alto

That the closed agenda be approved.

Amendment:

Moved By Mayor Helps

Seconded By Councillor Alto

That the following items are referred to the next closed meeting:

- L.2 – Appointments – Community Charter Section 90(1)(a)
- L.3 – Appointments – Community Charter Section 90(1)(a)
- L.4 – Appointments – Community Charter Section 90(1)(a)

CARRIED UNANIMOUSLY

Amendment:

Moved By Mayor Helps
Seconded By Councillor Loveday

That the Agenda of the June 25, 2020, Closed Victoria City Council meeting be amended as follows:

Consent Agenda:

J.1 - Minutes from the closed meeting held May 21, 2020

J.2 - Minutes from the closed Committee of the Whole meeting held May 21, 2020

L.4 – Land – Community Charter Section 90(1)(e)

CARRIED UNANIMOUSLY

On the main motion as amended:

CARRIED UNANIMOUSLY

I. CONSENT AGENDA

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the following items be approved without further debate.

CARRIED UNANIMOUSLY

J.1 Minutes from the closed meeting held May 21, 2020

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the minutes from the closed meeting held May 21, 2020 be adopted.

CARRIED UNANIMOUSLY

J.2 Minutes from the closed Committee of the Whole meeting held May 21, 2020

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the minutes from the closed Committee of the Whole meeting held May 21, 2020 be adopted.

CARRIED UNANIMOUSLY

L.4 Land - Community Charter Section 90(1)(e)

Council discussed a land advice matter.

The motion was recorded and kept confidential.

K. UNFINISHED BUSINESS

K.1 Litigation / Legal Advice - Community Charter Section 90(1)(g)&(i)

Council discussed a litigation/legal advice matter

The motion was recorded and kept confidential.

L. NEW BUSINESS

L.5 Legal Advice - Community Charter Section 90(1)(i)

Council discussed a legal advice matter.

The motion was recorded and kept confidential.

L.6 Litigation / Legal Advice - Community Charter Section 90(1)(g)&(i)

Council discussed a litigation/legal advice matter.

The discussion was recorded and kept confidential.

All staff except for the City Manager withdrew from the meeting at 3:32 p.m.

L.7 Employee Relations - Community Charter Section 90(1)(c)

Council discussed an employee relations matter.

M. ADJOURNMENT

Moved By Councillor Alto
Seconded By Councillor Dubow

That the Council Meeting be adjourned at 3:45 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR

DRAFT