



MINUTES - VICTORIA CITY COUNCIL

February 25, 2021, 2:06 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 Andrew, Councillor Thornton-Joe, Councillor Young

PRESENT ELECTRONICALLY: Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Director of Finance, C. Coates - City Clerk, P. Bruce - Fire Chief, T. Zworski - City Solicitor, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhauer - Head of Engagement, J. Jensen - Head of Human Resources, K. Hoese - Director of Sustainable Planning and Community Development, A. Hudson - Assistant Director of Community Planning, C. Havelka - Deputy City Clerk, K. Moore - Head of Business and Community Relations, C. Mycroft - Manager of Executive Operations, AK Ferguson - Committee Secretary

A. CONVENE COUNCIL MEETING

B. APPROVAL OF AGENDA

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the agenda be approved.

CARRIED UNANIMOUSLY

E. UNFINISHED BUSINESS

E.1 Rise and Report

Rise and report from the Closed Council Meeting of February 18, 2020

That Council authorize a rise and report on the letter dated September 20, 2019 from the Victoria-Esquimalt Police Board to Brenda Butterworth-Carr Assistant Deputy Minister and Director of Police Services Ministry of Public Safety & Solicitor General Policing and Security Branch regarding a Request for Review –

Section 27 Police Act and the letter of response dated January 17, 2021 letter from the Assistant Deputy Minister and Director of Police Services.

E.2 Proposed Accessible Parking Requirements and Design Criteria

This motion was postponed from the daytime Council meeting held February 18, 2021.

Moved By Mayor Helps
Seconded By Councillor Alto

That Council:

1. *Direct staff to proceed with preparing applicable amendments to the City's Zoning Bylaw, the Subdivision and Development Services Bylaw and the Streets and Traffic Bylaw to establish new supply rates and specifications for off-street accessible parking as recommended in this report.*
2. *Endorse new design criteria for public on-street and City operated parkades provided accessible parking stalls and direct staff to include within the 2021-2025 Financial Plan a budget of up to \$350,000 for accessible parking retrofits and expansion efforts with funding from the Accessibility Reserve Fund.*

CARRIED UNANIMOUSLY

F. REPORTS OF COMMITTEE

F.1 Committee of the Whole

F.1.a Report from the February 18, 2021 COTW Meeting

F.1.a.a Appointment to the CRD Water Supply Commission

Moved By Councillor Potts
Seconded By Councillor Loveday

That Council appoint Councillor Dubow as Director to the Capital Regional District Water Supply Commission.

CARRIED UNANIMOUSLY

F.1.a.b Police Budget

F.1.a.b.a-Report Back from Board on Council's January 28, 2021 Motion

Moved By Councillor Thornton-Joe
Seconded By Councillor Andrew

That the report be received for information.

CARRIED UNANIMOUSLY

F.1.a.b.b-Postponed motion re: Additional Funding for Police Support for Encampments

Moved By Councillor Thornton-Joe
Seconded By Councillor Andrew

That Council approve up to an additional \$75,960 of funding from the Financial Stability Reserve to continue to deploy two VicPD officers for four hours per day/seven days a week from January 1 to March 31, 2021 to support City of Victoria Bylaw Services in carrying out their duties at the various encampments within the City of Victoria.

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

OPPOSED (3): Councillor Dubow, Councillor Isitt, and Councillor Potts

CARRIED (6 to 3)

F.1.a.b.c VicPd Amended Provisional Budget

Moved By Mayor Helps
Seconded By Councillor Young

That Council receive this information.

That Council fund this request one-time at a 50/50 split between option 1 and 6 of the staff report:

1. Ongoing funding through a property tax increase of 0.065% resulting in an overall tax increase of 1.82% for 2021; and

6. One-time funding for \$107,500 using the Police Financial Stability Reserve (this would require approval by the Board as well as Esquimalt Council)

That Council requests the following information prior to adoption of the 2021 Financial Plan:

- any agreements regarding membership in E-Comm;
- annual reports of E-Comm for 2018 and 2019; and
- information on the process for the City of Victoria and/or the Victoria Esquimalt Police Board becoming a member of E-Comm

CARRIED UNANIMOUSLY

F.1.a.c Strategic Plan #3 Affordable Housing

F.1.a.c.a Postponed Motion from the February 11, 2021 Council (to follow COTW) Meeting

Moved By Councillor Isitt
Seconded By Councillor Potts

Motion to refer:

Refer this matter to staff to determine the implications of undertaking this work in 2021.

"Council add the following 2022 2021 action to the Strategic Plan:

Work with partner agencies and parameters outlined in the existing City of Victoria Emergency Plan (2018) to establish an effective emergency shelter function for unhoused persons, including activating municipally-owned property, to provide emergency shelter and other emergency social services to meet community needs in the event of emergencies."

CARRIED UNANIMOUSLY

F.1.a.c.b Council Member Motion: Emergency Housing Function and Related Matters

Moved By Councillor Andrew
Seconded By Councillor Alto

That Council indicate to the Province its support for the inclusion in the modernized Emergency Program Act to take into consideration the needs of vulnerable populations in the event of an emergency.

CARRIED UNANIMOUSLY

F.1.a.c.c Council Member Motion: Deployment of Effective Emergency Shelter and Emergency Social Services

Motion to Refer:

Moved By Councillor Isitt
Seconded By Councillor Potts

That this matter be referred to staff to inform implementation and improvements to the City's Emergency Plan:

"That Council adopt the following resolution:

**Resolution: Deployment of Effective
Emergency Shelter and Emergency Social
Services**

WHEREAS under the Emergency Program Act "emergency" means a present or imminent event or circumstance that: (a) is caused by accident,

fire, explosion, technical failure or the forces of nature, and (b) requires prompt coordination of action or special regulation of persons or property to protect the health, safety or welfare of a person or to limit damage to property;

AND WHEREAS the Emergency Program Act specifies in section 6(1) that a local authority is at all times responsible for the direction and control of the local authority's emergency response, subject to sections 6(1), 8(2), 13(2) and 14(3);

AND WHEREAS the City of Victoria's Emergency Plan (2018) states that British Columbians forced from their homes by fire, floods, earthquakes or other emergencies may receive emergency social services. Services may include food, lodging, clothing, emotional support, information about the crisis, and family reunification. There may also be special services like first aid, child minding, pet care and transportation;

AND WHEREAS the City of Victoria's Emergency Plan (2018) states that provisions for Emergency Social Services in Victoria are secured through renewing supplier agreements with business partners every two years;

AND WHEREAS the City of Victoria's Emergency Plan (2018) states that the City of Victoria has agreements in place with neighbourhood associations authorizing the City to use the neighbourhood centres as Emergency Social Service facilities (reception centres or group lodging) when necessary. These agreements exist between the City and the Societies who administer the following Community Centres: James Bay New Horizons, James Bay Community Centre, Fairfield Community Centre, Cook Street Village Activity Centre, Victoria Silver Threads, Fernwood Community Centre, Oaklands Community Centre, Quadra Village Community Centre, Burnside Gorge Community Centre and Victoria West Community Centre. Informal agreements exist with Christ Church Cathedral and school, The Cridge Centre for the Family, Crystal Pool, James Bay United Church, Latter Day Saints Church, Trafalgar/Pro Patria Legion and The Tai Chi Centre;

AND WHEREAS under the Local Authority Emergency Management Regulation, Local Authorities are required to have a plan which describes how provisions of food, shelter, clothing, transportation, and medical services are provided;

THEREFORE BE IT RESOLVED THAT the City of Victoria work with partner agencies and parameters outlined in the existing City of Victoria Emergency Plan (2018) to establish an effective emergency shelter function for unhoused persons, including activating municipally-owned property, to provide emergency shelter and other emergency social services to meet community needs in the event of emergencies.”

CARRIED UNANIMOUSLY

F.1.a.d-1260 Grant Street and 1289 Gladstone Ave: Development Variance Permit Application

The Mayor recused herself at 2:35 p.m. due to a non-pecuniary conflict of interest as she lives across the street from the application.

Councillor Thornton-Joe assumed Chair.

Moved By Councillor Isitt
Seconded By Councillor Loveday

That, subject to a formal response from the School District consenting to the request for Statutory Right-of-Ways on Fernwood Road, Grant Street and Gladstone Avenue, 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. 00249 for 1260 Grant Street and 1289 Gladstone Avenue, in accordance with:

- a. Plans date stamped December 24, 2020.
- b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. relaxation to all of the impacted lots for setbacks, site coverage, height, number of storeys and open site space requirements;
 - ii. relaxation to permit building over property lines and a street
 - iii. relaxation to permit parking spaces on separate lots
 - iv. relaxation of required parking from 283 spaces to 149
 - v. allow a roof deck.
- c. Registration of Statutory Right of Ways on the property’s title, on terms and in a form to the satisfaction of the Director of Engineering and Public Works and City Solicitor, to allow pedestrian network improvements in the following areas:
 - i. a 6.1m section along the property frontage on Gladstone Avenue
 - ii. a 3.9m section along the property frontage on Grant Street

- iii. a 2.9m section on the property frontage on Fernwood Road, north of Vining Street, reducing to 0.9m in the section between the existing transit stop and the Belfry Theatre
- iv. a 0.5m section along the property frontage on Fernwood Road, south of Vining Street.
- d. Submission of a revised Arborist Report and landscape plans, to the satisfaction of the Director of Parks, Recreation and Facilities, in order to assess the impact of the proposals upon trees and specifically including the following information:
 - i. the applicant must confirm the proposed relocation area of the Pad Mounted Transformer (PMT) and have the project arborist review its impact on trees. The PMT shall be located on school land and the information provided should include the location of any new conduits required, including in the City's Right-of-Way;
 - ii. the landscape plan shall identify two replacement trees for the proposed removal of each bylaw protected tree. Large canopy replacement trees are preferred;
 - iii. include a plant list showing the quantity of new trees proposed, species and size. Clearly identify proposed new trees on the Landscape Plan.
- e. Revised plans illustrating proposed pedestrian improvements and driveway crossing designs that are consistent with the Highway Access Bylaw and Subdivision and Development Servicing Bylaw, to the satisfaction of the Director of Engineering and Public Works.
- f. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY

The Mayor returned to the meeting and assumed the Chair at 2:36 p.m.

F.1.a.e Accountability Report - Period Three 2020

Moved By Councillor Thornton-Joe

Seconded By Councillor Andrew

That council receive this report for information.

CARRIED UNANIMOUSLY

F.1.a.f 2020 By-Election - Lessons Learned

Moved By Councillor Thornton-Joe

Seconded By Councillor Andrew

That Council endorse the following as minimum requirements for conducting a by-election:

1. One month of planning before appointing a Chief Election Officer
2. Hire one additional senior staff and one additional administrative staff
3. Establish at least 8 general voting day locations that are geographically distributed throughout the city
4. At least two advance voting locations
5. At least five advance voting days

6. Each voting location to have two voting machines
7. One accessible voting machine to be available during advance and general voting in a central location
8. Provide return postage-paid envelopes for requested vote by mail packages
9. Distribute election information materials to households using a voter card system and other standard engagement activities.
10. That Council restate its advocacy from 2014 that the nomination period occur earlier to allow for mail in ballots or that the province make an allowance for provisional ballots. (letter from the Mayor)

CARRIED UNANIMOUSLY

F.1.a.g Temporary Re-location of Council Meetings

Moved By Councillor Young
Seconded By Councillor Andrew

That Council authorize the holding of Council and Committee of the Whole Meetings between March 1, 2021 and June 15, 2021 at the Capital Regional District Board Room.

CARRIED UNANIMOUSLY

F.1.a.h Council Member Motion: Stewardship of Urban Waterways

Moved By Councillor Isitt
Seconded By Councillor Loveday

That Council directs staff to report back in conjunction with the Stormwater Management Plan update with some preliminary information options for enhanced stewardship, restoration and/or daylighting of the following urban waterways:

1. Rock Bay Creek, running from Fernwood to Rock Bay;
2. Cecelia Creek, running from the vicinity of Mayfair Mall to the Selkirk Water; and
3. Ross Bay Creek / Humboldt Creek, connecting the Inner Harbour (Whosaykum) to Ross Bay via the Cook Street Village area.

Including consideration of opportunities for:

- i. Signage and/or daylighting in the vicinity of Alexander Park, Blackwood Park and/or Wark Street Park;
- ii. Signage and ecological restoration of exposed segments of Cecelia Creek; and
- iii. Signage and/or daylighting in the vicinity of the St Ann's Academy Grounds and the Olive Street lot.

CARRIED UNANIMOUSLY

F.1.a.i Council Member Motion: Advocacy for a Provincial Economy Strategy

Councillor Dubow recused himself at 2:39 p.m. for the next two items as he is a board member of the climate caucus.

Moved By Councillor Loveday
Seconded By Councillor Potts

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

Whereas the provisioning and management of goods and food consumed by BC communities produces excessive and unnecessary quantities of waste, pollution and carbon emissions that threatens environmental health;

And whereas the concept of a Circular Economy provides a vision and framework to design out waste and pollution, keep products and materials in use and regenerate natural systems to help BC communities move towards Zero Waste;

And whereas the province has yet to develop a comprehensive strategy to transition BC's economy to a circular one;

Therefore, be it resolved that UBCM request that the province of BC develop a provincial Circular Economy strategy.

CARRIED UNANIMOUSLY

F.1.a.j Council Member Motion: Advocacy for Right to Repair Legislation

Moved By Councillor Loveday
Seconded By Councillor Alto

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

Whereas the longevity of items is decreasing because manufacturers are deliberately designing products to be disposable;

And whereas citizens and businesses are deterred from repairing their belongings by companies that claim ownership over the intellectual property in their products, fail to provide parts or other aspects that make it hard to repair items;

Therefore be it resolved that UBCM ask the Province of BC to draft and enact Right to Repair legislation.

CARRIED UNANIMOUSLY

Councillor Dubow returned to the meeting at 2:41 p.m.

F.1.b Report from the February 25, 2021 COTW Meeting

F.1.b.a-Support Downtown Vibrancy and Vitality Report

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That Council:

1. Approve \$100,000 from the 2021 Financial Plan contingency budget to be allocated toward a Downtown Vibrancy and Vitality Initiative to be administered by the Downtown Victoria Business Association (DVBA) as outlined in this report.
2. Authorize a partnership agreement, on the terms satisfactory to the Head of Business and Community Relations and in the form satisfactory to the City Solicitor, with the DVBA to provide services on behalf of the City for the Downtown Vibrancy and Vitality Initiative.

CARRIED UNANIMOUSLY

F.1.b.b-Council member motion - Council Endorsement of Help Cities Lead Campaign

Moved By Mayor Helps

Seconded By Councillor Loveday

That Council formally endorse the Help Cities Lead campaign and consider the following actions:

- a. Write a letter to the following provincial ministers to voice Council's support for the five policies detailed in this report:
 - Minister of Environment and Climate Change Strategy, ENV.Minister@gov.bc.ca
 - Minister of Municipal Affairs, MAH.Minister@gov.bc.ca
 - Minister of Energy, Mines, and Low-Carbon Innovation, EMPR.Minister@gov.bc.ca
 - Minister of Finance, FIN.Minister@gov.bc.ca
 - Attorney General and Minister responsible for Housing, AG.Minister@gov.bc.ca
- b. Write a letter to the Capital Regional District requesting regional endorsement of the campaign.
- c. Write a letter to all BC local governments asking to endorse the campaign.

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

OPPOSED (2): Councillor Andrew, and Councillor Young

CARRIED (7 to 2)

F.1.b.c-Council Member Motion: AVICC Climate Leadership Motion

Moved By Mayor Helps

Seconded By Councillor Alto

1. That Council adopt the following motion and forward it to AVICC.

WHEREAS coming out of a workshop at AVICC in 2019, the Vancouver Island and Coastal Communities Climate Leadership Plan (VICC-CLP) steering committee was formed with representatives nominated from each Regional District in the AVICC region to develop a 2030 Climate Action Plan for the AVICC Region;

AND WHEREAS on November 6th 2020, the VICC-CLP steering committee along with faculty and students from the University of Victoria with whom VICC-CLP has been working held a day-long workshop for elected officials and staff in the AVICC region to develop preliminary 2030 Climate Action Goals;

AND WHEREAS in March 2021 the VICC-CLP steering committee will hold two further workshops, one with youth and one with First Nations to ensure that the 2030 Climate Action plan is also grounded in youth experience and Indigenous cultural knowledge;

THEREFORE BE IT RESOLVED that the AVICC membership endorses in principle the directions laid out in the “Vancouver Island and Coastal Communities Climate Action Goals Working Draft” (attached) and requests that the VICC-CLP also grounds the plan in the cultural and land-based knowledge of Indigenous peoples and the experiences of youth;

AND BE IT FURTHER RESOLVED that the AVICC membership requests that the VICC-CLP steering committee present a final plan for the membership’s consideration at AVICC 2022.

CARRIED UNANIMOUSLY

F.1.b.d-Council Member Motion: UBCM Resolution paid sick leave for workers

Moved By Councillor Loveday

Seconded By Councillor Isitt

That Council endorse and submit the following resolution to AVICC and UBCM for consideration:

WHEREAS one year into a global pandemic that has killed thousands of British Columbians and millions of people worldwide, there is no legislation ensuring adequate, employer-paid sick days with the Canada Recovery Sickness Benefit being temporary, sometimes inaccessible, and not of use for the crucial first few days of an illness;

AND WHEREAS if paid sick day legislation had been in place before the global pandemic, lives would have been saved because infection rates

would have been reduced. The lack of legislated paid sick days has especially hurt Black, Indigenous, workers of colour and women workers who are over-represented in frontline jobs, with low pay, few benefits, and without the ability to work from home;
THEREFORE BE IT RESOLVED THAT the Province of British Columbia legislate a minimum of ten (10) accessible, universal, and permanent, paid sick days for all workers and additional days during public health outbreaks.

CARRIED UNANIMOUSLY

F.1.b.e-Council Member Motion: AVICC and UBCM Resolution: Acquisition of Apartment Buildings for Affordable Housing

Moved By Councillor Isitt
Seconded By Councillor Dubow

That Council adopts the following resolution and directs staff to forward electronic copies to the Association of Vancouver Island and Coastal Communities (AVICC), the Union of British Columbia Municipalities (UBCM), and AVICC member local governments, requesting favourable consideration and resolutions of support:

Resolution: Acquisition of Apartment Buildings for Affordable Housing

WHEREAS communities face acute challenges around housing affordability and housing availability, undermining the wellbeing of individuals, families and communities;

AND WHEREAS purpose-built rental apartment buildings from previous decades are an essential component of the current rental housing supply, meaning that future renewal of these properties poses substantial opportunities and risks or current occupants as well as local communities;

THEREFORE BE IT RESOLVED THAT the Province of British Columbia work with local communities, the not-for-profit sector and other partners on a program of land banking purpose-built rental apartment buildings, to preserve and renew this essential component of the affordable rental housing supply.

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

OPPOSED (1): Councillor Young

CARRIED (8 to 1)

G. BYLAWS

G.1 Bylaw for 1628 Edgware Road: Rezoning Application No. 00726

Moved By Councillor Alto

Seconded By Councillor Andrew

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1250) No. 21-027

FOR (7): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Isitt, Councillor Loveday, and Councillor Potts

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

CARRIED (7 to 2)

H. CLOSED MEETING

Moved By Councillor Andrew

Seconded By Councillor Young

MOTION TO CLOSE THE FEBRUARY 25, 2021 COUNCIL MEETING TO THE PUBLIC

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

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

- *Section 90(1)(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;*
- *Section 90(1)(c) labour relations or other employee relations;*
- *Section 90(1)(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;*
- *Section 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;*
- *Section 90(1)(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.*

CARRIED UNANIMOUSLY

J. READING OF CLOSED MINUTES

J.1 Minutes from the Closed Council meeting held January 14, 2021

Moved By Councillor Andrew
Seconded By Councillor Alto

That the minutes from the Closed Council meeting held January 14, 2021 be adopted.

CARRIED UNANIMOUSLY

J.2 Minutes excerpt from the Closed Council meeting held December 3, 2020

Moved By Councillor Andrew
Seconded By Councillor Alto

That the minutes from the Closed Council meeting held December 3, 2020 be adopted.

CARRIED UNANIMOUSLY

M. Notice of Motion

M.1 Intergovernmental Relations

Council considered an intergovernmental relations matter.

The discussion and motion were kept confidential.

N. Reports of Closed Committee of the Whole

N.1 Legal Advice

Council considered a legal advice matter.

The discussion and motion were kept confidential.

O. NEW BUSINESS

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

Council considered a land matter.

The discussion and motion were kept confidential.

O.2 Land - Community Charter Section 90(1)(e)

Council considered a land matter.

The discussion and motion were kept confidential.

O.3 Employee Relations/Proposed Municipal Service - Community Charter Sections 90(1)(c) and 90(1)(k)

Council considered an employee relations/proposed municipal service matter.
The discussion and motion were kept confidential.

O.4 Appointment - Community Charter Section 90(1)(a)

Council considered an appointment matter.
The discussion and motion were kept confidential.

O.5 Appointment - Community Charter Section 90(1)(a)

Council considered an appointment matter.
The discussion and motion were kept confidential.

Q. ADJOURNMENT

Moved By Councillor Andrew
Seconded By Councillor Alto

That the Council meeting be adjourned at 4:24 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR