



MINUTES - VICTORIA CITY COUNCIL

July 22, 2021, 12:00 P.M.

6TH FLOOR BOARDROOM, CAPITAL REGIONAL DISTRICT, 625 FISGARD STREET,
VICTORIA, B.C.

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 Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young

PRESENT ELECTRONICALLY: Councillor Dubow

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Director of Finance, T. Zworski - City Solicitor, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhauer - Head of Engagement, J. Jensen - Head of Human Resources, K. Hoes - Director of Sustainable Planning and Community Development, A. Meyer - Assistant Director of Development Services, C. Havelka - Deputy City Clerk, L. Van Den Dolder - Assistant City Solicitor, J. O'Connor - Deputy Director of Finance, K. Moore - Head of Business and Community Relations, C. Mycroft - Manager of Executive Operations, M. Sandhu - Head of Service Innovation & Improvement, R. Bateman - Planner, P. Bellefontaine - Director of Engineering & Public Works, J. Biem - Assistant City Solicitor, C. Kingsley - City Clerk, G. Milne - Head of Strategic Operations, S. Stoltz - Committee Secretary

B. APPROVAL OF AGENDA

Moved By Councillor Andrew
Seconded By Councillor Potts

That the agenda be approved.

CARRIED UNANIMOUSLY

E. UNFINISHED BUSINESS

E.1 Report Back: Beacon Hill Park Vehicle Access

Council received a staff report in response to the Council Member Motion referred from the July 15, 2021 Council meeting regarding opening roads in Beacon Hill Park.

Moved By Councillor Isitt
Seconded By Councillor Young

That Council receive the report for information.

That Council direct staff:

1. As soon as possible to reopen the following roads in Beacon Hill Park that were closed due to Covid:
 - a. Bridge Way from Arbutus Way to Heywood Way;
2. To work with the disability community to appropriately provide equitable access to facilities and amenities in Beacon Hill Park while reducing the impacts of motor vehicle traffic on all park users including on people with disabilities.
3. To ensure any future closures adhere to British Columbia Human Rights Legislation.
4. Consider an allocation in the 2022 Financial Plan to contract external experts to support the city in providing accessibility for people with mobility impairments in Beacon Hill Park while reducing the impacts of motor vehicle traffic on park users.

Council discussed:

- *Width of Bridge Way*
- *Concerns regarding the impact of motor vehicles on park users*

Moved By Councillor Andrew
Seconded By Councillor Thornton-Joe

MOTION TO CLOSE THE JULY 22, 2021 COUNCIL MEETING TO THE PUBLIC

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

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

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

CARRIED UNANIMOUSLY

Council went into a closed meeting at 4:39 p.m.

Legal Advice - Section 90(1)(i) of the Community Charter

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

The open Council meeting reconvened at 4:56 p.m.

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That Councillor Andrew be allowed to speak a second time on the motion.

CARRIED UNANIMOUSLY

On the motion:

FOR (7): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Isitt,
Councillor Loveday, Councillor Potts, Councillor Young
OPPOSED (2): Councillor Andrew, Councillor Thornton-Joe

CARRIED (7 to 2)

F. REPORTS OF COMMITTEE

F.1 Committee of the Whole

F.1.a Report from the July 8 COTW Meeting

F.1.a.a Council Member Motion - Funding for the protection of the Kings Road Community Nature Green Space

Moved By Councillor Andrew
Seconded By Councillor Isitt

That the City provide a donation of \$250,000 to Saanich for the preservation of the King's Road Community Nature Sanctuary subject to:

1. The District of Oak Bay making a contribution of at least \$60,000.
2. Preservation of the entire 2.2 hectare parcel.
3. A plaque or other appropriate measure recognizing the City's contribution on behalf of its residents.
4. Registering a covenant on title to ensure that the parcel remains green space in perpetuity.
5. An agreement, that would require repayment of the grant (adjusted for inflation) if the land is used for a purpose other than publicly accessible community green space.

That Council consider an additional donation of up to \$150,000 as part of the 2022 budget deliberations.

Amendment:

Moved By Councillor Isitt
Seconded By Mayor Helps

That the City provide a donation of \$250,000 to Saanich for the preservation of the King's Road Community Nature Sanctuary subject to:

1. The District of Oak Bay making a contribution of at least \$60,000.
2. Preservation of the entire 2.2 hectare parcel.
3. A plaque or other appropriate measure recognizing the City's contribution on behalf of its residents.
4. Registering a covenant on title to ensure that the parcel remains green space in perpetuity.
5. An agreement, that would require repayment of the grant (adjusted for inflation) if the land is used for a purpose other than publicly accessible community green space.
6. **That council request that Saanich consider whether to incorporate Bowker Creek or an Indigenous place name into a permanent name for this green space.**

CARRIED UNANIMOUSLY

**On the main motion as amended:
CARRIED UNANIMOUSLY**

F.1.a.b

1012 Richardson Street - Heritage Alteration Permit with Variances Application No. 00025 (Fairfield)

Moved By Councillor Alto
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 Heritage Alteration Permit with Variances Application No. 00025 for 1012 Richardson Street, in accordance with:

1. Plans, date stamped June 10, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. increase building height from 7.6 metres to 9.2 metres;
 - ii. decrease the rear yard setback from 9.29 metres to 1.35 metres;
 - iii. decrease the east side yard setback from 1.5 metres to 1.27 metres;

- iv. decrease the west side yard setback from 3 metres to 2.58 metres;
 - v. decrease the combined side yard setback from 4.5 metres to 3.9 metres.
3. Plan revisions to remove one of the proposed front yard parking spaces and to illustrate a driveway crossing that complies with the Highway Access Bylaw, to the satisfaction of the Director of Engineering.
 4. Heritage Alteration Permit with Variances lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY

F.1.a.c

1609 Fort Street - Development Permit with Variance Application No. 00170 (South Jubilee)

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

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

“That Council authorize the issuance of Development Permit with Variance Application No. 00170 for 1609 Fort Street, in accordance with:

1. Plans date stamped June 3, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - i. Increase the total floor area for a liquor store (maximum) from 241m² to 453.8m².
3. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY

F.1.a.d

Council Member Motion: Making Permanent Victoria's Street Patio Policy

Moved By Councillor Dubow
Seconded By Councillor Loveday

1. Council to accept letter appendix 1 and endorse it
2. Council to direct staff to also identify processes for facilitating permanent closures of travel lanes and/or full roadways to facilitate increased public space and/or zones for permitted commercial use, beginning with 1300 Block on Gladstone from Fernwood Street to Stanley Avenue as pilot program with measures to ensure accessibility for people with mobility impairments

3. Council direct staff to report back to update and extend the current Business Recovery from Pandemic Bylaw (#20-072) prior to October 31, 2021 with measures to ensure accessibility for people with mobility impairments
4. That Council include "Extend and optimize the 'Build Back Victoria' patio program" as a 2021 Strategic Plan action item and "Make the Build Back Victoria patio program permanent" as a 2022 Strategic Plan action item.

CARRIED UNANIMOUSLY

F.1.a.e Strategic Plan Workshop and 2022 Budget Motions

Moved By Councillor Isitt
Seconded By Councillor Alto

That Council approve amendments to the Strategic Plan in Appendix A.

Amendment:

Moved By Councillor Alto
Seconded By Councillor Isitt

That Council amend and move the following motion to "Ongoing":

Work with the Greater Victoria Public Library to provide **enhanced** library services in the north end of the city, **while continuing to explore options for a future north end branch.**

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Isitt
Seconded By Councillor Dubow

Work with the Greater Victoria Public Library to provide enhanced library services in the north end of the city, while continuing to **pursue** options for a future north end branch.

CARRIED UNANIMOUSLY

On the main motion as amended:

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Isitt

Seconded By Councillor Alto

That items #10, #12 and #20 be pulled for discussion and the rest of the items be approved.

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)

Amendment:

Moved By Councillor Isitt

Seconded By Councillor Thornton-Joe

That item #20 (Work with SD61 to explore use of Sundance School as a community centre for Jubilee) be moved to ongoing.

CARRIED UNANIMOUSLY

On the motion to move #12 to 2023:

CARRIED UNANIMOUSLY

On the motion to remove lobbyist registry:

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

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

CARRIED (6 to 3)

F.1.a.f

Strategic Plan Workshop - Motion Arising - Implications of Amending the Recreation Fee Bylaw

Moved By Councillor Potts

Seconded By Councillor Isitt

Staff to report back on the implications of amending Recreation Fee Bylaw No.06-056 to allow community

groups to book Royal Athletic Park at low or no cost and or a re-envisioning of how RAP can be opened for public use following findings of the 1996 Local Area Plan and the example of community based recreation programs held by city staff and the North Park Neighbourhood Association in 2020 and 2021.

CARRIED UNANIMOUSLY

F.1.b Report from the July 22 COTW Meeting

F.1.b.a Agreement with Island Health for Administering COVID-19 Vaccination

Moved By Councillor Andrew
Seconded By Councillor Alto

That Council authorize the City Clerk and Mayor to execute an agreement in a form satisfactory to the City Solicitor, with Island Health for the provision of clinical and non-clinical support by City of Victoria Firefighters at the COVID-19 mass vaccination clinics established in Greater Victoria.

CARRIED UNANIMOUSLY

G. BYLAWS

G.1 Bylaw for Solid Waste Bylaw Amendments for Curbside Comingled Organics Collection

Moved By Councillor Thornton-Joe
Seconded By Councillor Andrew

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

- Solid Waste Bylaw, Amendment Bylaw (No. 10), No. 21-063

FOR (7): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young
OPPOSED (2): Councillor Dubow, Councillor Isitt

CARRIED (7 to 2)

Councillor Isitt gave the following Notice of Motion:

That Council amend the Solid Waste Bylaw to remove language preventing the provision of solid waste collection services for the James Bay childcare society.

G.2 Bylaw for 425 Simcoe Street: Rezoning Application No. 007773

Councillor Isitt recused himself at 5:28 p.m. due to a conflict of interest with this item, as his father lives in close proximity to this parcel.

Moved By Councillor Dubow
Seconded By Councillor Potts

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

- Zoning Regulation Bylaw, Amendment Bylaw (No. 1259), No. 21-073

CARRIED UNANIMOUSLY

H. CLOSED MEETING

Moved By Councillor Andrew
Seconded By Councillor Potts

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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;

CARRIED UNANIMOUSLY

I. APPROVAL OF CLOSED AGENDA

Moved By Councillor Andrew
Seconded By Councillor Potts

That the agenda be approved.

CARRIED UNANIMOUSLY

J. READING OF CLOSED MINUTES

J.1 Minutes from the closed meeting held June 10, 2021

Moved By Councillor Alto

Seconded By Councillor Potts

That the minutes from the closed meeting held June 24, 2021 be adopted.

CARRIED UNANIMOUSLY

K. UNFINISHED BUSINESS

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

Referred from the July 15, 2021 Council Meeting

Council discussed a land use matter.

The discussion and motion were recorded and kept confidential.

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Referred from the July 15, 2021 Council Meeting

Council discussed a land use matter.

The discussion and motion were recorded and kept confidential.

M. NEW BUSINESS

M.1. Appointment - Community Charter Section 90(1)(a)

This item was deferred to the July 29th Closed Council meeting.

M.2. Legal Advice/Litigation - Sections 90(1)(g) and 90(1)(i)

This item was deferred to the July 29th Closed Council meeting.

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

Referred from the July 15, 2021 Council Meeting

This item was deferred to the August 5th Closed Council meeting.

O. **ADJOURNMENT**

Moved By Councillor Thornton-Joe
Seconded By Councillor Andrew

That the Closed Council Meeting be adjourned at 6:12 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR

DRAFT