



MINUTES - VICTORIA CITY COUNCIL

September 2, 2021, 3:27 P.M.

COUNCIL CHAMBERS - 1 CENTENNIAL SQUARE, VICTORIA BC

To be held immediately following the Committee of the Whole Meeting

The City of Victoria is located on the homelands of the Songhees and Esquimalt People

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

PRESENT
ELECTRONICALLY: Councillor Dubow, Councillor Isitt

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Director of Finance, C. Kingsley - City Clerk, 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. Meyer - Assistant Director of Development Services, C. Havelka - Deputy City Clerk, J. O'Connor - Deputy Director of Finance, K. Moore - Head of Business and Community Relations, C. Mycroft - Manager of Executive Operations, G. Milne – Head of Strategic Operations, M. Fedyczkowska - Legislation & Policy Analyst, J. Paul - Assistant Director of Engineering, P. Bellefontaine - Director of Engineering & Public Works, G. Diamond – Council/Committee Secretary

B. APPROVAL OF AGENDA

Moved By Councillor Alto

Seconded By Councillor Loveday

That the agenda be approved.

CARRIED UNANIMOUSLY

C. READING OF MINUTES

C.1 Minutes from the daytime meeting held June 17, 2021

Moved By Councillor Alto

Seconded By Councillor Loveday

That the minutes from the daytime meeting held June 17, 2021 be adopted

CARRIED UNANIMOUSLY

C.2 Minutes from the daytime meeting held July 15, 2021

Moved By Councillor Alto

Seconded By Councillor Loveday

That the minutes from the daytime meeting held July 15, 2021 be adopted

CARRIED UNANIMOUSLY

C.3 Minutes from the daytime meeting held July 22, 2021

Moved By Councillor Alto

Seconded By Councillor Loveday

That the minutes from the daytime meeting held July 22, 2021 be adopted

CARRIED UNANIMOUSLY

C.4 Minutes from the daytime meeting held July 29, 2021

Moved By Councillor Alto

Seconded By Councillor Loveday

That the minutes from the daytime meeting held July 29, 2021 be adopted

CARRIED UNANIMOUSLY

C.5 Minutes from the evening meeting held July 29, 2021

Moved By Councillor Alto

Seconded By Councillor Loveday

That the minutes from the evening meeting held July 29, 2021 be adopted

CARRIED UNANIMOUSLY

E. REPORTS OF COMMITTEE

E.1 Committee of the Whole

E.1.a Report from the July 29, 2021 COTW Meeting

E.1.a.a Council Member Motion: Bank Street School

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That Mayor ask SD61 to meet with the South Jubilee Neighbourhood Association Board to discuss the future of and answer questions regarding Bank School.

CARRIED UNANIMOUSLY

E.1.a.b953 Balmoral - Requests from BC Housing to Terminate Housing Agreement, cancel Development Permit with Variance, and Discharge Legal Agreements Registered on the Title of 953 Balmoral Road (North Park)

Moved By Councillor Potts
Seconded By Councillor Alto

That Council:

1. Instruct City Solicitor to bring forward a bylaw that would authorize termination of the Housing Agreement for 953 Balmoral Road.
2. Authorize the City Solicitor discharge the existing Car Share Covenant and associated Statutory Right-of-Way (CA7872359 and CA7872361) from the title of 953 Balmoral Road.
3. Cancel Development Permit with Variance No. 000506.
4. Direct staff to prepare the legal agreements to secure a Statutory Right-of-Way of 1.22m along the frontage of 959 Balmoral Road.

CARRIED UNANIMOUSLY

E.1.a.c Interim Equity Decision-Making Tool

Moved By Councillor Loveday
Seconded By Councillor Potts

That Council

1. Endorse the Interim Equity Decision-Making Tool for use by Council and staff to assess equity impacts on decisions, subject to comment by the Accessibility Advisory Committee; and
2. Direct staff to bring forward a revised Equity Decision-Making Tool as part of the Equity Framework in the fall of 2021.
3. That Council direct staff to provide recommendations on how to integrate the decision making tool into the staff reports going forward and have a template as a user-guide.
4. Direct staff to consider including the following question as a new Step 1 in the Equity Decision-Making Tool when staff report back to Council in the fall of 2021: "Step 1. Will the project have positive impacts on one or more equity seeking groups? If not, why should the project be prioritized over projects that would have positive impacts? Or, how could the project be adapted in order to have positive impacts on one or more equity seeking groups?"

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)

E.1.a.d Council Member Motion: Gate for Ross Bay Cemetery

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That staff report back on mechanisms so that this project can be completed as soon as possible, possibly before the heritage alteration permit expires in November and direct staff to report back on what will need to be dropped from existing work in order to accomplish this project

CARRIED UNANIMOUSLY

E.1.b Report from the August 5, 2021 COTW Meeting

E.1.b.a Report Back: Expanding food and pollinator growing initiatives on municipal land

Moved By Councillor Isitt
Seconded By Councillor Loveday

1. That Council receive this report for information
2. That Council direct staff to include all options outlined in this report for consideration in the draft 2022 Financial Plan.
3. That Council direct staff to report back as part of the 2022 budget on the resource requirements for enhanced city-led support for the design, installation and operations of Food Forests and allotment gardens on City land including options for the enhanced planting and stewardship of food-bearing trees in the City-managed urban forest.

Amendment:

Moved By Councillor Isitt
Seconded By Councillor Loveday

That the recommendation be amended by replacing #3 with the following:

3. That staff report on the resource requirements for: (i) a new City-led program to develop and manage "Food Forests" and allotment gardens on City land; and (ii) the inclusion of food-bearing trees within the inventory of trees maintained by the City.

CARRIED UNANIMOUSLY

On the main motion as amended:

CARRIED UNANIMOUSLY

**E.1.b.b 3150 Somerset Street: Rezoning Application No. 00763 and
Development Permit Application No. 000592 (Hillside/Quadra)**

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

**Rezoning Application No. 00763 for 3150 Somerset
Street**

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00763 for 3150 Somerset Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

**Development Permit Application No. 000592 for 3150
Somerset Street**

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. 00763, if it is approved, consider the following motion:
“That Council authorizes the issuance of Development Permit Application No. 000592 for 3150 Somerset Street, in accordance with:

1. Plans date stamped April 6, 2021.
2. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY

**E.1.b.c645 and 655 Tyee Road: Rezoning Application No.00749
(Victoria West)**

Moved By Councillor Thornton-Joe
Seconded By Councillor Potts

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00749 for 645 and 655 Tyee Road, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public

Hearing date be set once staff have received a Development Permit Application to add permanent outdoor seating to the northwest plaza at 645 Tyee Road.

That Council, after the Public Hearing for Rezoning Application No. 00749, if it is approved, authorize the Mayor and City Clerk to execute legal instrument, in a form satisfactory to the City Solicitor, to discharge covenant number EV35208 from the properties located at 645 Tyee Road and 655 Tyee Road.

CARRIED UNANIMOUSLY

E.1.b.d AAA Priority Cycling Network: Remaining Projects & Network Completion

Moved By Councillor Isitt
Seconded By Councillor Loveday

That Council:

1. Approve the designs for Superior Street and Montreal Street as part of the priority AAA cycling network and direct staff to incorporate detailed design and construction costs into the 2022 Financial Plan;
2. Approve the current designs for Government Street South as part of the priority AAA cycling network and direct staff to incorporate detailed design and construction costs into the 2022 Financial Plan. Continue to work with agency partners and community stakeholders on establishing an implementation strategy for achieving ultimate streetscape and public space designs in conjunction with future works in the Inner Harbour District;
3. Approve the Gorge Road project and direct staff to complete detailed design and construction, with costs incorporated into the 2022 Financial Plan; and
4. Direct staff to undertake public engagement on the design of the Pandora East Project in 2022 and incorporate construction costs into the 2023 Financial Plan.
5. Direct staff to report back to Council by the end of Q2 2022 with a progress update on planning for future enhancements to the cycling network.

CARRIED UNANIMOUSLY

E.1.b.e Topaz Park Improvement Plan: Phase 1 Concept Design Proposals

Moved By Councillor Loveday
Seconded By Councillor Andrew

That Council approve the following two concept designs for Phase 1 improvements to Topaz Park;

- A. Skate and Bike Parks Project, as shown in Attachment A, and that consideration be given to maintaining connectivity of the Garry Oak ecosystem and providing opportunities for passive enjoyment of that area by the public.
- B. Artificial Turf Sport Field Replacement Project, as shown in Attachment B, subject to a staff review of the replacement lighting to minimize light pollution to nearby households to the greatest extent possible.

That Council direct staff to report by Q3, 2022 on the next phase of implementation of the Topaz Park improvement plan.

That Council direct staff to include in the accessibility washroom:

- 1. An adult change table complete with a lift and sling with a 600lb capacity that allows ability to move around the room.
- 2. Contrasting floor tiles to help those with visibility impairments
- 3. Grab bars attached to the walls

And direct staff to engage the Accessibility Advisory Committee on potential additional accessibility provisions for this washroom.

That Council ensure that a detailed design doesn't prohibit a covered portion of the skate board park and include this potential expenditure as part of the long term capital plan

Councillor Young requested the vote be divided

On the item A:

CARRIED UNANIMOUSLY

On the item B:

FOR (8): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young
OPPOSED (1): Councillor Isitt

CARRIED (8 to 1)

On the remaining items:

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)

Councillor Alto left the meeting at 3:38 p.m.

F. BYLAWS

F.1 Bylaw for Council Procedures Bylaw

**Moved By Mayor Helps
Seconded By Councillor Young**

That the following bylaw **be adopted**:

- Council Procedures Bylaw, Amendment Bylaw (2021) No. 21-074

Amendment:

**Moved By Mayor Helps
Seconded By Councillor Young**

1. rescind 3rd reading of the bylaw,

CARRIED UNANIMOUSLY

**Moved By Mayor Helps
Seconded By Councillor Potts**

2. amend the bylaw by striking the word “local” and “by the City” from 2. 3(a),

CARRIED UNANIMOUSLY

**Moved By Mayor Helps
Seconded By Councillor Young**

3. Motion for 3rd reading (as amended).

CARRIED UNANIMOUSLY

On the main motion as amended:

That Council:

1. rescind 3rd reading of the bylaw,
2. amend the bylaw by striking the word “local” and “by the City” from 2. 3(a), then
3. Motion for 3rd reading (as amended).

CARRIED UNANIMOUSLY

G. CORRESPONDENCE

G.1 Letter from the Attorney General and Minister Responsible for Housing

Council received a letter dated August 10, 2021 from the Attorney General and Minister Responsible for Housing regarding the release of accused persons on bail.

Moved By Mayor Helps
Seconded By Councillor Thornton-Joe

That the correspondence dated August 10, 2021 from the Attorney General and Minister Responsible for Housing be received for information.

Motion to refer:

Moved By Mayor Helps
Seconded By Councillor Thornton-Joe

That this item be referred to the September 9, 2021 COTW meeting.

CARRIED UNANIMOUSLY

G.2 Letter from the Mayor of the Resort Municipality of Whistler

Council received a letter dated July 21, 2021 from the Mayor of the Resort Municipality of Whistler regarding the Help Cities Lead Campaign.

Moved By Councillor Loveday
Seconded By Councillor Potts

That the correspondence dated July 21, 2021 from the Mayor of the Resort Municipality of Whistler be received for information.

CARRIED UNANIMOUSLY

G.3 Letter from the President of the Union of BC Municipalities

Council received a letter dated August 11, 2021 from the President of the Union of BC Municipalities regarding the Canada Community-Building Fund/Gas Tax Fund.

Moved By Councillor Loveday
Seconded By Councillor Potts

That the correspondence dated August 11, 2021 from the President of the Union of BC Municipalities be received for information.

CARRIED UNANIMOUSLY

H. CLOSED MEETING

Motion to close the meeting at 3:46 p.m.:

Moved By Councillor Potts

Seconded By Councillor Andrew

MOTION TO CLOSE THE SEPTEMBER 2, 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)(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;

CARRIED UNANIMOUSLY

I. APPROVAL OF CLOSED AGENDA

Moved By Councillor Andrew

Seconded By Councillor Thornton-Joe

That the closed agenda be approved.

Amendment:

Moved By Mayor Helps

Seconded By Councillor Thornton-Joe

Consent Agenda:

- J.1 - Minutes from the closed COTW meeting held June 3, 2021
- J.2 - Minutes from the closed meeting held June 17, 2021
- J.3 - Minutes from the closed COTW meeting held July 22, 2021
- J.4 - Minutes from the closed meeting held July 22, 2021
- J.5 - Minutes from the closed COTW meeting held July 29, 2021
- J.6 - Minutes from the closed meeting held July 29, 2021
- K.1 – Land – Community Charter Section 90(1)(i)

CARRIED UNANIMOUSLY

J. CONSENT AGENDA

Moved By Councillor Potts
Seconded By Councillor Andrew

That the following items be approved without further debate

CARRIED UNANIMOUSLY

J.1 Minutes from the closed COTW meeting held June 3, 2021

Moved By Councillor Potts
Seconded By Councillor Andrew

That the minutes from the closed COTW meeting held June 3, 2021 be adopted.

CARRIED UNANIMOUSLY

J.2 Minutes from the closed meeting held June 17, 2021

Moved By Councillor Potts
Seconded By Councillor Andrew

That the minutes from the closed meeting held June 17, 2021 be adopted.

CARRIED UNANIMOUSLY

J.3 Minutes from the closed COTW meeting held July 22, 2021

Moved By Councillor Potts
Seconded By Councillor Andrew

That the minutes from the closed COTW meeting held July 22, 2021 be adopted.

CARRIED UNANIMOUSLY

J.4 Minutes from the closed meeting held July 22, 2021

Moved By Councillor Potts
Seconded By Councillor Andrew

That the minutes from the closed meeting held July 22, 2021 be adopted.

CARRIED UNANIMOUSLY

J.5 Minutes from the closed COTW meeting held July 29, 2021

Moved By Councillor Potts
Seconded By Councillor Andrew

That the minutes from the closed COTW meeting held July 29, 2021 be adopted.

CARRIED UNANIMOUSLY

J.6 Minutes from the closed meeting held July 29, 2021

Moved By Councillor Potts

Seconded By Councillor Andrew

That the minutes from the closed meeting held July 29, 2021 be adopted.

CARRIED UNANIMOUSLY

K.1 Land – Community Charter Section 90(1)(i)

Council discussed a land use matter

The conversation was recorded and kept confidential

M. CORRESPONDENCE

M.1 DEFERRED

Intergovernmental Relations – Community Charter Section 90(2)(b)

N. NEW BUSINESS

N.1 Legal Advice – Community Charter Section 90(1)(i)

Council discussed a legal matter.

The motion was recorded and kept confidential.

P. ADJOURNMENT

Moved By Councillor Andrew

Seconded By Councillor Thornton-Joe

That the Council meeting be adjourned at 4:04 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR