



## MINUTES - VICTORIA CITY COUNCIL

May 26, 2022, 10:22 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 Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, and Councillor Young

PRESENT ELECTRONICALLY: Councillor Andrew

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, B. Eisenhauer - Head of Engagement, K. Hoese - Director of Sustainable Planning and Community Development, A. Meyer - Assistant Director of Development Services, A. Hudson - Assistant Director of Community Planning, L. Van Den Dolder - Assistant City Solicitor, C. Mycroft - Manager of Executive Operations, P. Bellefontaine - Director of Engineering & Public Works, P. Rantucci – Head of Strategic Real Estate, C. Wain – Senior Planner, M. Maclean – Community Planner, P. Angelblazer - Committee Secretary, and Becky Roder - Committee Secretary

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

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

That the agenda is approved.

**CARRIED UNANIMOUSLY**

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

#### **C.1 Minutes from the daytime meeting held May 5, 2022**

**Moved By** Councillor Thornton-Joe  
**Seconded By** Councillor Alto

That the minutes from the daytime meeting held May 5, 2022 be approved.

**CARRIED UNANIMOUSLY**

**D. REQUESTS TO ADDRESS COUNCIL**

**Moved By** Councillor Alto  
**Seconded By** Councillor Dubow

That the following speaker is permitted to address Council.

**CARRIED UNANIMOUSLY**

**D.1 Robin Bayley: Bylaws for Accessible Parking Requirements - Zoning Bylaw Amendments**

Robin Bayley provided information regarding the Cities' accessibility parking requirements for developments, as well as suggestions to improve them.

**E. PROCLAMATIONS**

**E.1 "International Medical Marijuana Day" - June 11, 2022**

**Moved By** Councillor Alto  
**Seconded By** Councillor Loveday

That the following proclamation be endorsed:

1. "International Medical Marijuana Day, June 11, 2022"

**CARRIED UNANIMOUSLY**

**E.2 "Longest Day of Smiles" - June 19, 2022**

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

That the following proclamation be endorsed:

1. "Longest Day of Smiles, June 19, 2022"

**CARRIED UNANIMOUSLY**

**E.3 "Lissencephaly Awareness Day" - September 8, 2022**

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

That the following proclamation be endorsed:

1. "Lissencephaly Awareness Day - September 8, 2022"

**CARRIED UNANIMOUSLY**

**E.4 "Never Give Up Day" - August 18, 2022**

**Moved By** Councillor Loveday  
**Seconded By** Councillor Dubow

That the following proclamation be endorsed:

1. "Never Give Up Day, August 18, 2022"

**CARRIED UNANIMOUSLY**

**E.5 "World Elder Abuse Awareness Day" - June 15, 2022**

**Moved By** Councillor Young  
**Seconded By** Councillor Thornton-Joe

That the following proclamation be endorsed:

1. "World Elder Abuse Awareness Day, June 15, 2022"

**CARRIED UNANIMOUSLY**

**E.6 "ALS Awareness Month" - June 2022**

**Moved By** Councillor Thornton-Joe  
**Seconded By** Councillor Alto

That the following proclamation be endorsed:

1. "ALS Awareness Month, June 2022"

**CARRIED UNANIMOUSLY**

**E.7 "International Internal Audit Awareness Month" - May 2022**

**Moved By** Councillor Loveday  
**Seconded By** Councillor Dubow

That the following proclamation be endorsed:

1. "International Internal Audit Awareness Month, May 2022"

**CARRIED UNANIMOUSLY**

**F. REPORTS OF COMMITTEE**

**F.1 Committee of the Whole**

**F.1.a Report from the May 12, 2022 COTW Meeting**

**F.1.a.a Missing Middle Housing - Engagement and Next Steps**

*Council discussed the following:*

- *The Mayors' meeting with the Federal Minister of Housing*
- *Missing Middle Housing communications strategy*
- *The planned open house in advance of the public hearing*
- *Land value impacts of the missing middle housing initiatives*
- *Engagement with non-profit housing providers*
- *Purposes of a city-wide zoning approach compared to a spot-zoning approach*
- *Financial limitations of for-profit developers regarding affordable missing middle housing.*
- *Impacts of inaction on the housing file*
- *Proposed date for the public hearing and public information session*
- *Public sentiment around the missing middle housing initiative*
- *Delays which may occur as a result of referring the motion*

**Moved By** Mayor Helps  
**Seconded By** Councillor Loveday

1. That Council direct staff to:
  - a. Prepare bylaws to amend:
    - i. The Zoning Regulation Bylaw to permit houseplexes, corner townhouses, heritage conserving infill, and accessory uses, as described within this report.
    - ii. The Zoning Regulation Bylaw to establish land dedication requirements to support mobility and urban forest objectives, as incentivised by the density bonus structure of proposed zoning for missing middle housing forms.
    - iii. The Land Use Procedures Bylaw to delegate development permit approvals to staff for cases where proposed missing middle housing is permitted in zoning, development applications are consistent with the Missing Middle Design Guidelines, and no zoning variances are requested. Also, to establish delegated development permit application fees of \$5,000 for projects with 6 or fewer dwelling units, and \$8,000 for projects with 7 to 12 units.

- iv. The Land Use Procedure Bylaw to provide for a refund of \$5,000 of development permit application fee related to a missing middle project where the applicant submits and complies with a tenant assistance plan consistent with the Tenant Assistance Policy.
    - b. Prepare an Affordable Housing Standards Bylaw to establish income limits for households qualified to purchase a Below Market Home Ownership unit and a definition of affordable rental housing.
    - c. Bring forward the above-mentioned bylaws and the OCP Amendment Bylaw for first and second reading.
    - d. Monitor the impact of any missing middle zoning changes against the achievement of objectives summarized in the Missing Middle Housing Policy, Including options for prioritizing new co-operative housing, non-profit housing and public housing in the eligibility requirements for increased zoning entitlements arising from the proposed Missing Middle amendments, loss of units that fall into the definition of affordable in the City of Victoria number of displacements and number of tenant assistance policies and report back to Council with any recommended process, regulatory, and policy improvements in two years or earlier if significant unintended effects become more immediately apparent or market conditions change significantly.
    - e. Monitor resourcing implications and report back to Council on any further resourcing implications as part the 2023 budget planning process. Report back sooner with resource implications if a high volume of applications is received.
    - f. Amend the Tenant Assistance Policy to provide for appropriate measures to assist tenants displaced as a result of a missing middle project.
  2. That Council consider approval of the Missing Middle Housing Policy and the updated versions of the Burnside Neighbourhood Plan, Fairfield Neighbourhood Plan, Gonzales Neighbourhood Plan, James Bay Neighbourhood Plan, Jubilee Neighbourhood Plan, Oaklands Neighbourhood Plan, Rockland Neighbourhood Plan, and Victoria West Neighbourhood Plan at the same Council meeting at which the above bylaw amendments are considered.
  3. That upon approval of the Missing Middle Housing Policy and updated versions of neighbourhood plans, Council rescinds the previous versions of said neighbourhood plans.
  4. Revise the fee to \$10,000 for buildings of 6 units and less and \$13,000 for buildings of 7 units or more.

5. That before the Public Hearing a Missing Middle Housing information open house be held.

**Moved By** Councillor Dubow  
**Seconded By** Councillor Andrew

That Councillor Thornton-Joe may be given a second speaking opportunity.

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Dubow  
**Seconded By** Councillor Loveday

That Mayor Helps may be given a second speaking opportunity.

**CARRIED UNANIMOUSLY**

**Amendment:**

**Moved By** Councillor Isitt  
**Seconded By** Councillor Dubow

That the matter be referred to staff, to convene a public engagement workshop and report back to the Committee of the Whole by July 2022 with: (1) the results of that engagement, (2) any additional public input received, and (3) any proposed amendments to the Missing Middle program based on this input.

FOR (5): Councillor Andrew, Councillor Dubow, Councillor Isitt, Councillor Thornton-Joe, and Councillor Young

OPPOSED (4): Mayor Helps, Councillor Alto, Councillor Loveday, and Councillor Potts

**CARRIED (5 to 4)**

#### **F.1.a.b Recommendation for Clarity Cannabis at 1400 Quadra Street**

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

1. That Council direct staff to advise the Liquor and Cannabis Regulation Branch (LCRB):

The Council of the City of Victoria supports the application of Clarity Cannabis at 1400 Quadra Street to receive a provincial cannabis retail store license with the following comments:

- a. The Council recommends that the Liquor and Cannabis Regulation Branch issue a license to Clarity Cannabis at 1400 Quadra Street.
  - b. Bylaw and Licensing Services indicates that the proposed cannabis retail store would have limited community impact. The Victoria Police Department and Sustainable Planning and Community Development did not raise any concerns about community impacts.
  - c. The reasons for a positive local government recommendation include that:
    - i. The location permits storefront cannabis retail
    - ii. Staff did not raise significant concerns about community impact due to the proposed storefront cannabis retailer at this location.
  - d. Residents' views were solicited through a mail-out to property owners and occupiers within 100 meters of this address and to the relevant neighbourhood association. The City sent 995 notices and received 6 responses, including the Downtown Residents Association.
2. That Council direct staff to advise the LCRB of Council's recommendation subject to the applicant's compliance with applicable City bylaws and permits.

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

OPPOSED (2): Councillor Alto and Councillor Thornton-Joe

**CARRIED (7 to 2)**

**F.1.a.c Council Member Motion - Approval for Acting Mayor - Minister Malcolmson New Westminster Pact Teams Announcement**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Dubow

That Council authorize expenses related to Councillor Potts attending the PACT Teams announcement in New Westminster on April 11, 2022.

Flights: \$494.00 (return flight harbour air)  
Food/Transport/Misc: \$24.19 - Lunch with Minister  
\$52.95 -Taxi - from airport to event  
\$4.35 - Skytrain ticket

(Harbour Air is carbon-neutral) no carbon offset applied

**CARRIED UNANIMOUSLY**

**F.1.b Report from the May 26, 2022 COTW Meeting**

**F.1.b.a Council Member Motion - Approval for Travel Expenses for Meetings in Ottawa**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Dubow

That Council authorize travel expenses related to Mayor helps attending meetings with Federal Ministers in Ottawa from May 31, 2022 to June 2, 2022.

Flights: \$380.23 – one-way flight from Victoria to Ottawa.

Hotel: \$348.00 plus applicable taxes (two nights hotel in Ottawa) @ 174.00 a night.

Misc: \$250.00 (food, taxi, etc.)

Carbon Offset: \$132.00 – Carbon Offset (.88 Tonnes CO2e)

Total: \$1110.23

**CARRIED UNANIMOUSLY**

**G. BYLAWS**

**G.1 Bylaw for City Parkades Electric Vehicle Charging Fees**

**Moved By** Councillor Alto

**Seconded By** Councillor Potts

That the following bylaw **be adopted**:

1. City Parkades Electric Vehicle Charging Fees Bylaw, Amendment Bylaw (No. 1), 22-054,

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

OPPOSED (1): Councillor Andrew



**CARRIED (8 to 1)**

**G.2 Bylaws for 1125 Fort Street: Rezoning Application No. 00712, Development Permit with Variances Application No. 00142 and Heritage Designation Application No. 000192**

**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. 1273) No. 22-031
2. Heritage Designation (1125 Fort Street) Bylaw No. 22-029

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Alto  
**Seconded By** Councillor Thornton-Joe

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

1. Housing Agreement (1125 Fort Street) Bylaw (2022) No. 22-030

**CARRIED UNANIMOUSLY**

**G.3 Bylaw for the Five Year Financial Plan Bylaw, 2022, Amendment Bylaw**

*Council discussed the following:*

- *Implications of cancelling the signed contracts*
- *Climate impacts of Topaz Park artificial turf improvements*

**Moved By** Councillor Young  
**Seconded By** Councillor Alto

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

1. Five Year Financial Plan Bylaw, 2022, Amendment Bylaw (No. 1) No. 22-061
2. Direct staff to schedule an opportunity for public input prior to adoption of the bylaw.

**Moved By** Councillor Isitt  
**Seconded By** Councillor Loveday

That Council postpone consideration of the motion pending staff advice.

**CARRIED UNANIMOUSLY**

*Council recessed at 11:37 a.m., and reconvened at 11:41 a.m.*

**Moved By** Councillor Isitt  
**Seconded By** Councillor Young

That Council lift the motion from the table.

**CARRIED UNANIMOUSLY**

**On the motion:**

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

OPPOSED (1): Councillor Isitt

**CARRIED (8 to 1)**

**G.4 Bylaw for Development Cost Charges Amendment Bylaw**

**Moved By** Councillor Alto  
**Seconded By** Councillor Thornton-Joe

That the following bylaw **be adopted:**

1. Development Cost Charges Bylaw, Amendment Bylaw (No. 4), No. 22-060

**CARRIED UNANIMOUSLY**

**H. CLOSED MEETING**

**Moved By** Councillor Loveday  
**Seconded By** Councillor Thornton-Joe

**MOTION TO CLOSE THE MAY 26, 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)(c) labour relations or other employee relations.*

**CARRIED UNANIMOUSLY**

*The daytime meeting of Council was closed to the public at 11:54 a.m.*

Council to follow Committee of the Whole Minutes

**I. APPROVAL OF CLOSED AGENDA**

**Moved By** Councillor Young

**Seconded By** Councillor Thornton-Joe

That the closed agenda be approved.

**Amendment:**

**Moved By** Councillor Isitt

**Seconded By** Councillor Potts

That a new item titled ***M.2 – Legal Advice - Community Charter Section 90(1)(i)*** be added to the agenda.

FOR (4): Councillor Alto, Councillor Dubow, Councillor Isitt, and Councillor Potts

OPPOSED (5): Mayor Helps, Councillor Andrew, Councillor Loveday, Councillor Thornton-Joe, and Councillor Young

**DEFEATED (4 to 5)**

**On the motion:**

**CARRIED UNANIMOUSLY**

**J. READING OF CLOSED MINUTES**

**J.1 Minutes from the closed meeting held May 5, 2022**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Alto

That the minutes from the closed meeting held May 5, 2022 be approved.

**CARRIED UNANIMOUSLY**

*Councillor Thornton-Joe recused herself from the meeting at 12:20 p.m. due to a non-pecuniary conflict of interest with the following item.*

**M. NEW BUSINESS**

**M.1. Land - Community Charter Section 90(1)(e)**

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

*Councillor Thornton-Joe returned to the meeting at 12:31 p.m.*

*All union staff were excused from the meeting at 12:31 p.m.*

*Council recessed at 12:31 p.m., and reconvened at 1:30 p.m.*

*The Deputy City Clerk assumed the role of Recording Secretary*

**M.2 Employee Relations - Community Charter Section 90(1)(c)**

*Council discussed an Employee Relations matter. The discussion was recorded and kept confidential.*

**O. ADJOURNMENT**

**Moved By** Councillor Potts

**Seconded By** Councillor Alto

That the Closed Council Meeting be adjourned at 2:00 p.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR