



MINUTES - VICTORIA CITY COUNCIL

September 1, 2022, 9:11 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 Andrew, Councillor Isitt, Councillor Potts, Councillor Thornton-Joe, Councillor Young

PRESENT ELECTRONICALLY: Councillor Dubow

ABSENT: Councillor Loveday

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, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhauer - Head of Engagement, C. Mycroft - Manager of Executive Operations, P. Bellefontaine - Director of Engineering & Public Works, D. Atkinson - Acting Fire Chief, L. Berndt - Manager of Energy and Climate Action, 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

Moved By Councillor Young

Seconded By Councillor Potts

That the minutes from the following meetings be approved:

- Daytime meeting held July 14, 2022
- Daytime meeting held July 21, 2022
- Daytime meeting held July 28, 2022
- Evening meeting held July 28, 2022
- Evening meeting held August 4, 2022

CARRIED UNANIMOUSLY

D. PROCLAMATIONS

D.1 "100th Anniversary of the Chinese Students' Strike Against Racism and Segregation Day" - September 1, 2022

Council discussed the following:

- *Issuing a statement in support of the strike re-enactment*

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That the following proclamation be endorsed:

1. "100th Anniversary of the Chinese Students' Strike Against Racism and Segregation Day" - September 1, 2022

CARRIED UNANIMOUSLY

E. REPORTS OF COMMITTEE

E.1 Committee of the Whole

E.1.a Report from the September 1, 2022 Committee of the Whole

E.1.a.a

**Proposed Capital Regional District Regional Parks
Loan Authorization Bylaw No. 4506**

Moved By Councillor Andrew

Seconded By Councillor Alto

That Council:

1. Consent to the adoption of Capital Regional District Bylaw 4506, "Capital Regional District Bylaw No. 4506, "Regional Parks Loan Authorization Bylaw No. 1, 2022."

CARRIED UNANIMOUSLY

F. BYLAWS

F.1 Bylaw for 235 Russell Street and 247 Russell Street: Rezoning Application No. 00798 and Rezoning Application No. 00799

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. 1284) No. 22-076

CARRIED UNANIMOUSLY

F.2 Bylaw for 3117 Blackwood Street: Rezoning Application No. 00783 and Development Permit with Variances Application No. 00184

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. 1272) No. 22-018

CARRIED UNANIMOUSLY

F.3 Bylaws for 902 Foul Bay Road: Rezoning Application No. 00737, Development Permit with Variances Application No. 00192, and Heritage Alteration Permit No. 00250

Moved By Councillor Alto
Seconded By Councillor Andrew

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1280) No. 22-063
2. Heritage Designation (902 Foul Bay Road) Bylaw, Amendment Bylaw (No. 1) No. 22-065

FOR (6): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Isitt, and Councillor Potts

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

CARRIED (6 to 2)

Moved By Councillor Alto
Seconded By Councillor Andrew

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

1. Housing Agreement (902 Foul Bay Road) Bylaw (2022) No. 22-064

CARRIED UNANIMOUSLY

Moved By Councillor Alto
Seconded By Councillor Andrew

Development Permit with Variances Application No. 00192

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. 00737, if it is approved, consider the following motion:

1. That Council authorize the issuance of Development Permit with Variances Application No. 00192 for 902 Foul Bay Road, in accordance with:

- a. Plans date stamped July 28, 2022.
- b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. increase the building height from 10.5m to 11.54m;
 - ii. reduce the vehicle parking from 27 stalls to 14 stalls and the visitor parking from two stalls to one stall;
 - iii. reduce the short-term bicycle parking from 12 stalls to four stalls
 - iv. reduce the separation distance between long-term bicycle parking racks from 45cm to 40cm
 - v. reduce the front (Quamichan Street) setback requirement from 6m to 3.10 (to building) and 1.38m (to stairs);
 - vi. reduce the flanking street (Redfern Street) setback from 6m to 3.37m (to building) and 0.37m (to stairs);
 - vii. reduce the flanking street (Foul Bay Road) setback from 6m to 3.73m;
 - viii. reduce the rear yard setback from 4m to 3m
 - ix. reduce the minimum separation distance for an accessory building from 2.4m to 1.9m.
- c. That the Development Permit lapses two years from the date of this resolution.”

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

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

Moved By Councillor Alto

Seconded By Councillor Potts

Heritage Alteration Permit No. 00250

That Council, after the Public Hearing for Rezoning Application No. 00737, if it is approved, consider the following motion:

- 2. That Council authorize the issuance of Heritage Alteration Permit Application No. 00250 for 902 Foul Bay Road, in accordance with:
 - a. Plans date stamped July 28, 2022.
 - b. The Rock Wall Heritage Conservation Plan by Donald Luxton and Associates Inc. dated March 2020.
 - c. That the Heritage Alteration Permit lapses two years from the date of this resolution.”

CARRIED UNANIMOUSLY

F.4 Bylaws for Accessible Parking: Amendments to Land Use Procedures Bylaw and Victoria Subdivision and Development Servicing Bylaw

Moved By Councillor Alto

Seconded By Councillor Potts

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

1. Land Use Procedures Bylaw, Amendment Bylaw (No. 18) No. 22-072
2. Victoria Subdivision and Development Servicing Bylaw, Amendment Bylaw (No. 5) No. 22-078

CARRIED UNANIMOUSLY

F.5 Bylaw for Tax Exemption (Permissive) 2023-2025

Moved By Councillor Alto

Seconded By Councillor Potts

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

1. Tax Exemption (permissive) Bylaw, 2023-2025 No. 22-079

CARRIED UNANIMOUSLY

F.6 Bylaw for Streets and Traffic, Amendment Bylaw

Moved By Councillor Alto

Seconded By Councillor Potts

That the following bylaw **be adopted:**

1. Streets and Traffic Bylaw, Amendment Bylaw (No. 12) No. 22-028

CARRIED UNANIMOUSLY

F.7 Bylaw for 2740 Bridge Street and 450 Hillside Avenue: Rezoning Application No. 00779

Moved By Councillor Alto

Seconded By Councillor Potts

That the following bylaw **be adopted:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1276) No. 22-038

CARRIED UNANIMOUSLY

G. CORRESPONDENCE

G.1 Letter from the Minister of Public Safety and Solicitor General

Council received a letter dated August 22, 2022 from the Minister of Public Safety and Solicitor General regarding public safety and liquor policy.

Moved By Councillor Potts

Seconded By Councillor Alto

That the letter from the Minister of Public Safety and Solicitor General regarding public safety and liquor policy be received for information.

CARRIED UNANIMOUSLY

G.2 Letter from the Minister of Mental Health and Addictions, and the Minister of Public Safety and Solicitor General

Council received a letter dated August 22, 2022 from the Minister of Mental Health and Addictions, and the Minister of Public Safety and Solicitor General regarding the allocation of police resources for patients apprehended under the Mental Health Act.

Council discussed the following:

- *Inadequate response from the Province*
- *Options available to the Province to respond to the issue appropriately.*

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That the letter from the Minister of Mental Health and Addictions, and the Minister of Public Safety and Solicitor General regarding the allocation of police resources for patients apprehended under the Mental Health Act be received for information.

Motion to refer:

Moved By Councillor Isitt

Seconded By Councillor Andrew

That this matter be referred to the September 8, 2022 Council Meeting.

CARRIED UNANIMOUSLY

G.3 Letter from the Minister of Public Safety and Solicitor General

Council received a letter dated August 23, 2022 from the Minister of Mental Health and Addictions, and the Minister of Public Safety and Solicitor General regarding the detention of immigrants by CBSA in provincial correctional centres.

Moved By Councillor Isitt

Seconded By Councillor Dubow

That the letter from the Minister of Public Safety and Solicitor General regarding the detention of immigrants by CBSA in provincial correctional centres be received for information.

CARRIED UNANIMOUSLY

H. CLOSED MEETING

Moved By Councillor Andrew

Seconded By Councillor Potts

MOTION TO CLOSE THE SEPTEMBER 1, 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)(h) an administrative tribunal hearing or potential administrative tribunal hearing affecting the municipality, other than a hearing to be conducted by the council or a delegate of council;

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

Section 90(1)(n) the consideration of whether a council meeting should be closed under a provision of this subsection or subsection (2).

Section 90(2) A part of a council meeting may be closed to the public if the subject matter being considered relates to one or more of the following:

Section 90(2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party;

CARRIED UNANIMOUSLY

The meeting was closed to the public at 9:33 a.m.

I. APPROVAL OF CLOSED AGENDA

Moved By Councillor Andrew

Seconded By Councillor Potts

That the closed agenda be approved.

CARRIED UNANIMOUSLY

J. READING OF CLOSED MINUTES

Moved By Councillor Andrew
Seconded By Councillor Potts

That the minutes from the following meetings are approved:

- Minutes from the closed meeting held July 14, 2022
- Minutes from the closed meeting held July 21, 2022
- Minutes from the closed meeting held July 28, 2022

CARRIED UNANIMOUSLY

L. NEW BUSINESS

L.1 Administrative Tribunal Hearing/Legal Advice - Community Charter Sections 90(1)(h) and 90(1)(i)

Council discussed an Administrative Tribunal Hearing and Legal Advice. The discussion and motions were recorded and kept confidential.

L.2 Consideration of a Closed Meeting Provision - Section 90(1)(n)

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

L.3 Intergovernmental Relation - Section 90(2)(b)

Council discussed an intergovernmental relations matter. The discussion and motion was recorded and kept confidential.

N. ADJOURNMENT

Moved By Councillor Andrew
Seconded By Councillor Alto

That the Closed Council Meeting be adjourned at 10:04 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR