



## MINUTES - VICTORIA CITY COUNCIL

January 27, 2022, 1:57 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:** Councillor Alto in the Chair, Councillor Andrew, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young
- ABSENT:** Mayor Helps and Councillor Dubow
- STAFF PRESENT:** J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Chief Financial Officer, T. Soulliere - Director of Parks, Recreation & Facilities, T. Zworski - City Solicitor, B. Eisenhauer - Head of Engagement, P. Bellefontaine - Director of Engineering & Public Works, K. Hoese - Director of Sustainable Planning and Community Development, A. Hudson - Assistant Director of Community Planning, C. Anderson - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, K. Moore - Head of Business and Community Relations, C. Kingsley - City Clerk, J. Jensen - Director, People and Culture, P. Angelblazer - Committee Secretary

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

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Andrew

That the agenda be approved.

**CARRIED UNANIMOUSLY**

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

#### **C.1 Minutes from the daytime meeting held January 13, 2022**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Andrew

That the minutes from the daytime meeting held January 13, 2022 are approved.

**CARRIED UNANIMOUSLY**

**D. PROCLAMATIONS**

**D.1 "Congenital Heart Disease Awareness Week" - February 7th to 14th, 2022**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Andrew

That the following proclamation be endorsed:

1. "Congenital Heart Disease Awareness Week" - February 7th to 14th, 2022

**CARRIED UNANIMOUSLY**

**E. REPORTS OF COMMITTEE**

**E.1 Committee of the Whole**

**E.1.a Report from the January 13, 2022 COTW Meeting**

**E.1.a.a 801 Bank Street: Development Variance Permit Application No. 00271 (Gonzales)**

**Moved By** Councillor Andrew

**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 Development Variance Permit Application No. 00271 for 801 Bank Street, in accordance with:

1. Plans date stamped July 26, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  1. increase the building height for the accessory gymnasium building from 3.50m to 6.76m
  2. increase the building height for the accessory classroom building from 3.50m to 4.06m.
3. The Development Variance Permit lapsing two years from the date of this resolution."

**CARRIED UNANIMOUSLY**

**E.1.a.b**

**Review of Business Licensing Fee for Cannabis Retail Stores**

*Council discussed the following:*

- *Prescribed minimum staffing levels within the bylaw*
- *Safety of budtender staff*
- *A jurisdictional overview of cannabis retail licensing fees*

*Councillor Isitt requested that 1.a. be considered separately.*

**Moved By** Councillor Andrew

**Seconded By** Councillor Alto

That Council:

1. Direct the City Solicitor to draft necessary bylaws to:
  - a. Amend the Business Licence Bylaw to establish a business licensing fee of \$3,500 for cannabis retail stores in 2022, and \$2,000 starting in 2023, and bring it forward for first and second readings.
  - b. Amend the Business Licence Bylaw to regulate ground floor commercial display windows to ensure that windows of cannabis retail stores on any street frontage are not blocked by translucent or opaque material, artwork, posters, shelving, display cases or similar elements that prevent visibility into and out of the premises and bring it forward for first and second readings.
  - c. Repeal the Storefront Cannabis Retailer Regulation Bylaw 19-053, but not before the necessary amendments to the Business Licence Bylaw.
2. Direct staff to schedule an opportunity for public comment at a Council meeting.

**Amendment:**

**Moved By** Councillor Isitt

**Seconded By** Councillor Alto

That Council:

1. Direct the City Solicitor to draft necessary bylaws to:
  - a. Amend the Business Licence Bylaw to establish a business licensing fee of \$3,500 for cannabis retail stores in 2022, and \$2,000 starting in 2023, and bring it forward for first and second readings.
  - b. Amend the Business Licence Bylaw to regulate ground floor commercial display windows to ensure that windows of cannabis retail stores on any street frontage are not blocked by translucent or opaque material, artwork, posters, shelving, display cases or similar elements that prevent visibility into and out of the premises, **maintain minimum staffing levels from the previous bylaw**, and bring it forward for first and second readings.
  - c. Repeal the Storefront Cannabis Retailer Regulation Bylaw 19-053, but not before the necessary amendments to the Business Licence Bylaw.
2. Direct staff to schedule an opportunity for public comment at a Council meeting.

**Motion to postpone:**

**Moved By** Councillor Andrew

**Seconded By** Councillor Thornton-Joe

That the matter is postponed until the February 10th, 2022 Council meeting.

FOR (6): Councillor Alto, Councillor Andrew, Councillor Isitt, Councillor Potts, Councillor Thornton-Joe, and Councillor Young

OPPOSED (1): Councillor Loveday

**CARRIED (6 to 1)**

**E.1.a.c**

**Rapid Deployment of Affordable Housing**

*Council discussed the following:*

- *Proposed level of staff involvement in affordable housing applications*
- *Appropriate venues for public engagement*

**Moved By** Councillor Alto

**Seconded By** Councillor Loveday

That Council direct staff to:

1. Prepare and bring forward, for first and second readings, amendments to the Zoning Regulation Bylaw and Zoning Bylaw 2018 to add regulations that would increase the maximum density affordable housing projects can achieve, to the maximum density identified in the Official Community Plan, as outlined in this report and with the inclusion of non-profit housing co-operatives.
2. Prepare and bring forward, for first, second and third readings, amendments to the Land Use Procedures Bylaw to delegate Development Permits with or without Variances as well as Development Variance Permits for affordable housing developments to staff, as outlined in this report, and that Council consider enacting the Land Use Procedures Bylaw Amendment if the Zoning Regulation Amendment Bylaw and Zoning Bylaw 2018 Amendment Bylaw identified in #1 are adopted.
3. That the definition of affordable housing at 1.b of page 13 include revision for a minimum 60 year lease to the public housing body.

FOR (4): Councillor Alto, Councillor Isitt, Councillor Loveday, and Councillor Potts  
OPPOSED (3): Councillor Andrew, Councillor Thornton-Joe, and Councillor Young

**CARRIED (4 to 3)**

**E.1.b Report from the January 27, 2022 COTW Meeting**

**E.1.b.a 1124 Vancouver St, 841 and 953 View St: Rezoning Application No. 00718 and Development Permit with Variances Application No. 00133**

**Moved By** Councillor Andrew  
**Seconded By** Councillor Young

That the application proceed to a Public Hearing on February 10, 2022, as scheduled.

**CARRIED UNANIMOUSLY**

**E.1.b.b Council Member Motion: Renters' Advisory Committee – AVICC & UBCM Advocacy Resolutions**

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

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

1. WHEREAS vacancy control does not apply to new construction and developers will still have incentive to build new units;

WHEREAS in B.C. there are mechanisms through which a landlord may apply to the Residential Tenancy Branch for an additional rent increase if they have incurred eligible capital expenditures or expenses to the residential property in which the rental unit is located;

WHEREAS rents continue to rise faster than inflation and the provincially allowable rent increases and the loss of stable rental housing stock and displaced renters adversely affects local economy, community, and ability to maintain health and essential services;

THEREFORE BE IT RESOLVED that for the health of our local economies, AVICC and UBCM advocate that the Provincial Government explore a vacancy control policy that would limit rent increases between tenancies.

FOR (6): Councillor Alto, Councillor Andrew, Councillor Isitt, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe  
OPPOSED (1): Councillor Young

**CARRIED (6 to 1)**

*Councillor Isitt withdrew from the meeting at 2:32 p.m. due to a potential pecuniary conflict of interest*

*Councillor Loveday withdrew from the meeting at 2:32 p.m. due to a potential pecuniary conflict of interest*

**Moved By** Councillor Potts

**Seconded By** Councillor Loveday

2. WHEREAS to expand the supply of community and affordable housing, experts tasked with delivering the final report of the Canada-British Columbia Expert Panel on the Future of Housing Supply and Affordability recommend that:

*The federal and provincial governments independently or jointly create an acquisition fund to enable non-profit housing organizations to acquire currently affordable housing properties at risk of being repriced or redeveloped into more expensive units. Conditions should be attached to this funding that will prevent forced displacement of existing tenants when a building is acquired. The B.C. government should exempt non-profit organizations from the property transfer tax for building acquisitions that will be used to provide affordable housing.*

THEREFORE BE IT RESOLVED that AVICC and UBCM advocate that the Provincial Government support the recommendation of the Canada-British Columbia Expert Panel on the Future of Housing Supply and Affordability, to develop a provincial acquisition strategy and grant program that would allow non-profit housing providers to purchase and repair aging rental stock for the purposes of maintaining existing affordable housing

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Potts

**Seconded By** Councillor Alto

3. WHEREAS the Provincial Government has pledged to, alleviate the rental housing crisis, strengthen tenant protections, and expand the efficacy of the Residential Tenancy Branch;

WHEREAS B.C. is in the midst of a housing crisis which has pushed many tenants into vulnerable living situations and legal aid funding for tenancy issues would provide tenants with a fair opportunity to participate in the adjudication of their tenancy issues;

THEREFORE BE IT RESOLVED that AVICC and UBCM advocate that the Provincial Government reinstate the funding of poverty law legal aid for tenancy issues.

**CARRIED UNANIMOUSLY**

*Councillor Isitt rejoined the meeting at 2:34 p.m.*

*Councillor Loveday rejoined the meeting at 2:34 p.m.*

**E.1.b.c**

**Bylaw Officer Appointments**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Andrew

1. That Council approve the appointment of Lauren Carr, Jimmy Arauz, Tyson Walters, Robert Halkett and Megan Vande Burgt
  - a. As a Bylaw Officer pursuant to section 2(a) of the Inspection Bylaw (06-061); and
  - b. As a Business Licence Inspector for the City of Victoria.

**CARRIED UNANIMOUSLY**

**E.1.b.d**

**Council Member Motion: Guaranteed Liveable Basic Income Advocacy to AVICC**

**Moved By** Councillor Alto

**Seconded By** Councillor Loveday

That Council endorse the following Resolution and forward the same to the Association of Vancouver Island and Coastal Communities (AVICC) for consideration at its annual convention in April 2022.

That this resolution be forwarded to the January 27, 2022 Council to follow Committee of the Whole meeting for ratification.

*Whereas municipalities are at the front line in dealing with community impacts when people are unable to support their own wellbeing,*

*And whereas poverty has a downstream effect on municipalities, putting unsustainable pressure on their limited resources to deliver necessary public services and social supports as they struggle to keep up with downloaded responsibilities,*

*And whereas the Covid-19 pandemic has exacerbated municipal constraints, leaving them to deal with exposed gaps in our social safety net resulting from growing economic, racial and health inequalities,*

*And whereas basic income addresses key social determinants of health, such as income and housing, it can alleviate pressures on municipalities to address poverty and fill gaps in social supports, such as shelter, housing, food security and mental health,*

*And whereas evidence from basic income research and pilots shows that when people have a sufficient and secure income their mental and physical health improves; they have the capacity to secure more affordable, suitable, and safe housing, childcare, healthy food, and transportation; and poverty rates decrease thereby helping to alleviate the downloaded pressure on municipalities to support the wellbeing of their residents,*

*And whereas the provision of a guaranteed livable basic income would benefit individuals, families and communities and protect the most vulnerable in society, it would also support community resilience by facilitating the transition to a local economy that responds to the climate crisis and other major challenges,*

*And whereas evidence shows that a federally funded basic income that improves people's financial stability is possible, as successful income transfer programs already exist in Canada for seniors (Old Age Security and the Guaranteed Income Supplement) and parents (Canada Child Benefit (CCB)),*

*Therefore be it resolved that AVICC calls on the Government of Canada to implement a Guaranteed Livable Basic Income, ensuring everyone has sufficient income to meet their needs, which would go a long way towards eradicating poverty and homelessness, alleviating the pressure on municipalities to use their limited resources to fill gaps in our failing social safe net, And be it further resolved that AVICC endorse this Resolution, and forward the same to the Union of British*



*Columbia Municipalities (UBCM) for consideration at its annual convention in September 2022.*

**CARRIED UNANIMOUSLY**

**E.1.b.e Council Member Motion: Advocacy for Liveable Income Support Programs - AVICC & UBCM Advocacy Resolutions**

**Moved By** Councillor Loveday

**Seconded By** Councillor Isitt

That Council endorse the following resolution and direct staff to forward electronic copies to the Association of Vancouver Island and Coastal Communities, the Union of BC Municipalities and member local governments, requesting favourable consideration and resolutions of support:

Resolution: Advocacy for Liveable Income Support Programs

WHEREAS adequate incomes are essential for the wellbeing of community members and families;

AND WHEREAS the current level of Income Assistance is not sufficient to cover the cost of the necessities of life, a problem made worse by sharp increases in the cost of housing, food, transportation and other human needs;

THEREFORE BE IT RESOLVED THAT the Province of British Columbia revise provincial Income Assistance programs to provide a liveable income for seniors, people with disabilities, and community members living in poverty.

**CARRIED UNANIMOUSLY**

**E.1.b.f Council Member Motion: Advocacy for Partnerships for Fare-Free Public Transit - AVICC & UBCM Advocacy Resolutions**

**Moved By** Councillor Isitt

**Seconded By** Councillor Loveday

That Council endorse the following resolution and direct staff to forward electronic copies to the Association of Vancouver Island and Coastal Communities, the Union of BC Municipalities and member local governments, requesting favourable consideration and resolutions of support:

Resolution: Partnerships for Fare-Free Public Transit

WHEREAS equitable access to mobility is fundamental to full and meaningful participation in local communities, including access to education, employment, services, recreation, culture and community life;

AND WHEREAS the Province of British Columbia has shown leadership by eliminating use-fee barriers to public transit ridership for people 12 years of age and under;

AND WHEREAS emissions from transportation generate a majority of community-based emissions in many communities, meaning that changes in transportation options have the potential to have a substantial impact in reducing green-house gas emissions;

AND WHEREAS forward-looking jurisdictions around the world from Kingston, Ontario to Kansas City, Missouri, to Luxembourg and Estonia are eliminating user-fee barriers to public transit ridership, with residents paying for transit services through the tax system rather than at the fare box;

THEREFORE BE IT RESOLVED THAT the Province of British Columbia work with local governments to introduce bold investments in sustainable transportation networks, including fare-free public transit services in communities that support the elimination of user-fee barriers to public transit ridership.

**CARRIED UNANIMOUSLY**

**F. BYLAWS**

**F.1 Bylaw for Business Improvement Area Amendment Bylaw**

**Moved By** Councillor Young

**Seconded By** Councillor Thornton-Joe

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

1. Business Improvement Area Bylaw, Amendment Bylaw (NO. 1) No. 22-023

**CARRIED UNANIMOUSLY**

**F.2 Bylaw for Land Use Procedures Bylaw Amendment Bylaw**

**Moved By** Councillor Loveday

**Seconded By** Councillor Alto

That the following bylaw **be adopted:**

1. Land Use Procedures Bylaw, Amendment Bylaw (No. 14), 2022 No. 22.014

**CARRIED UNANIMOUSLY**

**F.3 Bylaw for Officers Bylaw Amendment Bylaw**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Andrew

That the following bylaw **be adopted**:

1. Officers Bylaw, Amendment Bylaw (No. 2), 2022 No. 22-016

**CARRIED UNANIMOUSLY**

**F.4 Bylaw for 137/139 Robertson Street and 1848/1850 Hollywood Crescent: Rezoning Application No. 00723 and Development Permit with Variances Application No. 00181**

**Moved By** Councillor Potts

**Seconded By** Councillor Loveday

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1265) No. 22-022

FOR (6): Councillor Alto, Councillor Andrew, Councillor Isitt, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe

OPPOSED (1): Councillor Young

**CARRIED (6 to 1)**

**Moved By** Councillor Potts

**Seconded By** Councillor Loveday

Development Permit with Variances Application No. 00181

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. 00723, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variances Application No. 00181 for 137/139 Robertson Street and 1848/1850 Hollywood Crescent, in accordance with:

1. Plans date stamped September 23, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  1. reduce the vehicle parking from three stalls to two stalls;
  2. increase the number of storeys from two and a half to three;
  3. increase the height from 7.6m to 8.03m;
  4. allow for roof decks;
  5. reduce the front yard setback from 7.5m to 3.22m;
  6. reduce the rear yard setback from 7.5m to 3.20m;
  7. permit an accessory building to be located in the side yard rather than the rear yard;
  8. reduce the building separation distance between an accessory building and the principal building from 2.4m to 0.3m.
3. Registration on title of a car share agreement to secure one car share membership per dwelling unit, to the satisfaction of the Director of Sustainable Planning and Community Development.
4. The Development Permit lapsing two years from the date of this resolution.”

FOR (6): Councillor Alto, Councillor Andrew, Councillor Isitt, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe  
OPPOSED (1): Councillor Young

**CARRIED (6 to 1)**

**G. CORRESPONDENCE**

**G.1 Letter from Victoria-Beacon Hill MLA**

*Council discussed the following:*

- *The pending staff response from the Ministry of Mental Health and Addictions*

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Potts

That Council receive the letter for information.

**CARRIED UNANIMOUSLY**

**H. CLOSED MEETING**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Potts

**MOTION TO CLOSE THE JANUARY 27, 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)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;*

**CARRIED UNANIMOUSLY**

*The daytime Council meeting was closed to the public at 2:50 p.m.*

**J. APPROVAL OF CLOSED AGENDA**

**Moved By** Councillor Andrew

**Seconded By** Councillor Young

That the closed agenda be approved.

**Amendment:**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Andrew

That the agenda be amended to add; Legal Advice – Community Charter Section 90(1)(i)

**CARRIED UNANIMOUSLY**

**Amendment:**

**Moved By** Councillor Andrew

**Seconded By** Councillor Thornton-Joe

That the agenda be amended to add; Legal Advice – Community Charter Section 90(1)(i)

**CARRIED UNANIMOUSLY**

**On the main motion as amended:**

**CARRIED UNANIMOUSLY**

*Councillor Isitt requested that item L.2. be considered before item L.1.*

**K. READING OF CLOSED MINUTES**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Loveday

That the following sets of minutes are approved:

- Minutes from the closed COTW meeting held January 13, 2022
- Minutes from the closed meeting held January 13, 2022

**CARRIED UNANIMOUSLY**

**L. NEW BUSINESS**

**L.2 Legal Advice – Community Charter Section 90(1)(i)**

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

**L.1 Land – Community Charter Section 90(1)(e)**

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

**L.3 Legal Advice – Community Charter Section 90(1)(i)**

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

**G. ADJOURNMENT**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Dubow

That the Closed Council Meeting be adjourned at 4:00 p.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR