



## REVISED AGENDA - VICTORIA CITY COUNCIL

Thursday, July 11, 2024

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 Nation and Xwsepsum Nation

Pages

**A. TERRITORIAL ACKNOWLEDGEMENT**

**B. INTRODUCTION OF LATE ITEMS**

**C. APPROVAL OF AGENDA**

**D. CONSIDERATION OF MINUTES**

D.1	<u>Minutes from the Evening Council meeting held May 23, 2024</u>	1
D.2	<u>Minutes from the Daytime Council meeting held June 13, 2024</u>	4
D.3	<u>Minutes from the Daytime Council Meeting held June 20, 2024</u>	19
D.4	<u>Minutes from the Daytime Council meeting held June 27, 2024</u>	27
D.5	<u>Minutes from the Evening Council meeting held June 27, 2024</u>	40

**E. REPORTS OF COMMITTEE**

**E.1 Committee of the Whole**

E.1.a	Report from the June 27, 2024 COTW Meeting	43
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Link to the June 27, 2024 COTW Agenda

E.1.a.a	250 Douglas Street: Development Permit with Variances Application No. 00241 (Downtown)
E.1.a.b	Victoria Housing Reserve Fund Application - Capital Region Housing Corporation's (CRHC's) project at 1132 Johnson Street
E.1.a.c	2024-2026 Corporate Plan
E.1.a.d	Task Force to Review Council Remuneration Decision

**E.1.b Report from the July 11, 2024 COTW Meeting**

*Placeholder for any time-sensitive items pending approval at the July 11, 2024 COTW meeting*

**E.1.b.a Canada Community Building Fund (CCBF) - Community Works Fund Agreement**

**E.1.b.b Waiving a Public Hearing for Short-Term Rental Zoning Amendments**

**F. BYLAWS**

**F.1 Bylaw for 515 Foul Bay Road: Heritage Designation Application No. 00163 45**

A report recommending:

**1st and 2nd readings of:** Heritage Designation (515 Foul Bay Road) Bylaw No. 24-039

The application proposes to designate the exterior of the building located at 515 Foul Bay Road as protected heritage property.

**F.2 Bylaw for Loan Authorization Bylaw (Crystal Pool Replacement) 55**

A report recommending:

- **1st, 2nd and 3rd readings of:**
  - Loan Authorization (Crystal Pool Replacement) Bylaw, No. 24-054

The purpose of this bylaw is authorize the City to borrow up to \$168,900,000 for the replacement of the Crystal Pool and Fitness Centre.

**G. NEW BUSINESS**

**\*G.1 902 Foul Bay Road: Development Permit with Variances Application No. 00273 (Gonzales) 58**

***Addendum: Correspondence***

Link to the May 23, 2024 COTW Agenda

- **Motion to Approve:**
  - Development Permit with Variances Application No. 00273

Council is considering a Development Permit with Variances to permit the

construction of two stacked townhouse dwellings containing 18 units.

**H. NOTICE OF MOTIONS**

**I. CLOSED MEETING**

**MOTION TO CLOSE THE JULY 11, 2024 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 related to one or more of the following:

*Section 90(1)(c) labour relations or other employee relations;*

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

Section 90(2) A part of a council meeting must 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.*

**J. APPROVAL OF CLOSED AGENDA**

**K. CONSIDERATION OF CLOSED MINUTES**

**L. NEW BUSINESS**

L.1 Legal Advice - Community Charter Section 90(1)(i)

L.2 Intergovernmental Relations - Community Charter Section 90(2)(b)

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

**M. CONSIDERATION TO RISE & REPORT**

**N. ADJOURNMENT**



## MINUTES - VICTORIA CITY COUNCIL

May 23, 2024, 6:30 P.M.

Council Chambers, City Hall, 1 Centennial Square

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

PRESENT: Mayor Alto in the Chair, Councillor Caradonna, Councillor Coleman, Councillor Dell, Councillor Gardiner, Councillor Loughton, Councillor Thompson

PRESENT ELECTRONICALLY: Councillor Hammond, Councillor Kim

STAFF PRESENT: J. Jenkyns - City Manager, T. Zworski - City Solicitor, C. Anderson - Deputy City Clerk, D. Atkinson - Fire Chief, B. Stark - Acting Assistant Director of Parks and Open Spaces, G. Diamond - Senior Legislative Coordinator, B. Roder - Senior Legislative Coordinator

### A. POETRY

Marie Metaphor Specht, Poet Laureate, read a poem entitled Wolf Path.

### B. TERRITORIAL ACKNOWLEDGEMENT

Council acknowledged that the City of Victoria is located on the homelands of the Songhees First Nation and Esquimalt First Nation communities and encouraged everyone to take a moment each day to look around and see the tremendous gifts they have given us through their stewardship of these lands.

### D. APPROVAL OF AGENDA

Moved and Seconded:

That the agenda be approved.

**CARRIED UNANIMOUSLY**

### E. REQUESTS TO ADDRESS COUNCIL

Moved and Seconded:

That the following speakers be permitted to address Council.

**CARRIED UNANIMOUSLY**

**E.1 Ingrid Taggart: Short term rental of principal residence by-law (In-person)**

Shared her experience with the Short Term Rental application process, and expressed concerns about the four booking limit for principal residences, which has resulted in her not being able to use her license past June 10 of this year. She expressed concerns that this restriction will not add to the rental stock in the city, and that enforcement of this policy is time consuming for staff. She urged Council to review this policy at their earliest convenience, and suggested a 180 day limit to match national policy and insurance limits.

*Councillor Coleman withdrew from the meeting at 6:41 p.m. due to a non-pecuniary conflict of interest with the following item as he lives near the subject property of the next agenda item.*

**E.2 Sue Goldsack, Maplewood Gospel Hall: Taxation of church parking lots (In-person)**

Outlined concerns regarding the permissive tax exemption for the Gospel Hall parking lot which has been removed, and shared that this impacted their contributions to charitable organizations. She expressed concerns regarding how this impacted the situation on Pandora as they could not make their normal contribution to Our Place.

*Councillor Coleman rejoined the meeting at 6:45 p.m.*

**E.3 Carl Cachia, Residents of Amphion Street: Repairs on Amphion Street (Sidewalk, lines, road) (In-person)**

*Mayor Alto noted that this speaker was not present to address Council.*

**E.4 Stephanie Baragon and Brian Ogilvie: Neighbourhood Safety Concerns regarding Vic West Park and it being an overnight sheltering park. We need help! (In-person)**

Outlined concerns regarding safety at Vic West Park and the inability for families to use Vic West Park due to various paraphernalia and other safety issues. Ms. Baragon shared an experience where an individual tried to break into her house with a shovel, who then fled to their tent when the police arrived and the negative impact this had on her well-being. Mr. Ogilvie shared that Bylaw enforcement is not sufficient and that bylaws are not being enforced which is leading to further safety issues for the community.

**E.5 Ted Smith, Victoria Cannabis Buyers Club: International Medical Marijuana Day (In-person)**

Shared a history of the Victoria Cannabis Buyers Club and invited Council to visit the new location. He thanked Council for a proclamation for International Medical Marijuana Day and their support. He reflected on the upcoming court case regarding an injunction but was confident they have constitutional arguments in their favour. He suggested that the medical marijuana program needs storefront

access as this is more accessible and easier to administer than using pharmacies.

**E.6 Emmanuel Ronse: History between the Community of North Gonzales and Glenlyon Norfolk School (In-person)**

Outlined concerns regarding the growth of Glenlyon Norfolk School and the impacts on traffic on residential streets such as Madison, and shared that the City installed bus stops on Richmond Road but the school does not use them. He estimated that the campus will continue to grow which will bring more students to the neighbourhood. He shared that the neighbours desire a walkable neighbourhood, but the traffic conflicts with this.

**G. ADJOURNMENT**

Moved and Seconded:

That the Council meeting be adjourned at 7:01 p.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR



## MINUTES - VICTORIACITY COUNCIL

June 13, 2024, 4:40 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 Nation and Xwsepsum Nation**

PRESENT: Mayor Alto in the Chair, Councillor Caradonna, Councillor Coleman, Councillor Gardiner, Councillor Hammond, Councillor Kim, Councillor Loughton, Councillor Thompson

PRESENT ELECTRONICALLY: Councillor Dell (Arrived at 4:43 p.m.)

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Chief Financial Officer, C. Kingsley - City Clerk, C. Anderson - Deputy City Clerk, S. Johnson - Director of Communications and Engagement, T. Zworski - City Solicitor, P. Rantucci - Director of Strategic Real Estate, T. Soulliere - Deputy City Manager, K. Hoese - Director of Sustainable Planning and Community Development, K. Moore - Head of Business and Community Relations, A. Johnston - Assistant Director of Development Services, R. Soward - Manager of Housing, A. Hudson - Assistant Director of Sustainable Planning and Community Development, A. Cusack - Senior Planner in Housing Policy, J. Edney - Housing Planner, S. Maichen - Legislative Coordinator

### **A. TERRITORIAL ACKNOWLEDGEMENT**

Council Acknowledged that the City of Victoria is located on the historical and contemporary homelands of the Songhees First Nation and Xwsepsum First Nation and noted the importance of taking a moment each day to reflect on the grace and generosity of the two nations.

*Councillor Dell joined the meeting online at 4:43 p.m.*

### **C. APPROVAL OF AGENDA**

Council requested that the following agenda items be moved to the June 20, 2024 meeting agenda:

- *F.1 - Bylaw for 1011 Fort Street: Rezoning Application No. 00863*
- *F.2 - Amendment Bylaws for Zoning Regulation Bylaw Pursuant to Bill 44: Housing Statutes (Residential Development) Amendment Act, 2023 and Bill 47: Housing Statutes (Transit-Oriented Areas) Amendment Act, 2023*

Moved and Seconded:

That the agenda be approved as amended.

**CARRIED UNANIMOUSLY**

**D. CONSIDERATION OF MINUTES**

That the following minutes be approved:

Moved and Seconded:

**D.1 Minutes from the Evening Council meeting held March 14, 2024**

That the minutes from the Evening Council meeting held March 14, 2024 be approved.

**D.2 Minutes from the Evening Council meeting held April 25, 2024**

That the minutes from the Evening Council meeting held April 25, 2024 be approved.

**D.3 Minutes from the Daytime Council meeting held May 02, 2024**

That the minutes from the Daytime Council meeting held May 2, 2024 be approved.

**D.4 Minutes from the Daytime Council meeting held May 09, 2024**

That the minutes from the Daytime Council meeting held May 9, 2024 be approved.

**D.5 Minutes from the Daytime Council meeting held May 16, 2024**

That the minutes from the Daytime Council meeting held May 16, 2024 be approved.

**D.6 Minutes from the Daytime Council meeting held May 23, 2024**

That the minutes from the Daytime Council meeting held May 23, 2024 be approved.

**CARRIED UNANIMOUSLY**

**E. REPORTS OF COMMITTEE**

**E.1 Committee of the Whole**

**E.1.a Report from the May 16, 2024 COTW Meeting**

Moved and Seconded:



That the following items from the Committee of the Whole meeting held May 16, 2024 be approved:

**E.1.a.a Douglas Street Downtown Dedicated Bus Lane Update**

That Council direct staff to:

1. Transition the current time-limited dedicated bus lanes between Hillside Avenue and Herald Street to be in effect 24 hours a day, 7 days a week (Segment A as described in this report) starting as soon as resources permit, but in any event no later than the end of 2024.
2. Commence detailed design for dedicated bus lanes and other complete street improvements on Douglas Street, between Hillside Avenue and Belleville Street (Segments B and C - Option F as described in this report).
3. Report back by Q1 of 2026 following the outcomes of detailed design and provide associated recommendations on next steps for project implementation.
4. Consider ways of including safe access for cycling, micromobility, and mobility scooters as part of the overall Douglas redevelopment project.

**E.1.a.b Downtown Victoria Business Association - Business Improvement Area Renewal Request**

That Council proceed with the DVBA's request for a five-year renewal of the Business Improvement Area by way of Council Initiative, Subject to Land Owner Petition Against.

**E.1.a.c Proposed Capital Regional District Bylaw No. 4588 - Regional Parks Loan Authorization Bylaw No. 1, 2024**

That Council:

1. Consent to the adoption of Capital Regional District Bylaw 4588, "Regional Parks Loan Authorization Bylaw No. 1, 2024.

**CARRIED UNANIMOUSLY**

**E.1.b Report from the May 23, 2024 COTW Meeting**

**E.1.b.b 1055 Alston Street: Rezoning Application No.00851 and Development Permit with Variances Application No. 00234 (Vic West)**

Moved and Seconded:

## Rezoning Application

1. That Council instruct the Director of Sustainable Planning and Community Development to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in the staff report dated May 9, 2024 for 1055 Alston Street.
2. That, after publication of notification in accordance with section 467 of the *Local Government Act*, first, second and third reading of the Zoning Regulation Bylaw amendment be considered by Council once the following conditions are met:
  - a. Revised plans identifying a second car share stall on-site.
  - b. The application be reviewed by the Advisory Design Panel.
3. That following the third reading of the zoning amendment bylaw, the applicant prepare and execute the following legal agreements, with contents satisfactory to the Director of Engineering and Public Works and form satisfactory to the City Solicitor prior to adoption of the bylaw:
  - a. Provision of a 1.0m wide statutory right of way for a portion along Alston Street to accommodate a sidewalk and two boulevard trees to City standards.
  - b. Provision of transportation demand management measures including:
    - i. two electric car share vehicles with a security of \$55,000 per vehicle
    - ii. two car share vehicle parking stalls equipped with Level 2 electric vehicle charging stations
    - iii. public access to the shared vehicle parking stalls
    - iv. a minimum of 56 car share memberships and credits
    - v. enhanced bicycle facilities including 50% of long-term bicycle spaces to have access to an electrical outlet, 10% of long-term bicycle parking to be oversized for cargo bicycles, and a bicycle maintenance station, and
    - vi. two EcoPasses for a minimum of five years for the industrial space.
4. That adoption of the zoning bylaw amendment will not take place until all of the required legal agreements that are registrable in the Land Title Office have been so registered to the satisfaction of the City Solicitor.
5. That the above Recommendations be adopted on the condition that they create no legal rights for the applicant or any other person, or obligation on the

part of the City or its officials, and any expenditure of funds is at the risk of the person making the expenditure.

### **Development Permit with Variances Application**

That Council, after giving notice, consider the following motion:

- “1. That subject to the adoption of the necessary Zoning Regulation Bylaw amendment, Council authorize the issuance of Development Permit with Variances No. 00234 for 1055 Alston Street, in accordance with plans submitted to the Planning department and date stamped by Planning on April 18, 2024, subject to:
  - a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
    - i. reduce the residential vehicle parking from 55 stalls to 17 stalls
    - ii. reduce the visitor vehicle parking from six stalls to two stalls
    - iii. reduce the industrial vehicle parking from eight stalls to four stalls
    - iv. reduce the visitor van accessible stall from one stall to zero stalls
    - v. reduce the surface parking lot setback from a street from 1m to 0.6m
    - vi. eliminate the landscape screen between a surface parking lot and a street.
2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.”

OPPOSED (1): Councillor Dell

**CARRIED (8 TO 1)**

**E.1.b.c**

### **902 Foul Bay Road: Development Permit with Variances Application No. 00273 (Gonzales)**

Moved and Seconded:

That Council consider the following motion:

- “1. That Council , after giving notice, posting signage, and inviting written comments from the public for Council’s consideration, authorize the issuance of Development Permit with Variances Application No. 00273 for 902 Foul Bay Road to permit amendments to the plans attached to the existing approved permit issued for

Development Permit with Variances Application No. 00192, in accordance with plans submitted to the Planning department and date stamped by Planning on May 1, 2024, subject to the following:

- a. Plan revisions, to the satisfaction of the Director of Sustainable Planning and Community Development:
    - i. provide an improved landscaped buffer between the parking area and the street;
    - ii. modify the plans to provide a feature to encourage play in the common outdoor amenity space; and
    - iii. retain the green roof above the one-bedroom units, utilize the flat roof area as an outdoor amenity or add additional landscaping and stormwater management features elsewhere on the site, or the carport structure.
  - b. The proposed development meeting all City zoning bylaw requirements, except for variances permitted by the existing approved permit Development Permit with Variances Application No. 00192 and the following variance:
    - i. reduce the landscape buffer around parking areas from 1m to 0.65m.
2. That the Development Permit with Variances, if issued, expires two years from the date of this resolution.”

OPPOSED (2): Councillor Gardiner, Councillor Hammond

**CARRIED (7 TO 2)**

Moved and Seconded:

That the following recommendations from the May 23, 2024 Committee of the Whole meeting be approved:

**E.1.b.a**

**1035 Russell Street: Rezoning Application No. 00844 and Development Permit with Variances Application No. 00266 (Vic West)**

#### **Rezoning Application**

1. That Council instruct the Director of Sustainable Planning and Community Development to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in the staff report dated May 9, 2024 for 1035 Russell Street.
2. That, after publication of notification in accordance with section 467 of the Local Government Act, first, second

and third reading of the zoning regulation bylaw amendment be considered by Council once the following conditions are met:

- a. Revise the plans to provide one van accessible parking stall and adjust the proposed variances if necessary, to the satisfaction of the Director of Sustainable Planning and Community Development.
  - b. Revise the Tenant Assistance Plan, to the satisfaction of the Director of Sustainable Planning and Community Development, to meet expectations of the Tenant Assistance Policy, and more specifically to include:
    - i. Rent compensation for eligible tenants as per length of tenancy and at 2022 CMHC average rents or tenant's rent, whichever is higher.
    - ii. Relocation support for eligible tenants with at least three housing options that are comparable in size, location and price, and which meet tenant needs.
  - c. Revise the arborist report, site survey, landscape plan and civil plan to the satisfaction of the Director of Parks, Recreation and Facilities.
3. That following the third reading of the zoning amendment bylaw, the applicant prepare and execute the following legal agreements, with contents satisfactory to the Director of Sustainable Planning and Community Development and form satisfactory to the City Solicitor prior to adoption of the bylaw:
- a. a 2.47m wide Statutory Right of Way on Russell Street.
4. That adoption of the zoning bylaw amendment will not take place until all of the required legal agreements that are registrable in the Land Title Office have been so registered to the satisfaction of the City Solicitor.

### **Development Permit with Variances**

That Council, after giving notice, consider the following motion:

- "1. That subject to the adoption of the necessary Zoning Regulation Bylaw amendment, Council authorize the issuance of Development Permit with Variances No. 00266 for 1035 Russell Street, in accordance with plans submitted to the Planning department and date stamped by Planning on December 1, 2023, subject to:
- a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:

- i. reduce the side (east) setback from 4.0m to 3.01m;
- ii. reduce the rear (south) setback from 4.0m to 1.52m;
- iii. increase the site coverage from 50% to 53.3%;
- iv. decrease the open site space requirement from 45% to 40.18%;
- v. decrease the number of required visitor parking stalls from 1 to 0; and
- vi. decrease the number of required van accessible parking stalls from 1 to 0.
- b. Final plans generally in accordance with the plans date stamped December 1, 2023, with the following revisions:
  - i. Modifications to the Russell Street frontage to accommodate additional landscaping and simplifying the design of the building, as stated in the letter from the Applicant dated April 9, 2024.
  - ii. Revised plans to the satisfaction of the Director of Engineering are required that addresses the following:
    - Ensure doors do not swing out across a public sidewalk or statutory right of way.
    - Correct the alignment of Raynor Street and ensure all drawings are consistent.
    - Move the sidewalk to align with the property line along Raynor Street and the inbound SRW boundary along Russell Street and ensure all drawings are consistent.
- 2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.

#### **E.1.b.d**

#### **Purchasing Policy Proposed Amendments**

That Council:

- 1. Approve the amended Purchasing Policy (Appendix A), and
- 2. Direct the City Solicitor to prepare the necessary amendments to bylaws, in alignment with the limits and authorities established in the amended Purchasing Policy, to:
  - a. Delegate the authority to negotiate, enter into, execute and administer Purchase Agreements to the following positions:
    - i. Purchase Agreements over \$500,000 – City Manager
    - ii. Purchase Agreements up to and including \$500,000 – Chief Financial Officer

- iii. Purchase Agreements up to and including \$74,999.99 – Manager or Department Director
- iv. Purchase Agreements for goods up to and including \$10,000 – Project Manager
- b. Delegate the authority to administer, amend and renew Purchase Agreements of any value – Project Manager

With all delegations subject to the following conditions:

- c. Purchase Agreement must be in writing and in a form satisfactory to the City Solicitor;
- d. Any amendments that add to the work, service, or goods must be integrally related to and necessary to fulfill the objectives of the subject contract as described in the underlying solicitation; and
- e. Any renewal term not to exceed that set out in the underlying solicitation.

#### **E.1.b.e**

#### **Improving Governance Processes through Comprehensive Delegation Bylaw**

That Council direct the City Solicitor to draft a new delegation bylaw as described in Option 1 of this report and bring forward for Council's consideration at a future meeting.

#### **E.1.b.f**

#### **1124 Vancouver Street – Statutory Right of Way Agreement Acquisition for Water Meter**

1. That Council authorize that the City of Victoria enter into a Statutory Right of Way agreement for the lands at 1124 Vancouver Street in the City of Victoria (the "**Agreement**") on the terms satisfactory to the Director of Engineering and Public Works, and in the form satisfactory to the City Solicitor, for an area of approximately 9.5m<sup>2</sup> (2.7m \* 3.5m) at 1124 Vancouver Street, Victoria for the purpose of the City's installation, maintenance and operation of a water meter and associated vault on the lands legally described as LOT A and Lots 782, 783, 785 Plan EPP126734 (PID 031-877-826).
2. That no legal right or obligation will be created, and none shall arise until the Agreement is fully executed by the City.

#### **E.1.b.g**

#### **Council Member Motion: Parking Outside of the Downtown Neighbourhood**

That Council direct staff to report back on:

1. Reducing private vehicle movements and parking in the downtown neighbourhood by exploring the potential of creating a new parkade, or increased public parking capacity, outside the downtown.
2. Including in the OCP related objectives and metrics, such as:
  - a. reducing vehicle movements and vehicle km travelled in the downtown;
  - b. shifting numbers of parking stalls from the downtown to peripheral areas; and,
  - c. providing last-mile solutions (including transit, micro-mobility and bike share) available at any major parking locations in the periphery in order to help people move quickly from parking to final destinations.

**CARRIED UNANIMOUSLY**

**E.1.c Report from the June 13, 2024 COTW Meeting**

**E.1.c.a Council Member Motion: Union of BC Municipalities (UBCM) Resolution for a Universal Basic Income**

Moved and Seconded:

That Victoria City Council endorse the following Resolution, and forward the same to the Union of BC Municipalities for consideration at its September 2024 annual convention:

*Whereas municipalities are increasingly expected to respond to gaps in Canada's social safety net resulting from growing economic, racial and health inequalities, And whereas a basic income program, in addressing key social determinants of health, such as income and housing, 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,*

*And whereas the provision of a basic livable income would benefit individuals, families and communities and protect*



*the most vulnerable in society, and support community resilience,*

*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), and to aid in recovery post-COVID (Canada Emergency Response Benefit),*

*Therefore, be it resolved that the Union of BC Municipalities urges the Governments of British Columbia and Canada to individually and/or collectively implement a Universal Basic Income, ensuring everyone has sufficient income to meet their needs, helping British Columbia and Canada lessen poverty and homelessness, alleviating the pressure on municipalities to use their limited resources to fill gaps in our social safe net.*

OPPOSED (1): Councillor Gardiner

**CARRIED (8 TO 1)**

**E.1.c.b**

**Council Member Motion: Union of BC Municipalities (UBCM) – Vacancy Control**

Moved and Seconded:

That Victoria City Council endorse the following Resolution, and forward the same to the Union of BC Municipalities for consideration at its September 2024 annual Convention.

WHEREAS the Government of British Columbia and Premier David Eby are on the record as saying REITs are a “predatory model [that] leads to evictions and rent hikes”

AND WHEREAS the Province of B.C. has recognized that vacancy control is effective at protecting affordable housing stock, as evidenced by its recent decision to prevent evictions in Downtown Eastside single-room occupancy buildings;

AND WHEREAS the unaffordability of housing limits the ability of renters to contribute to local economies, as noted by Leilani Farha (the former United Nations Special Rapporteur on housing and current Global Director of THE SHIFT, a housing initiative to actualize the housing as a basic human right);

AND WHEREAS refuting a human rights-based framework towards the commodification and financialization of housing is a contributor to the affordability crisis, and that renter protection must be a priority enacted through: 1) vacancy controls, 2) REIT bans, and 3) ensuring rent control protection, as stated by the federal housing advocate Marie-Josée Houle;

AND WHEREAS non-profit housing providers rely on their relatively limited rental income to maintain operating budgets and operating capacity;

AND WHEREAS communities across the province are unable to find desperately needed workers in the trades, healthcare, education, and childcare because of the unaffordability of housing ;

AND WHEREAS the loss of affordable rental housing is inextricably linked to the dire social and public health concerns that municipalities across the province are struggling to adequately address;

AND WHEREAS the average rent for unoccupied units surpassed the overall average rent for occupied units by 43%, where residents of B.C. face the highest rates of eviction in Canada and 85% of those evictions are no-fault evictions, disproportionately impacting single-income households, people with disabilities, and similarly equity-seeking groups;

AND WHEREAS the current levels of investment in non-market housing have proven insufficient at meeting demand;

AND WHEREAS a straightforward increase in market-supply housing is inadequate to meet the needs and income-based capacities of a significant proportion of residents;

AND WHEREAS to prevent growing rates of homelessness and to protect low-income renter households, emergency homelessness prevention strategies through government regulatory intervention are required;

AND WHEREAS, as an example, Victoria's average rental rates have increased by 51% (from \$1,170 in 2018 to \$2,275 in April 2024) since the BC 2018 Rental Task Force recommended against vacancy control under the caveat that the government monitor their success at "reducing bad-faith evictions, with the goal of improving people's security in their rental homes and to make adjustments, if necessary," [emphasis added]

THEREFORE, BE IT RESOLVED THAT the Province of British Columbia implement vacancy control on rental units owned by “financial landlords,” including but not limited to corporate landlords and real estate investment trusts.

OPPOSED (2): Councillor Gardiner, Councillor Hammond

**CARRIED (7 TO 2)**

**E.1.c.c**

**Council Member Motion: Union of BC Municipalities (UBCM) Resolution: Request for the Province to Set Standards for Municipal Council Remuneration**

Moved and Seconded:

That Council endorses the following resolution, and that staff submit it for consideration at the Union of BC Municipalities Conference by June 15, 2024, and that this motion be forwarded to daytime council for consideration.

Whereas UBCM has developed a Council and Board Remuneration Guide and despite excellent best practice suggestions Councils are still required to vote on their remuneration;

And whereas this system creates political pressure due to perceived conflict of interest by the public, which often results in remuneration rates not adequately compensating the workload;

And whereas accurate compensation for time commitment could help to reduce barriers to running for local office and attract diverse candidates:

Therefore be it resolved that UBCM request that the province work with the union to set a standardized rates grid based on transparent criteria for local government elected-official remuneration.

OPPOSED (2): Councillor Gardiner, Councillor Hammond

**CARRIED (7 TO 2)**

**F.3 Bylaws for Loan Authorization Bylaws - Transportation Improvements, Public Washroom Improvements and Parks Redevelopment**

Moved and Seconded:

That the following bylaws **be adopted**:

1. Loan Authorization (Transportation Improvements Capital Projects) Bylaw, No. 24-018
2. Loan Authorization (Public Washroom Improvements Capital Projects) Bylaw, No. 24-019
3. Loan Authorization (Parks Redevelopment Capital Projects) Bylaw, No. 24-020

**CARRIED UNANIMOUSLY**

**H. CLOSED MEETING**

MOTION TO CLOSE THE JUNE 13, 2024 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)(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.*

Section 90(2) A part of a council meeting must 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 daytime Council meeting was closed to the public at 4:56 p.m.*

**CARRIED UNANIMOUSLY**

**I. APPROVAL OF CLOSED AGENDA**

Moved and Seconded:

That the closed agenda be approved.

**CARRIED UNANIMOUSLY**

**J. NEW BUSINESS**

**J.1 Litigation and Legal Advice - Community Charter Section 90(1)(g) and 90(1)(i)**

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

**J.3 Intergovernmental Relations - Community Charter Section 90(2)(b)**

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

**K. ADJOURNMENT**

Moved and Seconded:

That the Council Meeting be adjourned at 5:39 p.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR



## MINUTES - VICTORIA CITY COUNCIL

June 20, 2024, 6:03 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 Nation and Xwsepsum Nation**

**PRESENT:** Mayor Alto in the Chair, Councillor Caradonna, Councillor Dell, Councillor Gardiner, Councillor Kim, Councillor Loughton, Councillor Thompson

**ABSENT:** Councillor Coleman, Councillor Hammond

**STAFF PRESENT:** J. Jenkyns - City Manager, C. Kingsley - City Clerk, C. Anderson - Deputy City Clerk, T. Zworski - City Solicitor, K. Hoese - Director of Sustainable Planning and Community Development, A. Johnston - Assistant Director of Development Services, B. Roder - Senior Legislative Coordinator, A. Heimburger - Legislative Coordinator

The Mayor acknowledged National Indigenous Peoples Day held on June 21, 2024 and noted events to be held by the Quadra Village Community Centre in Victoria and Royal Roads University in Colwood.

### **A. TERRITORIAL ACKNOWLEDGEMENT**

Council acknowledged that the City of Victoria is located on the homelands of the Songhees First Nation and Xwsepsum First Nation communities, noting the significance and joy of joining together on these lands as friends and family to learn from each other through stories and memories. Council encouraged residents to open their arms and say *hych'ka siam* to express their appreciation and respect to the Nations for their leadership and guidance, and thanked them for allowing us to live, work and play on their lands.

### **C. APPROVAL OF AGENDA**

Moved and Seconded:

That the agenda be approved.

**CARRIED UNANIMOUSLY**

### **D. REPORTS OF COMMITTEE**

#### **D.1 Committee of the Whole**

**D.1.a Report from the June 20, 2024 COTW meeting**

**D.1.a.a Council Member Motion: Zoning for Social Services for Unhoused Victorians**

Moved and Seconded:

1. That Council direct the Director of Sustainable Planning and Community Development to initiate, as part of the Official Community Plan update and zoning modernization projects, work exploring the appropriate regulation for social service centres in Victoria and report back to Council on the results of that work as part of future reports back on Official Community Plan update or zoning modernization projects as appropriate.
2. That Council instruct the City Solicitor and the Director of Sustainable Planning and Community Development to bring forward zoning amendments to permit, as a temporary measure, social service centres throughout Victoria subject only to the following conditions:
  - a. The number of overnight shelter spaces not to exceed the number of persons considered to be reasonable by City staff and at all times not to exceed 50
  - b. Must not be located within 100 metres of another social service centre;
  - c. An agreement, to the satisfaction of the Director of Sustainable Planning and Community development and in the form satisfactory to the City Solicitor, requiring that the property is well kept and maintained at all times to reduce impacts on the neighbouring community; and
  - d. Operation of the social service centre, including activities outside its property, must not cause nuisance or otherwise negatively impact neighbouring community.
3. That Council waive the holding of a public hearing prior to the adoption of these zoning amendments.
4. That, subject to publication of notices required under the Local Government Act, these amendments be expedited and brought forward for Council's consideration and adoption at the earliest opportunity.

OPPOSED (1): Councillor Gardiner

**CARRIED (6 to 1)**

**D.1.a.b Council Member Motion: Province of BC Bill 47 and Transit Oriented Area (TOA) and/or Transit-Oriented Development Area (TOD) in Victoria**

Moved and Seconded:

- That Council request the Mayor write to the Minister of Transportation and Infrastructure requesting that the Victoria Transit Oriented Area (TOA) identified in Bill 47 be moved to the 700 block of Douglas Street in the future.
- That if the bylaw designating the TOA is adopted, staff attach the letter requesting the relocation of the TOA to the notification to the Minister of Transportation and Infrastructure confirming designation of the Transit Oriented Area identified in Bill 47.

OPPOSED (2): Councillor Dell, and Councillor Thompson

**CARRIED (5 to 2)**

**D.1.a.c Major Community Initiatives and Events Grant**

Moved and Seconded:

That Council approve the Major Community Initiatives and Events Grant Program Guidelines as outlined in Appendix A as amended.

OPPOSED (1): Councillor Gardiner

**CARRIED (6 to 1)**

**E. BYLAWS**

**E.1 Bylaw for 1011 Fort Street: Rezoning Application No. 00863**

Moved and Seconded:

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1335), No. 24-034

**CARRIED UNANIMOUSLY**

Moved and Seconded:

That the following bylaw **be adopted:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1335), No. 24-034

**CARRIED UNANIMOUSLY**

**E.2 Amendment Bylaws for Zoning Regulation Bylaw Pursuant to Bill 44: Housing Statutes (Residential Development) Amendment Act, 2023 and Bill 47: Housing Statutes (Transit-Oriented Areas) Amendment Act, 2023**



*Councillor Gardiner requested that Zoning Regulation Bylaw, Amendment Bylaw (No. 1336), No. 24-035 and Zoning Regulation Bylaw, Amendment Bylaw (No. 1337), No. 24-036 be considered separately.*

Moved and Seconded:

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1336), No. 24-035

OPPOSED (1): Councillor Gardiner

**CARRIED (6 to 1)**

Moved and Seconded:

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1337), No. 24-036

**CARRIED UNANIMOUSLY**

Moved and Seconded:

That the following bylaw **be adopted:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1336), No. 24-035

OPPOSED (1): Councillor Gardiner

**CARRIED (6 to 1)**

Moved and Seconded:

That the following bylaw **be adopted:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1337), No. 24-036

**CARRIED UNANIMOUSLY**

### **E.3 Bylaw for Affordable Rental Housing Revitalization Tax Exemption**

Moved and Seconded:

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

1. Affordable Rental Housing Revitalization Tax Exemption Bylaw No. 24-014

**CARRIED UNANIMOUSLY**

### **E.4 Amendment Bylaw for Single-Use Items Reduction Bylaw**

Moved and Seconded:

1. That Council rescind third reading of the Single-Use Items Reduction Bylaw No. 23-013;

**CARRIED UNANIMOUSLY**

Moved and Seconded:

1. And that Council amend the Single-Use Items Reduction Bylaw No. 23-013 in section 11(2) by striking out the word “nine” and replacing it with “18”;

**CARRIED UNANIMOUSLY**

Moved and Seconded:

1. And further that Council give third reading to the Single-Use Items Reduction Bylaw No. 23-013 as amended.

**CARRIED UNANIMOUSLY**

**E.5 Bylaw for 340-346 Mary Street and 247-253 Russell Street: Rezoning Application No. 00832**

Moved and Seconded:

That the following bylaw **be adopted**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1307), No. 23-069

OPPOSED (1): Councillor Gardiner

**CARRIED (6 to 1)**

**F. NEW BUSINESS**

**F.1 586 Johnson Street: Update on Application for New Liquor Primary Licence for Forged Axe Throwing (Downtown)**

Council received an update report dated June 6, 2024 from the Director of Community Planning and Sustainable Development regarding an application for a liquor primary licence for the property located at 586 Johnson Street in order to allow liquor service with hours of service Sunday to Thursday from 9 a.m. to 12 a.m. inside and 9 a.m. to 10 p.m. on the patio, and Friday and Saturday from 9 a.m. to 1 a.m. inside and 9 a.m. to 11 p.m. on the patio, with a total occupant load of 74 people, and recommending approval subject to additional sound attenuation or professional reporting.

*Council discussed the following:*

- *Impacts on small businesses and lack of precedent to require additional sound attenuation measures.*

Moved and Seconded:

That Council direct staff to provide the following response to the Liquor and Cannabis Regulation Branch:

1. That Council supports the application from Forged Axe Throwing, located at 586 Johnson Street, for a new liquor primary licence having hours of service Sunday to Thursday from 9 a.m. to 12 a.m. inside and 9 a.m. to 10 p.m. on the patio, and Friday and Saturday from 9 a.m. to 1 a.m. inside and 9 a.m. to 11 p.m. on the patio, with a total occupant load of 74 people to allow up to 50 people inside the establishment and up to 24 people in the licensed outdoor patio area.
2. Endorsement of the application is subject to installation of additional sound attenuation features that minimize noise impacts of the axe-throwing on neighbours, or receipt of assurance from a qualified acoustical engineer that the remaining axe-throwing noise is not expected to impact the normal use and enjoyment of residences in close proximity, to the satisfaction of the Director of Sustainable Planning and Community Development.
3. The following comments are provided regarding the prescribed considerations:
  - a. If the application is approved, it is anticipated to have a positive economic impact on the community as the approval supports the viability of the business as a local employer.
  - b. The views of residents were solicited through a mailout to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. In response to the notification that went to 899 owners and occupants, the City received 33 letters of correspondence. Of these letters, five expressed opposition and 28 expressed support for the proposal. A letter from the Downtown Residents Association notes support for the provision of late-night activities and concern regarding the potential noise impact on neighbouring residential units.
4. Council recommends to the Liquor and Cannabis Regulation Branch that the liquor primary licence be approved.

OPPOSED (6): Mayor Alto, Councillor Caradonna, Councillor Dell, Councillor Kim, Councillor Loughton, and Councillor Thompson

**DEFEATED (1 to 6)**

Moved and Seconded:

That Council direct staff to provide the following response to the Liquor and Cannabis Regulation Branch:

1. That Council supports the application from Forged Axe Throwing, located at 586 Johnson Street, for a new liquor primary licence having hours of service Sunday to Thursday from 9 a.m. to 12 a.m. inside and 9 a.m. to 10 p.m. on the patio, and Friday and Saturday from 9 a.m. to 1 a.m. inside and 9 a.m. to 11 p.m. on the patio, with a total occupant load of 74

people to allow up to 50 people inside the establishment and up to 24 people in the licensed outdoor patio area.

2. The following comments are provided regarding the prescribed considerations:
  - a. If the application is approved, it is anticipated to have a positive economic impact on the community as the approval supports the viability of the business as a local employer.
  - b. The views of residents were solicited through a mailout to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. In response to the notification that went to 899 owners and occupants, the City received 33 letters of correspondence. Of these letters, five expressed opposition and 28 expressed support for the proposal. A letter from the Downtown Residents Association notes support for the provision of late-night activities and concern regarding the potential noise impact on neighbouring residential units.
3. Council recommends to the Province that the liquor primary licence be approved as recommended.

OPPOSED (1): Councillor Gardiner

**CARRIED (6 to 1)**

#### **H. CLOSED MEETING**

Moved and Seconded:

##### **MOTION TO CLOSE THE JUNE 20, 2024 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;*

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

Section 90(2) A part of a council meeting must 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 Daytime Council meeting closed to the public at 6:40 p.m.*

**J. APPROVAL OF CLOSED AGENDA**

*Council requested that the following items be moved to the June 27, 2024 Closed Council meeting:*

- *I.1 Legal Advice - Community Charter Section 90(1)(i)*
- *K.2 Land and Intergovernmental Relations - Community Charter Sections 90(1)(e) and 90(2)(b)*
- *K.3 Closed - Community Charter Section 90(1)(n)*

Moved and Seconded:

That the closed agenda be approved as amended

**CARRIED UNANIMOUSLY**

**K. NEW BUSINESS**

**K.1 Legal Advice - Community Charter Section 90(1)(i)**

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

**M. ADJOURNMENT**

Moved and Seconded:

That the Council Meeting be adjourned at 7:05 p.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR



## MINUTES - VICTORIACITY COUNCIL

June 27, 2024, 9:49 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 Nation and Xwsepsum Nation**

**PRESENT:** Mayor Alto in the Chair, Councillor Caradonna, Councillor Coleman, Councillor Dell, Councillor Gardiner, Councillor Hammond, Councillor Kim, Councillor Loughton, Councillor Thompson

**STAFF PRESENT:** J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Chief Financial Officer, C. Kingsley - City Clerk, C. Anderson - Deputy City Clerk, T. Soulliere - Deputy City Manager, K. Hoese - Director of Sustainable Planning and Community Development, K. Moore - Head of Business and Community Relations, C. Mycroft - Manager of Intergovernmental & Media Relations, A. Johnston - Assistant Director of Development Services, S. Webb - Manager of Transportation, G. Diamond - Senior Legislative Coordinator, S. Maichen - Legislative Coordinator

### **C. APPROVAL OF AGENDA**

Moved and Seconded:

That the agenda be approved.

#### **Amendment:**

Moved and Seconded:

That Council move into a closed meeting immediately following approval of the agenda to address items ***K.2 - Consideration of Closed Council Meeting - Community Charter Section 90(1)(n)*** and ***K.6 - Employee Relations - Community Charter Section 90(1)(c)***, after which the rest of the daytime Council meeting will proceed as published.

**CARRIED UNANIMOUSLY**

**On the main motion as amended:**

That the agenda be approved as amended.

**CARRIED UNANIMOUSLY**

Moved and Seconded:

## MOTION TO CLOSE THE JUNE 27, 2024 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)(c) labour relations or other employee relations;

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

### **CARRIED UNANIMOUSLY**

*The daytime Council meeting was closed to the public at 9:54 a.m.*

#### **K.2 Consideration of Closed Council Meeting - Community Charter Section 90(1)(n)**

Council discussed the consideration of a closed Council meeting. The discussion was recorded and kept confidential.

#### **K.6 Employee Relations - Community Charter Section 90(1)(c)**

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

*The daytime Council meeting was opened to the public at 10:55 a.m.*

### **A. TERRITORIAL ACKNOWLEDGEMENT**

Council acknowledged that the City of Victoria is located on the homelands of the Songhees First Nation and Xwsepsum First Nation communities, and wished to urge each of us to take a moment to reflect and appreciate the lands and waters around us.

### **D. CONSIDERATION OF MINUTES**

#### **D.1 Minutes from the Evening Council meeting held June 13, 2024**

Moved and Seconded:

That the minutes from the Evening Council meeting held June 13, 2024 be approved.

### **CARRIED UNANIMOUSLY**

### **E. REPORTS OF COMMITTEE**

## **E.1 Committee of the Whole**

### **E.1.a Report from the June 13, 2024 Committee of the Whole Meeting**

Moved and Seconded:

That the following recommendations from the June 13, 2024 Committee of the Whole meeting be approved:

#### **E.1.a.a 700 Government Street: Heritage Alteration Permit Application No. 00264 (Downtown)**

1. That Council authorize the issuance of Heritage Alteration Permit No. 00264 for 700 Government Street in accordance with plans submitted to the Planning department and date stamped by Planning on March 22, 2024.
2. That the Heritage Alteration Permit, if issued, expires two years from the date of this resolution.

#### **E.1.a.b 1601 Douglas Street: Building and Aerial Encroachment Consideration (Downtown)**

1. That Council authorize the Director of Engineering and Public works to enter into and execute, on behalf of the City, an encroachment agreement with the owner of 1601 Douglas Street for certain structural (non-decorative) and decorative encroachments generally as shown on at Attachments A and B to this report, over a portion of each of Douglas Street and Cormorant Street on terms to the satisfaction of the Director of Engineering and Public Works and in a form to the satisfaction of the City Solicitor (the "Agreement");
2. That Council authorize the raising of title for portions of affected City streets for the purpose of registration of appropriate easements for those encroachments described in this report; and
3. That no legal right or obligation will be created, and none shall arise until the Agreement is fully executed by the City and has been registered in the Land Title Office at the owner's cost and to the satisfaction of the City Solicitor.

#### **E.1.a.c Family Housing Policy and Advisory Design Guidelines**

That Council:



1. Endorse the Family Housing Policy and the associated Advisory Design Guidelines for Family-Friendly Homes and Spaces as drafted, to come into effect on September 1, 2024.
2. Allow staff to offer incentives such as reduced parking or additional density, in order to support a project in meeting the Family Housing Policy's three-bedroom requirements, if necessary, on a case-by-case basis.
3. Direct staff to incorporate family-sized housing requirements and consider incentives as part of ongoing projects including the Official Community Plan 10-year Update, Zoning Bylaw Modernization, and Parking Modernization work.
4. Direct staff to undertake family-friendly updates to the General Urban Design Guidelines through the OCP 10-year update.
5. Advocate to the provincial government in support of their current work to consider opportunities for single egress designs to be permitted in multi-family buildings through the BC Building Code.
6. Direct staff to report back within 6 months of September 1, 2024 with a review of the policy.

#### **E.1.a.d**

#### **Crystal Pool Replacement Project - Feasibility Study**

That Council direct staff to:

1. Proceed with Central Park North and Central Park South as possible development sites for the new Crystal Pool and Wellness Centre, providing two options on the referendum as non-binding input to Council;
2. Allocate 17 million from the City's Parking Reserve Fund towards the parking-related capital costs of the Crystal Pool replacement project and bring forward a loan authorization bylaw to authorize the borrowing of up to \$168.9 million to develop the new Crystal Pool and Wellness Centre;
3. Initiate the process to hold a referendum to seek elector assent for the borrowing; and
4. If voters choose Central Park North as the preferred site location, and Council selects this option, then close the existing Crystal Pool facility at the start of the construction phase and implement interim recreation services at Crystal Garden until the new facility opens to the public.
5. If voters choose Central Park South, and Council selects this option, then the Crystal Pool would remain open, where safe and feasible, and staff would install temporary park amenities, including basketball courts, in the neighbourhood during the construction process.

Without slowing down the processing of the bylaws for the referendum, that Council direct staff to identify options to reduce the overall cost to tax payers of the proposed Crystal Pool replacement project, including sponsorships, grants from senior levels of government, amenity contributions, and other opportunities.

**CARRIED UNANIMOUSLY**

**F. BYLAWS**

**F.1 Bylaw for 133 and 135 Gorge Road East: Rezoning Application No. 00843 and Development Permit with Variances Application No. 00257**

*Staff noted a revision to the bylaw to include the owner's name as identified in the Housing Agreement. Council was provided printed copies of the revised Bylaw*

Moved and Seconded:

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

1. Housing Agreement (133 and 135 Gorge Rd East) Bylaw (2024) No. 24-047

**CARRIED UNANIMOUSLY**

**F.2 Amendment Bylaw for Parks Regulation Bylaw**

*Council discussed the following:*

- *Transitional housing spaces*
- *Sheltering capacities and people getting turned away*
- *General trends of the number of tents around Victoria*

Moved and Seconded

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

1. Parks Regulation Bylaw, Amendment Bylaw (No. 19), No. 24-038

**Motion to refer:**

Moved and Seconded:

That Council refers this motion to the July 11, 2024 Council (to follow COTW meeting)

**Motion to withdraw the referral motion:**

Moved and Seconded:

That the previous question be withdrawn.

**CARRIED UNANIMOUSLY**

**On the main motion:**

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

1. Parks Regulation Bylaw, Amendment Bylaw (No. 19), No. 24-038

OPPOSED (3): Councillor Hammond, Councillor Kim, Councillor Thompson

**CARRIED (6 TO 3)**

**F.3 Bylaw for 1212 Vista Heights: Rezoning Application No. 00809 and Development Permit Application No. 000639**

Moved and Seconded:

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1338), No. 24-041

**CARRIED UNANIMOUSLY**

Moved and Seconded:

That the following bylaw **be adopted:**

2. Zoning Regulation Bylaw, Amendment Bylaw (No. 1338), No. 24-041

**CARRIED UNANIMOUSLY**

Moved and Seconded:

*Councillor Hammond left the meeting at 11:25 a.m.*

**Development Permit Application**

1. That subject to the adoption of the necessary Zoning Regulation Bylaw amendment, Council authorize the issuance of Development Permit No. 000639 for 1212 Vista Heights, in accordance with plans submitted to the Planning department and date stamped by Planning on February 15, 2024.
2. That the Development Permit, if issued, expires two years from the date of this resolution.

Absent (1): Councillor Hammond

**CARRIED (8)**

*Councillor Loughton left the meeting at 11:26 a.m.*

**F.4 Bylaw for 2816 Irma Street: Rezoning Application No. 00829 and Development Permit with Variance Application No. 00217**

Moved and Seconded

That the following bylaw **be adopted**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1333) No. 24-011

Absent (2): Councillor Hammond, Councillor Loughton

**CARRIED (7)**

Moved and Seconded:

Development Permit with Variances Application

1. That subject to the adoption of the necessary Zoning Regulation Bylaw amendment, Council authorizes the issuance of Development Permit with Variances No. 00217 for 2816 Irma Street, in accordance with plans submitted to the Planning department and date stamped by Planning on September 14, 2023, subject to:
  - a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
    - i. reduce the front yard setback from 6.00m to 4.45m;
    - ii. reduce the side (north) setback from 4.0m to 3.0m;
    - iii. reduce the requirement for soft landscaping between surface vehicle parking spaces and an adjacent lot used primarily for residential purposes from 1.0m to 0.0m;
    - iv. reduce the number of visitor parking spaces from 1 to 0; and
    - v. allow roof decks.
2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.

Absent (2): Councillor Hammond, Councillor Loughton

**CARRIED (7)**

*Councillor Hammond rejoined the meeting at 11:26 a.m.*

**F.5 Bylaw for Affordable Rental Housing Revitalization Tax Exemption**

Moved and Seconded:

That the following bylaw **be adopted**:

1. Affordable Rental Housing Revitalization Tax Exemption Bylaw No. 24-014

Absent (1): Councillor Loughton

**CARRIED (8)**

**G. NEW BUSINESS**

**G.1 Withholding Building Permit No. BP058986 for 707 Courtney Street and 708 Burdett Avenue ("The Falls") due to Inconsistency with Proposed Zoning Amendments**

Council received a report dated June 21, 2024 from the Director of Sustainable Planning and Community Development regarding the application for Building Permit No. BP058986 to permit a hotel in some of the strata units at 707 Courtney Street and 708 Burdett Avenue ("The Falls") and, in particular, that Council direct the Manager of Permits and Inspections to withhold the building permit pursuant to section 463 of the Local Government Act.

*Councillor Caradonna left the meeting at 11:29 a.m.*

Moved and Seconded:

1. That, pursuant to section 463(1) of the Local Government Act, Council:
  - a. Confirm that development proposed in the application for Building Permit No. BP058986 conflicts with proposed amendments to the Zoning Bylaw 2018 because it involves creation of a "strata hotel", a use not supported at this location; and
  - b. direct the Manager of Permits and Inspections to withhold Building Permit No. BP058986 for a period of 30 days from the date the application for it had been made.
2. That, pursuant to section 463(3) of the Local Government Act, Council direct the Manager of Permits and Inspections to withhold Building Permit No. BP058986 for a further period of 60 days.
3. That, pursuant to section 463(7) of the Local Government Act, Council direct the Licence Inspector to withhold for a period of 90 days a business licence related to operation of a hotel at 707 Courtney Street and 708 Burdett Avenue as contrary to uses that would be permitted under the bylaw that is under preparation.

Absent (2): Councillor Caradonna, Councillor Loughton

**CARRIED (7)**

**G.2 Withholding Building Permit No. BP059000 for 529 Pandora Avenue due to Inconsistency with Proposed Zoning Amendments**

Council received a report dated June 21, 2024 from the Director of Sustainable Planning and Community Development regarding the application for Building Permit No. BP059000 to permit a hotel at 529 Pandora Avenue and, in particular, that Council direct the Manager of Permits and Inspections to withhold the building permit pursuant to section 463 of the Local Government Act.

*Councillor Caradonna rejoined the meeting at 11:32 a.m.*

Moved and Seconded:

1. That, pursuant to section 463(1) of the Local Government Act, Council:
  - a. Confirm that development proposed in the application for Building Permit No. BP059000 conflicts with proposed amendments to the Zoning Bylaw 2018 because the use will not meet the proposed new definition of a “hotel” and will no longer be permitted at this location; and
  - b. direct the Manager of Permits and Inspections to withhold Building Permit No. BP059000 for a period of 30 days from the date the application for it had been made.
2. That, pursuant to section 463(3) of the Local Government Act, Council direct the Manager of Permits and Inspections to withhold Building Permit No. BP059000 for a further period of 60 days.
3. That, pursuant to section 463(7) of the Local Government Act, Council direct the Licence Inspector to withhold for a period of 90 days a business licence related to operation of a hotel at 529 Pandora Avenue as contrary to uses that would be permitted under the bylaw that is under preparation.

Absent (1): Councillor Loughton

**CARRIED UNANIMOUSLY**

**G.3 Code of Conduct Bylaw Investigation Report 2024-01**

Council received a report dated June 20, 2024 from the City Clerk regarding the Code of Conduct Bylaw Investigation Report 2024-01.

*Council recessed at 11:35 a.m. and reconvened at 11:51 a.m.*

*Councillor Gardiner called a point of order, raising a potential conflict of interest regarding the Chair participation on the matter.*

*The Chair ruled the point of order out of order, stating that it was procedure for the Chair to oversee a regular item of business on the agenda.*

*Councillor Gardiner appealed the ruling of the Chair.*

Moved and Seconded:

That the Chair’s ruling be sustained.

OPPOSED: (1): Councillor Gardiner

Absent (1): Councillor Loughton

**CARRIED (6)**

Moved and Seconded:

1. That Council:
  - a. Receive the Code of Conduct Investigation Report 2024-01; and
  - b. Determine that while section 5(2) of the City's Code of Conduct Bylaw was breached, that breach was inadvertent, and no sanction is recommended.
2. That Council direct the City Clerk to provide training to Council members about the Code of Conduct Bylaw.

*Council recessed at 11:51 a.m. and reconvened at 1:03 p.m.*

*Council discussed the following:*

- *Support to have Council member training on the Code of Conduct Bylaw*

*Councillor Loughton joined the meeting at 1:12 p.m.*

*Councillor Kim recused herself due to a pecuniary conflict of interest related to this item at 1:16 p.m..*

*Councillor Kim requested that her legal representative, Noah Ross, be provided the opportunity to speak on her behalf for the remainder of this item.*

**Amendment:**

Moved and Seconded:

1. That Council
  - a. Receive the Code of Conduct Investigation report 2024-01; and
  - b. Determine that while section 5(2) of the City's Code of Conduct Bylaw was breached, that breach was inadvertent and **no sanction is recommended, and that councillor Kim write a letter of apology to the citizens of Victoria for the harm she has caused.**
2. that Council direct the City Clerk to provide training to Council members about the Code of Conduct Bylaw

*The Chair provided an opportunity for Noah Ross to comment on the amendment.*

*Comments provide by Noah Ross:*

- *Noted that the matter is the first in the bylaw complaint process*
- *Outlined how the investigators report found that Councillor Kim did not violate the Code of Conduct Bylaw*
- *Expressed how Councillor Hammond's amendment does not warrant sanction under the bylaw, and how it is not appropriate to amend the recommendation that was brought forward*

*Council discussed the following:*

- *the statement of communications in subsection one*

**On the amendment:**

1. That Council
  - a. Receive the Code of Conduct Investigation report 2024-01; and
  - b. Determine that while section 5(2) of the City's Code of Conduct Bylaw was breached, that breach was inadvertent and ~~no sanction is recommended.~~ **and that councillor Kim write a letter of apology to the citizens of Victoria for the harm she has caused.**
2. that Council direct the City Clerk to provide training to Council members about the Code of Conduct Bylaw

OPPOSED (6): Mayor Alto, Councillor Caradonna, Councillor Coleman, Councillor Dell, Councillor Loughton, Councillor Thompson  
 Conflict (1): Councillor Kim

### **DEFEATED (2 TO 6)**

*Committee discussed the following:*

- *Clarification on the social media comments made*

### **Motion to Refer:**

Moved:

That the matter be referred until the investigator provides the complainant (the resident) the opportunity to respond to Councillor Kim's submission, and the investigator as assessed the real complainant's rebuttal. And thereby properly determine credibility reported back to Council

*The chair ruled the motion out of order due to the fact that it would be out of the scope of Council's Code of Conduct.*

### **Amendment:**

Moved:

1. That Council:
  - a. Receive the Code of Conduct Investigation Report 2024-01; and
  - b. Determine that while section 5(2) of the City's Code of Conduct Bylaw was breached, that breach was inadvertent, and no sanction is recommended.
2. That Council direct the City Clerk to provide training to Council members about the Code of Conduct Bylaw.
3. **That Council direct staff to recommend amendments to the Code of Conduct which would ensure that section 18(3) and 18(5) of the code be broadened to include a clause providing the "Resident" or person submitting the complaint to Council the opportunity to reply to any "respondent's submission".**



*The Chair ruled the amendment out of order, noting that it should be brought forward as a motion arising or Council Member Motion.*

**On the main motion:**

1. That Council
  - a. Receive the Code of Conduct Investigation report 2024-01; and
  - b. Determine that while section 5(2) of the City's Code of Conduct Bylaw was breached, that breach was inadvertent and no sanction is recommended.
2. that Council direct the City Clerk to provide training to Council members about the Code of Conduct Bylaw

OPPOSED (1): Councillor Gardiner

Conflict (1): Councillor Kim

**CARRIED (7 TO 1)**

*Councillor Kim rejoined the meeting at 1:52 p.m.*

**I. CLOSED MEETING**

Moved and Seconded:

**MOTION TO CLOSE THE JUNE 27, 2024 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)(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)(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 must 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 daytime Council meeting was closed to the public at 2:01 p.m.*

**J. APPROVAL OF CLOSED AGENDA**

Moved and Seconded:

That the closed agenda be approved

**CARRIED UNANIMOUSLY**

**K. NEW BUSINESS**

**K.1 Land and Intergovernmental Relations - Community Charter Section 90(1)(e) and 90(2)(b)**

Council discussed a Land and Intergovernmental Relations matter. The discussion was recorded and kept confidential.

**K.3 Legal Advice - Community Charter Section 90(1)(i)**

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

**K.6 Employee Relations - Community Charter Section 90(1)(c)**

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

**K.7 Intergovernmental Relations – Community Charter Section 90(2)(b)**

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

**M. ADJOURNMENT**

Moved and Seconded:

That the Council Meeting be adjourned at 4:01 p.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR



## MINUTES - VICTORIA CITY COUNCIL

June 27, 2024, 6:30 P.M.

Council Chambers, City Hall, 1 Centennial Square

The City of Victoria is located on the homelands of the Songhees Nation and Xwsepsum Nation

**PRESENT:** Mayor Alto in the Chair, Councillor Caradonna, Councillor Coleman, Councillor Dell, Councillor Gardiner, Councillor Hammond, Councillor Kim, Councillor Loughton, Councillor Thompson

**STAFF PRESENT:** J. Jenkyns - City Manager, S. Thompson - Deputy City Manager and Chief Financial Officer, C. Kingsley - City Clerk, T. Zworski - City Solicitor, C. Anderson - Deputy City Clerk, S. Webb - Assistant Director of Corporate Planning and Project Support, G. Diamond - Senior Legislative Coordinator

### **A. POETRY**

Eva Haas, Youth Poet Laureate, read two poems.

### **B. TERRITORIAL ACKNOWLEDGEMENT**

Council acknowledged that the City of Victoria is located on the homelands of the Songhees Nation and Xwsepsum Nation, and reflected on their stewardship over millennia, of the lands on which the city sits.

### **D. APPROVAL OF AGENDA**

Moved and Seconded:

That the agenda be approved.

**CARRIED UNANIMOUSLY**

### **E. REQUESTS TO ADDRESS COUNCIL**

Moved and Seconded:

That the following speakers be permitted to address Council.

**CARRIED UNANIMOUSLY**

**E.1 Susan Sheehy: Issues and Resolutions necessary before a ratification on removal of 3 sheltering parks (In-person)**

*Mayor Alto noted that this speaker was not present to address Council.*

**E.2 Tanya Dodd: Restrictions on primary residence license for short term rentals (In-person)**

Outlined to Council challenges she faced following the purchase of her condo in 2018, as she was diagnosed with a rare autoimmune condition and could not work and decided to offer her home as a short term rental to supplement help to support her. She expressed that the provision in the STR bylaw that prohibits more than four rentals in a year has made her situation more difficult and that she cannot apply for the non-conforming license as the province has eliminated it.

**E.3 Aneri Garg, Stand.Earth: Cruise ship pollution measures (Audio/Video)**

Outlined Canada's Cruise Ship policies and the impacts cruise ships have on coastal communities. She presented recommendations on how to improve the cruise ship industry and requested a letter of support from Council.

**E.4 Kaitlyn Chewka, Oak Bay Summer Swim Club: Crystal Pool Replacement Project - Community Impact (In-person)**

Outlined concerns that the Crystal Pool Replacement Project report to Council did not address the impact of its closure during construction. She noted the benefits of aquatic facilities and their impacts on physical and mental health of the community. She expressed concerns that aquatic programs do not take place during closures because neighbouring pools do not have the capacity to run Crystal Pool's programs, and also suggested Council consider the state of neighbouring facilities which are at risk of closure. She also urged Council to explore other funding options.

**E.5 Kevin Stuart, Pedicab Operator: Amendments to Alternative Vehicle Bylaw: 500W -> 750W, tandem carriage -> 6 people (3 per carriage) provided safely seated (Audio/Video)**

Suggested potential amendments to the pedicab bylaw to allow six people in pedicabs to provide more flexibility for larger groups, and better value.

**E.6 Steven Ross: Short term rental regulation (In-person)**

Outlined concerns regarding recent changes to Short Term Rental Regulations and the impacts of Schedule D, Section 12, which allows owners to only rent their space four times a year. This has restricted his ability to utilize his property as intended. He suggested that people in his position can accommodate tourists and working professionals, and suggested an exemption for individuals like himself who live in their homes and would like to occasionally rent them.

**F. PUBLIC AND STATUTORY HEARINGS**

**F.1 2023 Annual Report**

**F.1.a Opportunity for Public Comment & Consideration of Approval:**

Sarah Webb (Assistant Director, Corporate Planning and Project Support): Provided a background of the 2023 Annual Report

*Mayor Alto opened the opportunity for public comment at 6:55 p.m.*

Steve Smith (Fairfield): Expressed concerns regarding the accumulated surplus in the Annual Report and suggested that Victoria's property taxes are the highest of similar municipalities in BC.

*The Deputy City Manager/Chief Financial Officer provided a clarification of the accumulated surplus numbers in the Annual Report as indicated in note 11, and stated that the majority of the accumulated surplus pertains to equity in tangible capital assets and reserves, and that the Public Sector Accounting Board's terminology is sometimes not consistent with the Community Charter explanation of surplus.*

*Council recessed from 7:03 p.m. until 7:08 p.m. to provide an opportunity for members of the public to call to speak live.*

*No persons called in to speak to the 2023 Annual Report.*

*Mayor Alto closed the opportunity for public comment at 7:08 p.m.*

Moved and Seconded:

That Council receive the 2023 Annual Report for information.

**CARRIED UNANIMOUSLY**

**H. ADJOURNMENT**

Moved and Seconded:

That the Council meeting be adjourned at 7:10 p.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR

**COMMITTEE OF THE WHOLE REPORT  
FROM THE MEETING HELD JUNE 27, 2024**

For the Council meeting of July 11, 2024, the Committee recommends the following:

**E.1     250 Douglas Street: Development Permit with Variances Application No. 00241 (Downtown)**

That Council, after giving notice, posting signage, and inviting written comments from the public for Council's consideration, consider the following motion:

- "1. That Council authorize the issuance of Development Permit with Variances No. 00241 for 250 Douglas Street, in accordance with plans submitted to the Planning department and date stamped by Planning on May 27, 2024, subject to:
  - a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
    - i. increase the size of an accessory building (combined floor area) from 37m<sup>2</sup> to 71m<sup>2</sup>;
    - ii. allow an accessory building to be located in the rear and side yard;
    - iii. increase the rear yard site coverage from 25% to 56%;
    - iv. increase the overall site coverage for the property from 14% to 45%;
    - v. increase the accessory building height from 3.0m to 3.1m.
2. That the Development Permit with Variances No. 00241, if issued, lapses two years from the date of this resolution."

**F.1     Victoria Housing Reserve Fund Application - Capital Region Housing Corporation's (CRHC's) project at 1132 Johnson Street**

That Council approve a grant from the Victoria Housing Reserve Fund to the Capital Region Housing Corporation (CRHC) in the amount of \$2,400,000 to assist in the construction of a 140-unit affordable rental apartment project at 1132 Johnson Street, subject to the following conditions:

1. The execution of a Housing Fund Grant Agreement in a form satisfactory to the Director of Sustainable Planning and Community Development and the City Solicitor; with terms for the eligible use of the grant, reporting requirements, repayment, indemnification and communication protocols.
2. The applicant fulfills the applicable requirements of the Victoria Housing Reserve Fund Guidelines.
3. \$1,920,000 shall be payable to the applicant upon execution of the Housing Fund Grant Agreement and the remaining balance of \$480,000 shall be payable to the applicant once the City has issued all required occupancy permits for the project.
4. That the passage of this resolution creates no legal rights for the applicant or any other person, or obligation on the part of the City, until and unless all agreements are fully executed by the City.

**F.2     2024-2026 Corporate Plan**

That Council receive the 2024 - 2026 Corporate Plan for information and direct staff to prepare a *Strategic Plan Progress Update* in advance of the 2025 and 2026 financial planning processes.

**F.3     Task Force to Review Council Remuneration Decision**

That Council receive the Task Force to Review Council Remuneration Decision report for information.



## Council Report

For the Meeting of July 11, 2024

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**To:** Council **Date:** July 3, 2024  
**From:** C. Kingsley, City Clerk  
**Subject:** 515 Foul Bay Road: Heritage Designation Application No. 00163

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### RECOMMENDATION

That the following bylaw be given first and second readings:

1. Heritage Designation (515 Foul Bay Road) Bylaw, No. 24-039

### BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 24-039.

The issue came before Council on May 9, 2024 where the following resolution was approved:

**515 Foul Bay Road: Rezoning Application No. 00807, Development Permit with Variances Application No. 00255 and Heritage Designation Application No. 00163 (Fairfield)**

#### ***Rezoning Application***

1. *That Council instruct the Director of Sustainable Planning and Community Development to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in the staff reports dated October 10, 2023 and April 3, 2024 for 515 Foul Bay Road.*
2. *That, after publication of notification in accordance with section 467 of the Local Government Act, first, second and third reading of the zoning regulation bylaw amendment be considered by Council.*
3. *That following the third reading of the zoning amendment bylaw, the applicant prepare and execute legal agreements securing the following, with form satisfactory to the City Solicitor prior to adoption of the bylaw:*
  - a. *provision of a 1.6m wide statutory right-of-way for highway purposes along the Foul Bay Road frontage, with terms to the satisfaction of the Director of Engineering and Public Works*
  - b. *provision of a detailed design, supply and installation of a new Rectangular Rapid Flashing Beacon (RRFB) pedestrian crossing of Foul Bay Road at its intersection with Chandler Avenue, including a curb extension at the west side of Foul Bay Road, wheelchair ramps, tactile indicators and all associated infrastructure, to the satisfaction of the Director of Engineering and Public Works*



- c. *protection, restoration and maintenance of the existing greenspace with a site area of approximately 1,468 m<sup>2</sup> in accordance with the plans date stamped by Planning on February 26, 2024, which includes provision of a bee colony in the conservation area for a period of at least two years and ensuring that design and construction in the area follows the recommendations in the February 23, 2024 arborist report from Gye & Associates to minimize impacts to trees, to the satisfaction of the Director of Parks, Recreation and Facilities*
- d. *a minimum of five units in the existing multiple dwelling as rental units for the life of the building as outlined in the report dated April 3, 2024, with contents satisfactory to the Director of Sustainable Planning and Community Development*
- e. *provision of no less than one adaptable unit, in accordance with the standards in the British Columbia Building Code and BC's Building Accessibility Handbook, to the satisfaction of the Director of Sustainable Planning and Community Development; and*
- f. *provision of transportation demand management measures, to the satisfaction of the Director of Engineering and Public Works, including:*
  - i. *two over-sized long-term bicycle parking spaces;*
  - ii. *50% of required long-term bicycle parking with access to an electrical outlet;*
  - iii. *bicycle wash and maintenance facility.*
- 4. *That adoption of the zoning bylaw amendment will not take place until:*
  - a. *third reading of an associated heritage designation bylaw to designate the property known as 515 Foul Bay Road, as described in the Statement of Significance attached as Attachment F, pursuant to Section 611 of the Local Government Act, to the satisfaction of the Director of Sustainable Planning and Community Development,*
  - b. *all of the required legal agreements that are registrable in the Land Title Office have been so registered to the satisfaction of the City Solicitor.*
- 5. *That the above Recommendations be adopted on the condition that they create no legal rights for the applicant or any other person, or obligation on the part of the City or its officials, and any expenditure of funds is at the risk of the person making the expenditure.*

### **Development Permit with Variances Application**

*That Council, after giving notice, consider the following motion:*

- 1. *That subject to the adoption of the necessary Zoning Regulation Bylaw amendment, Council authorize the issuance of Development Permit with Variances No. 00255 for 515 Foul Bay Road, by plans submitted to the Planning department and date stamped by Planning on February 26, 2024, in accordance with the following:*
  - a. *Subject to submission of revised plans to align architectural site plans and landscape plans, to the satisfaction of the Director of Sustainable Planning and Community Development.*
  - b. *Subject to the proposed development meeting all City zoning and subdivision and development servicing bylaw requirements, except for the following variances:*
    - i. *reduce minimum front yard setback from 6.00m to 0.41m*
    - ii. *reduce minimum side yard setback (north) from 4.00m to 3.08m*
    - iii. *increase maximum eave projection from 0.75m to 0.79m*
    - iv. *permit vehicle parking in the front yard*
    - v. *reduce short-term bicycle storage from 18 spaces to 10 spaces*
    - vi. *increase maximum drive aisle slope from 8.00% to 11.36%*

- vii. *reduce minimum two-way drive aisle width from 6.00m to 4.00m*
    - viii. *increase maximum accessory building height from 3.50m to 4.00m*
    - ix. *permit above-ground electrical, telecommunication and cable television services.*
  - c. *That pursuant to section 512(2) of the Local Government Act, Council exempts the existing property at 515 Foul Bay Road as well as the new proposed lot to be created by subdivision, as generally shown in the plans submitted to the Planning department and date stamped by Planning on February 26, 2024 from the minimum frontage requirements of section 512(1) at the time of subdivision.*
- 2. *That the Development Permit with Variances, if issued, expires two years from the date of this resolution.*

***Heritage Designation Application No. 000163***

*That Council:*

- 1. *Instruct staff to prepare a heritage designation bylaw to designate the property at 515 Foul Bay Road, that first and second reading of the bylaw be considered by Council and that a Public Hearing date be set.*
- 2. *Approve the Statement of Significance for 515 Foul Bay Road attached as Attachment F to this report recognizing the building exterior as the historic features of the property.*

Respectfully submitted,

Curt Kingsley  
City Clerk

**Report accepted and recommended by the City Manager**

**List of Attachments:**

- Bylaw No. 24-039

## HERITAGE DESIGNATION (515 FOUL BAY ROAD) BYLAW

### A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to designate the exterior of the building at 515 Foul Bay Road as protected heritage property.

#### Contents

- 1 Title
- 2 Definitions
- 3 Designation
- 4 Commencement

Whereas the owner of 515 Foul Bay Road has consented to heritage designate the exterior of the heritage building on the property and has waived their right to compensation for such heritage designation.

Now therefore under its statutory powers, including section 611 of the *Local Government Act*, the Council of the Corporation of the City of Victoria in an open meeting assembled enacts the following provisions:

#### Title

- 1 This Bylaw may be cited as the “Heritage Designation (515 Foul Bay Road) Bylaw”.

#### Definitions

- 2 In this Bylaw:
  - (a) “**Building**” means the heritage structure located on the Lands on the date that this Bylaw is adopted, and as shown on Schedule A attached hereto;
  - (b) “**Lands**” means the parcel of land situate in Victoria with the civic address 515 Foul Bay Road and as legally described as PID 030-899-630, LOT 1 SECTION 68 VICTORIA DISTRICT PLAN EPP75653, and includes any parcel into which such land is consolidated or further subdivided (including a subdivision pursuant to the *Land Title Act* and a subdivision pursuant to the *Strata Property Act*).

#### Designation

- 3 The exterior of the Building, as described in the Statement of Significance on file with the City from 2017 and attached to this Bylaw at Schedule A, is designated protected heritage real property.

#### Commencement

- 4 This Bylaw comes into force on adoption.

READ A FIRST TIME the	day of	2024
READ A SECOND TIME the	day of	2024
PUBLIC HEARING on the	day of	2024
READ A THIRD TIME the	day of	2024
ADOPTED on the	day of	2024

CITY CLERK

MAYOR

## Statement of Significance

### 515 Foul Bay Road

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#### Description of Historic Place

515 Foul Bay Road, built in 1910, is a 2.5 storey house located in the Gonzales neighbourhood of Victoria. Designed by the notable local architect Samuel Maclure, in the British Arts and Crafts Style, it features numerous box bays, a hipped roof, fieldstone cladding on the foundation.

#### Heritage Value

The heritage value of 515 Foul Bay Rd., lies with its connection to Samuel Maclure who was one of the preeminent architects in British Columbia during the late 18<sup>th</sup> and early 19<sup>th</sup> centuries. Maclure began working as an architect in 1887 in New Westminster and with his partner, Charles Henry Clow, he designed the Royal Columbian Hospital as well as several residences. In 1892 he moved to Victoria and established a solo practice where he designed the Temple Building, the residence named Ruhebuhne and the BMO Manager's residence in Vernon, BC. He worked with F.M. Rattenbury on the Lieutenant-Governor's home and his greatest achievement came in 1907, when he received the commission to build Hatley Park for James and Laura Dunsmuir. Built in 1910, 515 Foul Bay marks a transition from Maclure's earlier use of the Prairie and Queen Anne Styles in residential architecture to his use of the British Arts and Crafts Style. With a new partner, Cecil Fox, Maclure emerged as the foremost architect in the province, and from 1905-15 his Vancouver office alone recorded over 60 major commissions. Maclure continued to design splendid buildings and residences until his death in 1929, and his practice closed shortly after due in part to the Great Depression.

515 Foul Bay was built for Edwin M. and Bertha Tracksell who resided there until 1916 or 1917. From 1919 to 1923, the Hon. John Wallace DeBeque Farris and his family lived there. Farris moved to the West Coast to become a city prosecutor and later, a Liberal MLA for Vancouver from 1916-24, the BC Attorney-General and Minister of Labour from 1918-21. In his political career he served as Senator and President of the Canadian Bar Association. Farris' wife, Evelyn, founded the University Women's Club of Vancouver in 1907 and was a member of the senate and board of governors at the University of BC for 30 years. Other past residents included a Minister of Public Works and Railways and a Lieutenant Colonel of the Canadian military.

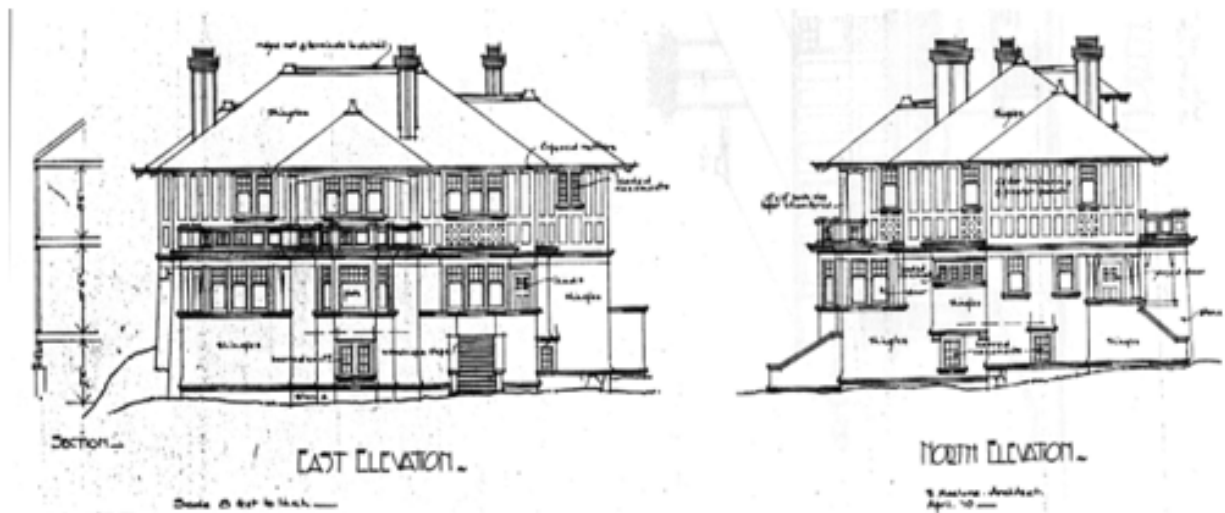
## Heritage Character Defining Elements

Key elements that express the heritage value of 515 Foul Bay Rd. include:

- designed by notable local architect Samuel Maclure
- location on original grounds in the Gonzales neighbourhood of Victoria
- form, scale and massing

Key elements that define the heritage character of the building's exterior include:

- projected half-timbered upper storey over stone-clad lower storey
- hipped roof
- open eaves with exposed rafter tails
- rubble fieldstone cladding with irregular granite quoins
- two-storey angled bay superimposed on a box bay on the south façade
- two lower level box bays on the south façade
- multi-level balustraded porches
- hipped dormer on north façade
- cantilevered box bay on the north façade
- 6-over-1 double hung sash windows



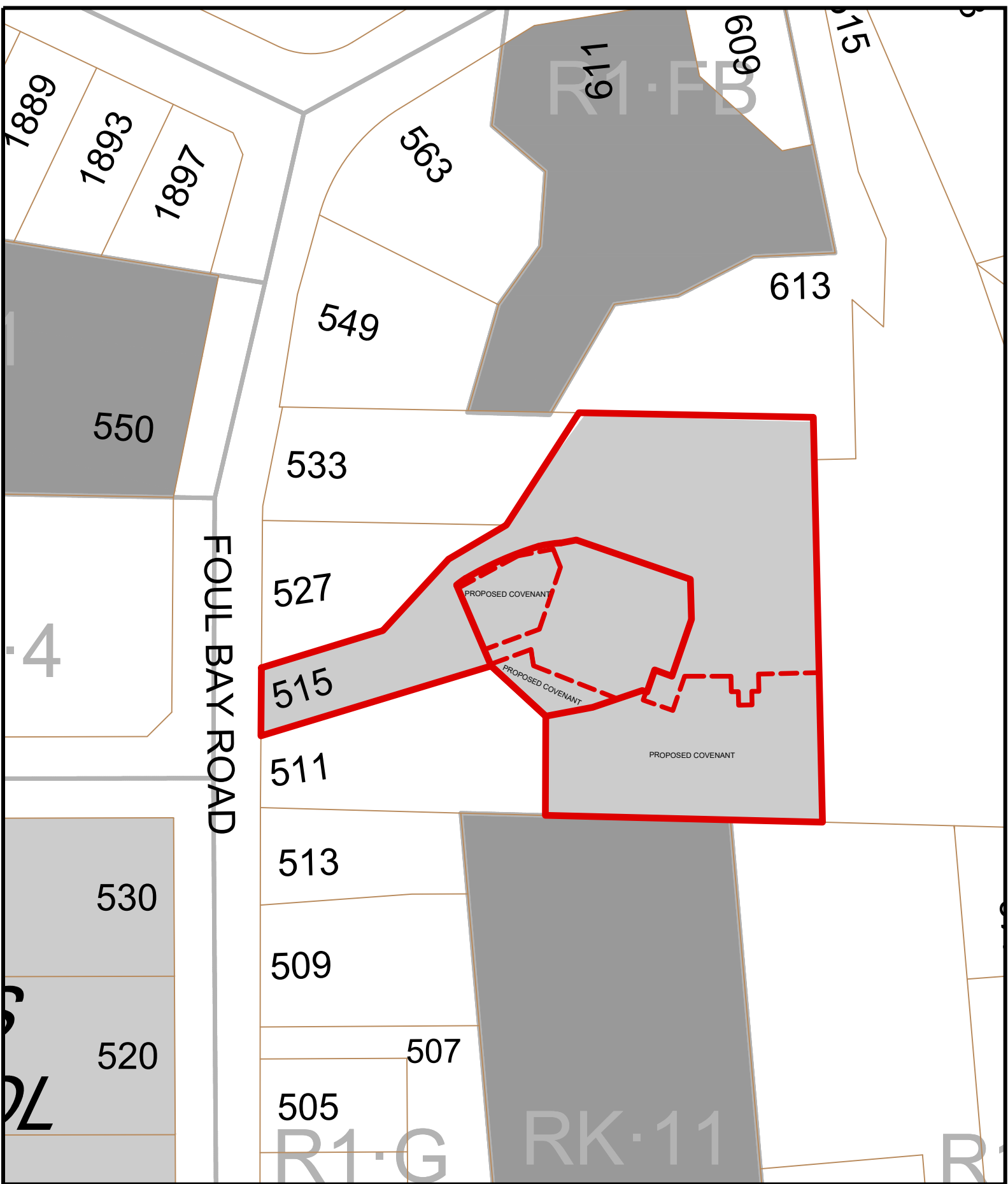
**515 FOUL BAY ROAD**



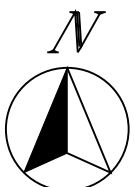
515 FOUL BAY ROAD







515 Foul Bay road  
Rezoning #00807



Designated



Registered





## **Council Report**

**For the Meeting of July 11, 2024**

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**To:** Council **Date:** July 4, 2024  
**From:** Susanne Thompson, Deputy City Manager and Chief Financial Officer  
**Subject:** Loan Authorization Bylaw for Crystal Pool Replacement

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### **RECOMMENDATION**

That Council give first, second and third readings to Loan Authorization (Crystal Pool Replacement) Bylaw No. 24-054

### **EXECUTIVE SUMMARY**

On June 27, 2024, Council directed staff to bring forward a loan authorization bylaw for the replacement of the Crystal Pool and Fitness Centre for consideration of introductory readings. Council also provided direction to initiate a referendum process to obtain elector assent for the borrowing and provide an opportunity for an opinion question for two site options.

After Council has given three readings, the loan authorization bylaw will be forwarded to the Ministry of Municipal Affairs for their review and approval by the Inspector of Municipalities. Upon approval of the bylaw, a date for the referendum will be set.

Respectfully submitted,

Susanne Thompson  
Deputy City Manager and Chief Financial Officer

**Report accepted and recommended by the City Manager**

## **LOAN AUTHORIZATION (CRYSTAL POOL REPLACEMENT) BYLAW**

### **A BYLAW OF THE CITY OF VICTORIA**

The purpose of this Bylaw is to authorize the City to borrow up to \$168,900,000 for the replacement of the Crystal Pool and Fitness Centre.

#### ***Contents***

- 1 Title
- 2 Definition of works for which money is borrowed
- 3 Amount to be borrowed
- 4 Term of debentures

Now, therefore, under its statutory powers, including sections 179, 181 and 182 of the *Community Charter*, the Council of the Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

#### **Title**

- 1 This Bylaw may be cited as the "LOAN AUTHORIZATION (CRYSTAL POOL REPLACEMENT) BYLAW".

#### **Definition of works for which money is borrowed**

- 2 In this Bylaw,

"**Works**" means the planning, study, design, construction, and operationalizing of a pool and recreation facility to replace the Crystal Pool and Fitness Centre, and the decommissioning of the existing Crystal Pool and Fitness Centre, including building demolition and restoration of the affected area as a park.

#### **Amount to be borrowed**

- 3 The Council is authorized to undertake and carry out, or cause to be carried out the Works generally in accordance with the general plans on file at Victoria City Hall at 1 Centennial Square, Victoria, British Columbia, to do all things necessary in connection with the Works, and, without limiting the generality of this section,
  - (a) to borrow on the credit of the City the sum of one hundred and sixty-eight million nine hundred thousand dollars (\$168,900,000) for the Works;
  - (b) to acquire all real and personal property, including, but not limited to, easements, rights-of-way, leases, licences, rights, or authorities as may be required or desirable in connection with the Works;
  - (c) to make agreements for periods in excess of 5 years for the Works; and
  - (d) to expend, for all things necessary in connection with the Works, the funds borrowed pursuant to paragraph (a).

### Term of debentures

- 4** The maximum term for which debentures may be issued to secure the debt created by this Bylaw is 20 years.

READ A FIRST TIME the day of 2024

READ A SECOND TIME the \_\_\_\_\_ day of \_\_\_\_\_ 2024

READ A THIRD TIME the \_\_\_\_\_ day of \_\_\_\_\_ 2024

APPROVED by the INSPECTOR OF MUNICIPALITIES the                      day of                      2024

RECEIVED THE ASSENT OF THE ELECTORS UNDER SECTION 85 OF THE  
COMMUNITY CHARTER the                      day of                      2024

ADOPTED on the \_\_\_\_\_ day of \_\_\_\_\_ 2024

CITY CLERK

MAYOR

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**From:** Carl Monk  
**Sent:** July 8, 2024 10:01 AM  
**To:** Legislative Services email  
**Subject:** re variance # 00273 902 foul bay

To Whom it may concern,

As an owner in the area, I must voice my opposition to yet another alteration of this plan with respect to the development project at 902 Foul Bay which would yet again reduce the greenery of the area, as I understand this variance application 00273.

This project is solely money driven - how much money can be squeezed out of a particular plot of land by putting in the maximum number and size of units, no matter the impact on the neighbourhood, community, greenery, etc. The relentless pursuit of this aim has already been achieved, mostly: the trees are gone, and the early promises of affordability have long since been dispensed with. This variance is one more step on the path towards making a mockery of the initial plans approved by council. I support, at the very least, retaining as much of the landscaping and green space preserved as possible, in the bleak circumstances that remain. Therefore, I urge council to reject this application for a variance. In the rush to build, don't throw the baby out with the bath water.

kind regards,

Carl Monk

Carl Monk  
Victoria BC