



## MINUTES - COMMITTEE OF THE WHOLE

November 21, 2024, 9:02 A.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 Loughton, Councillor Thompson

PRESENT ELECTRONICLY: Councillor Kim

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Chief Financial Officer, C. Kingsley - City Clerk, S. Johnson - Director of Communications and Engagement, P. Rantucci - Director of Strategic Real Estate, T. Soulliere - Deputy City Manager, L. Klose – Manager of Community Planning, K. Lauriston – Development Process Coordinator, R. Morhart – Manager of Building and Inspection Services, R. Kenny – Manager of Transportation, W. Doyle – Acting Director of Engineering and Public Works, D. Newman – Director of Parks, Recreation and Facilities, K. Hoese – Director of Planning and Development, A. Johnston - Assistant Director of Development Services, R. Bateman - Planner, J. Biem – Assistant City Solicitor, G. Diamond - Senior Legislative Coordinator, A. Heimbürger - Legislative Coordinator

GUESTS: M. Sawa - CEO - Greater Victoria Public Library, A. Appleton - Chair - Greater Victoria Public Library Board of Trustees, M. Barnes - Financial Coordinator - Greater Victoria Public Library, D. Manak - Chief Constable – Victoria Police Department, E. Cull - Chair - Victoria and Esquimalt Police Board Finance Committee, D. Phillips, Director of Finance - Victoria and Esquimalt Police Board

### **A TERRITORIAL ACKNOWLEDGEMENT**

Committee acknowledged that the City of Victoria is located on the homelands of the Songhees First Nation and Xwsepsum First Nation who have stewarded the lands for hundreds and thousands of years to afford us the opportunity to be here today making decisions about those lands. Committee encouraged listeners to reflect on the sentiment that we are able to feel grounded here today because of those who came before. Committee thanked the Nations for allowing us to live, work and play on their lands.

**B. INTRODUCTION OF LATE ITEMS**

*There were no late items*

**C. APPROVAL OF AGENDA**

Moved and Seconded:

That the agenda be approved.

**CARRIED UNANIMOUSLY**

**D. CONSENT AGENDA**

Moved and Seconded:

That the following Consent Agenda item be approved:

**I.2 Council Member Motion: Sheltering in Parks and the Parks Regulation Bylaw**

That Council direct staff to report back on the status of overnight sheltering in City parks and make recommendations for updates to the Parks Regulation Bylaw provisions dealing with overnight sheltering by persons experiencing homelessness in light of the City's experience during the past 15 years.

**CARRIED UNANIMOUSLY**

**E. UNFINISHED BUSINESS**

**E.1 Direction for 2025 Utility Rate Bylaws**

The Deputy City Manager and Chief Financial Officer provided an overview of the process and schedule for proceeding with approval of the 2025 Utility Rate Bylaws.

Moved and Seconded:

That Council:

1. Direct staff to bring forward water, sewer, storm drain and solid waste rate bylaws to the December 5, 2024 daytime Council meeting for consideration.

**CARRIED UNANIMOUSLY**

**F. PRESENTATIONS**

**F.1 Greater Victoria Public Library (GVPL) 2025 Budget and Five-Year Financial Plan**

Committee received a presentation from M. Sawa - CEO of the Greater Victoria Public Library (GVPL), A. Appleton - Chair of the GVPL Board of Trustees, and

M. Barnes - Financial Coordinator for the GVPL regarding the regional library service and the 2025 GVPL budget.

*Committee discussed the following:*

- *Role of the GVPL in addressing the needs of vulnerable communities*
- *Impacts and successes of eliminating overdue fines*
- *Funding, partnerships and use of monthly identification clinic services*

## **F.2 Victoria Police Department 2024 Quarter 3 Report**

Committee received a presentation from Chief Constable Manak from the Victoria Police Department (VicPD) regarding the 2024 Quarter 3 report.

*Committee discussed the following:*

- *Growth of gang-related incidents and exploitation of youth within SD61 schools*
- *Strategies to improve late-night safety in the City*
- *Trends and investigations into reports of use of date-rape drugs*

*Committee recessed at 10:26 a.m. and reconvened at 10:39 p.m.*

*The Chair noted Councillor Coleman's absence as he attended to duties with the Federation of Canadian Municipalities.*

*Committee discussed the following:*

- *VicPD restructuring to prioritize and increase capacity and roles of foot patrols and bicycle units*

## **F.3 Victoria and Esquimalt Police Board - 2025 Provisional Budget**

Committee received a presentation from E. Cull - Chair of the Victoria and Esquimalt Police Board Finance Committee, D. Phillips, Director of Finance for the Victoria and Esquimalt Police Board and Chief Constable D. Manak with the Victoria Police Department regarding the 2025 provisional budget.

*Committee discussed the following:*

- *Status of appeal and next steps*
- *Inclusion of the late-night task force within the 2025 VicPD budget as a mandatory service*

*Committee recessed at 12:02 p.m. and reconvened at 1:06 p.m.*

*Councillor Coleman returned to the meeting at 1:06 p.m.*

## **G. LAND USE MATTERS**

### **G.1 205 Quebec Street, 507 Montreal Street, and 210-224 Kingston Street: Update on Rezoning Application No. 00804 and associated Official Community Plan Amendment and Development Permit with Variances Application No. 00191 (James Bay)**

Committee received a report dated November 07, 2024 from the Director of Planning and Development regarding the Rezoning, an Official Community Plan

(OCP) Amendment and a Development Permit with Variances Application for the property located at 205 Quebec Street, 507 Montreal Street, and 210-224 Kingston Street in order to rezone to increase the density, add multiple dwellings and commercial as permitted uses, and allow construction of a new mixed-use development consisting of a three-storey podium with a 14-storey tower located at the corner of Quebec Street and Montreal Street and three storey townhouses fronting Kingston Street, and recommending that the application be declined.

*Committee discussed the following:*

- *Distribution of funds and amenities received through Community Amenity Contributions*
- *Active transportation and current and future connectivity to other neighbourhoods*
- *Importance of adhering to and setting development precedent based on the OCP*

Moved and Seconded:

That Council decline Rezoning Application No. 00804 for 205 Quebec Street, 507 Montreal Street, and 210, 214, 218, and 224 Kingston Street and the associated Official Community Plan Amendment and Development Permit with Variances Application No. 00191.

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

**DEFEATED (3 to 6)**

Moved and Seconded:

**OCP Amendment with Rezoning**

1. That Council instruct the Director of Planning and Development to prepare the necessary Official Community Plan amendment bylaw in accordance with section 475 of the *Local Government Act* and the necessary Zoning Regulation Bylaw amendments that would authorize the proposed development outlined in the staff report dated November 8, 2024 for 205 Quebec Street, 507 Montreal Street, and 210, 214, 218, and 224 Kingston Street.
2. That first and second reading of the Official Community Plan and Zoning Regulation Bylaw amendments (collectively, the “**Bylaw Amendments**”) be considered by Council and a public hearing date be set.
3. That if Council wish to give the Bylaw Amendments approval in principle after the public hearing, Council consider the following motions prior to giving the Bylaw Amendments third reading:
  1. "That Council give the Bylaw Amendments approval in principle, subject to the applicant preparing and executing the following prior to adoption of the Bylaw Amendments:

- a. With contents satisfactory to the Director of Planning and Development and form satisfactory to the City Solicitor, legal agreements to secure:
  - i. provision of \$700,000 to the Housing Reserve Fund
  - ii. provision of \$200,000 to the Local Amenities Fund
  - iii. provision of no less than 11 three-bedroom townhomes and 15% of the remaining dwelling units as two- or three-bedroom units
  - iv. provision of a daycare of no less than 153.29m<sup>2</sup>, for a minimum period of ten years, and that the space will be sold to a not-for-profit provider for no more than \$1 prior to occupancy permit.
- b. With contents satisfactory to the Director of Engineering and Public Works and form satisfactory to the City Solicitor, legal agreements to secure:
  - i. a triangle-shaped right of way at the corner of Montreal Street and Quebec Street that is 6m in length along each of the street frontages for highway purposes
  - ii. provision of transportation demand management measures including:
    - A. two shared vehicles
    - B. two shared vehicle parking stalls located on the property
    - C. public access to the shared vehicle parking stalls
    - D. 108 car share memberships
    - E. design and installation of an on-street dual head level two electric vehicle charger
    - F. 11 spaces of cargo bike parking
    - G. additional bike parking beyond the amount required by the Zoning Regulation Bylaw (161 long-term spaces proposed instead of the required 135 spaces and 25 short-term spaces proposed instead of the required 15 spaces)
    - H. a bike repair station.
  - iii. Provision of the following public realm improvements:
    - A. design, supply and installation of enhanced street frontages along Quebec Street, Montreal Street and Kingston Street frontages in the right of way in accordance with the plans date stamped November 8, 2024
    - B. design and installation of a AAA protected cycling network along Quebec Street and Montreal Street frontages in

accordance with the plans date stamped November 8, 2024

C. design and installation of a cross walk at Quebec Street and Montreal Street in accordance with the plans date stamped November 8, 2024

D. undergrounding the BC Hydro lines and associated infrastructure along Montreal Street.

iv. Provision of the following tree and stormwater infrastructure:

A. design and installation of the City's stormwater facilities along the municipal frontage of Montreal Street

B. boulevard rain gardens with irrigation on the municipal frontage of Montreal Street and Quebec Street in accordance with the plans date stamped November 8, 2024

C. City of Victoria standard tree guards for all street trees in grates

D. soil cells to achieve recommended soil volumes for all new street trees.

2. That adoption of the Bylaw Amendments 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.”

4. 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.

OPPOSED (3): Councillor Coleman, Councillor Gardiner, and Councillor Hammond

**CARRIED (6 to 3)**

*Committee recessed at 2:18 p.m. and reconvened at 2:30 p.m.*

## **G.2 450 Swift Street, Craft Beer Market: Liquor Licence Application**

Committee received a report dated November 07, 2024 from the Director of Planning and Development regarding the amendment of two liquor primary licences for the property located at 450 Swift Street in order to consolidate the liquor primary licences to allow liquor service with proposed revised hours of service for indoor seating, enclosed outdoor patio seating and unenclosed outdoor patio seating areas with a total building occupant load of 786 people and recommending that the application be approved.

*Committee discussed the following:*

- *Enforcement of proposed hours of service and use of outdoor speakers*

- *City partnership with Liquor and Cannabis Regulation Board to address concerns efficiently*

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 of Craft Beer Market, located at 450 Swift Street, to consolidate their two liquor primary licences, change the service hours associated with the licence, and change the distribution of the existing occupant load with support conditional on the following:
  - a. The establishment having a total occupant load of 786 people where 355 are interior (195 food primary / 160 liquor primary), and 431 are exterior (276 food primary / 155 liquor primary).
  - b. Interior food primary and liquor primary hours are 9 a.m. to 1 a.m. Monday to Saturday and 9 a.m. to 12 a.m. Sunday.
  - c. Exterior food primary and liquor primary hours are 9 a.m. to 11 p.m. Friday and Saturday and 9 a.m. to 10 p.m. Sunday to Thursday.
  - d. No exterior amplified music is permitted after 11 p.m. Friday and Saturday and after 10 p.m. Sunday to Thursday.
  - e. Unenclosed patio areas are considered exterior space and subject to the conditions prescribed in (c) and (d).
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 419 owners and occupants, the City received 15 letters of correspondence. Of these letters, 10 expressed opposition and five expressed support for the proposal. A letter from the Downtown Residents Association (DRA) requested that the establishment monitors and modulates noise before approvals are granted.
3. Council recommends to the Province that the liquor primary licence be approved as recommended.

OPPOSED (1): Councillor Gardiner

**CARRIED (8 to 1)**

## **H. NOTICE OF MOTIONS**

*There were no Notice of Motions.*

## I. NEW BUSINESS

### I.1 Council Member Motion: Advocacy to VicPD and SD61 on unregulated substances known as date-rape drugs

Committee received a Council Member Motion from Councillor Dell, Councillor, Caradonna, Councillor Loughton, and Councillor Thompson dated November 21, 2024 regarding the usage of unregulated substances such as GHB and Rohypnol in Victoria and requesting a formal update from the VicPD and SD61 about any efforts currently being undertaken to raise awareness about and prevent the use of unregulated substances.

Moved and Seconded:

That Council directs the Mayor to request a formal update from the VicPD and SD61 about any efforts currently being undertaken to raise awareness about and prevent the use of unregulated substances, such as GHB and Rohypnol, commonly known as "date-rape drugs."

*Committee discussed the following:*

- *Prevention measures currently being taken by various organizations across the City*

**Amendment:**

Moved and Seconded:

That Council directs the Mayor to request a formal update from the VicPD and SD61 about any efforts currently being undertaken to raise awareness about and prevent the use of unregulated substances, such as GHB and Rohypnol, commonly known as "date-rape drugs" **with such a request copied to the provincial Ministers of Education and Health.**

OPPOSED (2): Councillor Gardiner, and Councillor Hammond

**CARRIED (7 to 2)**

*Committee discussed the following:*

- *Importance of community education and appropriate penalties to prevent and deter potential offenders*

On the main motion as amended:

That Council directs the Mayor to request a formal update from the VicPD and SD61 about any efforts currently being undertaken to raise awareness about and prevent the use of unregulated substances, such as GHB and Rohypnol, commonly known as "date-rape drugs" with such a request copied to the provincial Ministers of Education and Health.

OPPOSED (2): Councillor Gardiner, and Councillor Hammond

**CARRIED (7 to 2)**



I.2 **Council Member Motion: Sheltering in Parks and the Parks Regulation Bylaw**

*This item was on the Consent Agenda.*

J. **CLOSED MEETING, IF REQUIRED**

*There was no Closed Meeting.*

K. **ADJOURNMENT OF COMMITTEE OF THE WHOLE**

Moved and Seconded:

That the Committee of the Whole Meeting be adjourned at 3:21 p.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR