



## MINUTES - VICTORIACITY COUNCIL

January 23, 2025, 10:36 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 Loughton, Councillor Thompson

**ABSENT:** Councillor Kim (joined at 2:05 p.m.)

**STAFF PRESENT:** J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Chief Financial Officer, T. Soulliere - Deputy City Manager, T. Zworski - City Solicitor, K. Hoese - Director of Sustainable Planning and Community Development, C. Kingsley - City Clerk, C. Mycroft - Manager of Intergovernmental & Media Relations, A. Potvin - Communications and Engagement Advisor, S. Johnson - Director of Communications and Engagement, D. Newman - Director of Parks, Recreation, and Facilities, B. Roder - Deputy City Clerk, S. Maichen - Legislative Coordinator

### **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 stated their deep appreciation for the decades and centuries of care and dedication they have invested in nurturing these beautiful lands and the waters surrounding them.

### **B. INTRODUCTION OF LATE ITEMS**

There were no late items.

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

Moved and Seconded:

That the agenda items under *D. CLOSED MEETING* be considered first and the remainder of the agenda be reordered accordingly.

**CARRIED UNANIMOUSLY**

Moved and Seconded:

That the agenda be approved as amended.

**CARRIED UNANIMOUSLY**

**D. CLOSED MEETING**

MOTION TO CLOSE THE JANUARY 23, 2025 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)(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;*

*Section 90(1)(f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;*

*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 10:39 a.m.*

**E. APPROVAL OF CLOSED AGENDA**

**F. CONSIDERATION OF CLOSED MINUTES**

**G. NEW BUSINESS**

**G.1 Appointment – Community Charter Section 90(1)(a)**

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

**G.2 Intergovernmental Relations and Law Enforcement – Community Charter Sections 90(1)(f) and 90(2)(b)**

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

*The Daytime Council meeting reopened to the public at 10:58 a.m.*

**Motion to recess:**

Moved and Seconded:

That Council recess the Daytime Council meeting pending completion of the Committee of the Whole meeting.

**CARRIED UNANIMOUSLY**

*The Daytime Council meeting recessed at 10:59 a.m. and reconvened at 1:59 a.m.*

**I. CONSENT AGENDA**

Moved and Seconded:

That the following Consent Agenda items be approved:

**J.1 Minutes from the Daytime Council Meeting held December 05, 2024**

That the minutes from the Daytime Council meeting held December 05, 2024 be approved.

**K.1.a.a257 Belleville Street: Zone Text Amendment & Development Permit with Variances Application No. 00209 (James Bay)**

**Zone Text Amendment**

1. That Council instruct the Director of Planning and Development to prepare the necessary *Zoning Regulation Bylaw* amendment to remove the “community amenities” section in the R-65 Zone, Belleville Street Multiple Dwelling District.
2. Prior to the introduction of the *Zoning Regulation Bylaw* amendment, the applicant prepares and executes the following legal agreement, with contents satisfactory to the Director of Parks, Recreation and Facilities and in a form satisfactory to the City Solicitor:
  - a. Preparation of a legal agreement, executed by the applicant, to amend the covenant registered as CA2048143 to allow a transfer of cash-in-lieu in the amount of \$121,000 towards the cost of plaza construction, and \$312,000 for further enhancement of the Harbour Pathway.
3. 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.
4. That following the third reading of the *Zoning Regulation Bylaw* amendment, the applicant prepares and execute the following legal agreement, with contents satisfactory to the Director of Engineering and Public Works and the

Director of Parks, Recreation and Facilities of in a form satisfactory to the City Solicitor prior to adoption of the bylaw:

- a. Preparation of a legal agreement, executed by the applicant, to ensure that the public realm improvements are consistent with the *Downtown Public Realm Plan and Streetscape Standards*, and in general compliance with the Landscape Plans provided in the plans date stamped October 31 2023, with the further requirement that soil cells and irrigation on the Pendray Street frontage be required for trees provided within the City right of way.
5. That adoption of the *Zoning Regulation 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.
6. 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 No. 00209**

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

“That subject to the adoption of the necessary Zoning Regulation Bylaw amendment, Council authorize the issuance of Development Permit with Variance Application No. 00209 for 257 Belleville Street, in accordance with:

1. Plans date stamped October 31, 2023
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. Increase the maximum height from 30m to 32m
  - ii. Increase the maximum site coverage from 45% to 53%
  - iii. Reduce the minimum open site space from 40% to 28%.
3. That the Development Permit, if issued, lapses in two years from the date of this resolution.”

#### **K.1.a.b 1200 Government Street (Irish Times Pub): Liquor Licence (Downtown)**

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

1. That Council supports the application of Irish Times Pub, located at 1200 Government Street, to licence an existing 24-person outdoor patio area, that is currently licenced through the Province’s Temporary Expanded Service Area (TESA) program, under the establishment’s existing liquor primary licence conditional on the following.
  - a. The establishment having a total occupant load of 250 people, which includes three unenclosed outdoor patios having a seating capacity of 104 that includes the proposed 24-person outdoor patio.
  - b. Maintaining daily hours of service from 9 a.m. to 1 a.m. inside and 9 a.m. to 11 p.m. on all patios.
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 379 owners and occupants, the City did not receive any comments from the public and the Downtown Residents Association confirmed that they did not have any comments to provide.
3. Council recommends to the Province that the liquor primary licence be approved as recommended.

#### **K.1.a.c 1022 Government Street (Bard & Banker Pub): Liquor Licence (Downtown)**

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

1. That Council supports the application of Bard & Banker Pub, located at 1022 Government Street, to licence an existing 80-person outdoor patio area (currently licenced under the Province's Temporary Expanded Service Area (TESA) program) under the establishment's existing liquor primary licence, conditional on the following.
  - a. The establishment having a total occupant load of 320 people, which includes two unenclosed outdoor patios with a seating capacity of 99 including the proposed 80-person outdoor patio.
  - b. Maintaining daily hours of service from 9 a.m. to 1 a.m. inside and 9 a.m. to 11 p.m. on all patios.
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 379 owners and occupants, the City received one letter expressing concern for the patio from the public and the Downtown Residents Association confirmed that they did not have any comments to provide.
3. Council recommends to the Province that the liquor primary licence be approved as recommended.

#### **K.1.a.e Request for Reinstatement to the Taxed Boulevard Program**

That Council approve the reinstatement of the following boulevard to the Taxed Boulevard Program effective for the 2025 tax year:

1. 2200 Block of Government Street – East Side

#### **K.1.a.f Council Member Motion: CCCO Winter Meeting January 2025**

That Council authorize the attendance and associated costs for Councillor Gardiner to participate in the Canadian Capital Cities Organization 2025 Winter Meeting to be held in Ottawa, Ontario, from January 27 to January 29, 2025 (travel on January 26 and 29).

The approximate cost for attending is:

|                             |         |
|-----------------------------|---------|
| Meeting Registration Fee    | \$0     |
| Travel to/from Ottawa       | \$1,335 |
| Taxis (Victoria and Ottawa) | \$230   |
| Accommodation (3 nights)    | \$815   |
| Food & Incidentals          | \$250   |
| Estimated Total Cost        | \$2,630 |

**K.1.a.g Council Member Motion: Mayor's letters to municipalities and public or private agencies**

That Council request that the Mayor provide Councillors copies of The Mayor's letters arising from the direction of Council subject to Council's policies on closed and open matters to other levels of government, other municipalities, and external agencies at the time that such letters are sent.

**CARRIED UNANIMOUSLY**

**J. CONSIDERATION OF MINUTES**

**J.1 Minutes from the Daytime Council Meeting held December 05, 2024**

*This item was added to the Consent Agenda.*

**K. REPORTS OF COMMITTEE**

**K.1 Committee of the Whole**

**K.1.a. Report from the January 09, 2025 Committee of the Whole Meeting**

**K.1.a.a 257 Belleville Street: Zone Text Amendment & Development Permit with Variances Application No. 00209 (James Bay)**

*This item was added to the Consent Agenda.*

**K.1.a.b 1200 Government Street (Irish Times Pub): Liquor Licence (Downtown)**

*This item was added to the Consent Agenda.*

**K.1.a.c 1022 Government Street (Bard & Banker Pub): Liquor Licence (Downtown)**

*This item was added to the Consent Agenda.*

**K.1.a.d Minimum Unit Size for Multi-Unit Residential Developments**

Moved and Seconded:

That Council:

1. Require a 33m<sup>2</sup> minimum unit size for all multi-unit residential developments regulated by *Zoning Bylaw 2018*.
2. Exempt Affordable Housing Developments from the above requirements.
3. Incorporate the minimum unit size requirement changes to the *Zoning Bylaw 2018* into the ongoing work on the OCP 10-year Update and Zoning Bylaw Modernization.

**CARRIED UNANIMOUSLY**

**K.1.a.e Request for Reinstatement to the Taxed Boulevard Program**

*This item was added to the Consent Agenda.*

**K.1.a.f Council Member Motion: CCCO Winter Meeting January 2025**

*This item was added to the Consent Agenda.*

**F.1.a.g Council Member Motion: Mayor's letters to municipalities and public or private agencies**

*This item was added to the Consent Agenda.*

**F.1.a.h Council Member Motion: Committees**

Moved and Seconded:

1. That the following city committees remain active until October 2026, with no changes to their Terms of Reference except updates to any reference to an end date, and any other changes noted for each committee or necessary to conform to current Council Committee Establishment Policy and the Committee Terms of Reference Policy:
  - a. The Accessibility Advisory Committee

- b. The Advisory Design Panel
  - c. The Citizens' Assembly Council Committee
  - d. The City of Victoria Youth Council, with an amendment to its Terms of Reference to include a quarterly report to City Council from the Council liaison to the CVYC
  - e. The Heritage Advisory Panel
  - f. The International Decade for People of African Descent Advisory Committee
  - g. The Welcoming City Advisory Committee.
2. That the following city committees be officially retired, concluded and/or “sunsetting”, effective immediately:
    - a. The Active Transportation Advisory Committee
    - b. The Arts in Public Places Committee
    - c. The External Grant Review Committee
    - d. The Seniors Task Force
  3. That Council:
    - a. directs the Mayor to establish some form of regular consultation between staff and the Victoria Tenants Union, and for staff to report to Council on these consultations as needed.
  5. That all members of a Council-created committee receive an honourarium from the City for the time spent in attending committee meetings, based on Victoria's hourly living wage.
  6. That staff be directed to review and revise Terms of Reference for re-established and re-imagined committees to ensure that such Terms of Reference meet the conditions of the current Committee Establishment Policy and the current Committee Terms of Reference Policy, subject to Council approval of Sections 1, 2, 3, 4 and/or 5, above.

*Council requested that each part of the motion be considered separately.*

**On the number one:**

Moved and Seconded:

1. That the following city committees remain active until October 2026, with no changes to their Terms of Reference except updates to any reference to an end date, and any other changes noted for each committee or necessary to conform to current Council Committee Establishment Policy and the Committee Terms of Reference Policy:
  - a. The Accessibility Advisory Committee
  - b. The Advisory Design Panel
  - c. The Citizens' Assembly Council Committee



- d. The City of Victoria Youth Council, with an amendment to its Terms of Reference to include a quarterly report to City Council from the Council liaison to the CVYC
- e. The Heritage Advisory Panel
- f. The International Decade for People of African Descent Advisory Committee
- g. The Welcoming City Advisory Committee.

**CARRIED UNANIMOUSLY**

**On the number two:**

Moved and Seconded:

- 2. That the following city committees be officially retired, concluded and/or “sunsetting”, effective immediately:
  - a. The Active Transportation Advisory Committee
  - b. The Arts in Public Places Committee
  - c. The External Grant Review Committee
  - d. The Seniors Task Force

**CARRIED UNANIMOUSLY**

**On the number three:**

Moved and Seconded:

- 3. That Council:
  - a. directs the Mayor to establish some form of regular consultation between staff and the Victoria Tenants Union, and for staff to report to Council on these consultations as needed.

**CARRIED UNANIMOUSLY**

**On the number five:**

Moved and Seconded:

- 5. That all members of a Council-created committee receive an honourarium from the City for the time spent in attending committee meetings, based on Victoria’s hourly living wage.

OPPOSED (1): Councillor Gardiner

**CARRIED (7 to 1)**

**On the number six:**

Moved and Seconded:

6. That staff be directed to review and revise Terms of Reference for re-established and re-imagined committees to ensure that such Terms of Reference meet the conditions of the current Committee Establishment Policy and the current Committee Terms of Reference Policy, subject to Council approval of Sections 1, 2, 3, 4 and/or 5, above.

**CARRIED UNANIMOUSLY**

**L.1.b Report from the January 23, 2025 Committee of the Whole Meeting**

**L.1.b.a Council Member Motion: Advancing Climate-Resilient Communities**

Moved and Seconded:

1. That Council ask the Mayor to create a letter in support of a grant application to Intact Insurance for funding to assist the Garry Oak Meadow Preservation Society, the Sierra Club BC, the RUSH Initiative and Engage with Nature-based Solutions in their collaborative initiative directed at integrating FireSmart and ClimateSmart data into actionable tools, mobilize community participation and support suitable green infrastructure to enhance climate resilience in the CRD.
2. Further, that this Motion be considered at the Council meeting of January 23, 2025.

**CARRIED UNANIMOUSLY**

*Councillor Kim joined the meeting at 2:05 p.m.*

**M. BYLAWS**

**M.1 Bylaw for 515 Foul Bay Road: Rezoning Application No. 00807, Development Permit with Variances Application No. 00255 and Heritage Designation Application No. 00163**

Moved and Seconded:

That the following bylaws **be adopted**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1340), No. 24-048
2. Heritage Designation (515 Foul Bay Road) Bylaw, No. 24-039
3. Housing Agreement (515 Foul Bay Road) Bylaw (2025), No. 25-012

**CARRIED UNANIMOUSLY**

Moved and Seconded:

### **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.

**CARRIED UNANIMOUSLY**

### **N. NOTICE OF MOTIONS**

*There were no Notices of Motions.*

### **O. ADJOURNMENT**

Moved and Seconded:

That the Council Meeting be adjourned at 2:07 p.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR

DRAFT