



MINUTES - COMMITTEE OF THE WHOLE

April 10, 2025, 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 Kim, Councillor Loughton, Councillor Thompson

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Chief Financial Officer, W. Doyle - Director of Engineering and Public Works, S. Johnson - Director of Communications and Engagement, T. Zworski - City Solicitor, D. Newman - Director of Parks, Recreation and Facilities, A. Johnston - Assistant Director of Development Services, C. Mycroft - Manager of Intergovernmental & Media Relations, K. Stevenot - Senior Heritage Planner, M. Betanzo - Senior Urban Design Planner, B. Roder - Deputy City Clerk, S. Maichen - Legislative Coordinator, A. Moffatt - Legislative Coordinator

A. TERRITORIAL ACKNOWLEDGEMENT

Committee acknowledged that the City of Victoria is located on the homelands of the Songhees First Nation and Xwsepsum First Nation communities, they expressed their gratitude for the privilege of being on these lands and extended their thanks to the nations for their enduring stewardship.

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

Committee requested that the following items be removed from the Consent Agenda:

- E.2 - 1905 and 1907 Fort Street and 1923 and 1929 Davie Street: Rezoning Application No. 00859 and Associated Development Permit with Variances No. 00248 (Jubilee)
- E.3 - 910 Government Street (Axe and Grind): Application to Increase the Licenced Service Capacity (Downtown)

Committee requested that the following item be added to the Consent Agenda:

- F.2 - Outdoor Patio Program 2025 & 2026 Fee Schedule Update

Moved and Seconded:

That the following Consent Agenda items be approved:

F.2 Outdoor Patio Program 2025 & 2026 Fee Schedule Update

1. Bring forward amendments to the Patio Regulation Bylaw (#23-052) to:
 - a. Update the Area Rate Tables to set 2025 & 2026 Fee Area Rates at the same levels as 2023 & 2024; and
 - b. Include new language to permit refunds to restaurants on a pro-rata basis who have already paid the increased 2025 fee rates.
2. That the motion be forwarded to the daytime Council meeting of April 10, 2025, for council's consideration of first, second, and third reading.

H.1 Council Member Motion: Federation of Canadian Municipalities 2025 Annual Conference and Trade Show Expenses

1. That Council authorize the attendance and associated costs for Councillor Kim to attend the Federation of Canadian Municipalities 2025 Annual Conference and Trade Show held in Ottawa ON, on May 28 to June 1, 2025.
2. That this motion be forwarded to the daytime Council meeting of April 10, 2025, for same-day consideration due to the limited availabilities of accommodations and workshop registration choices.

The approximate cost for attending is:

| | |
|--------------------------------|------------|
| Registration Fee | \$1,378.60 |
| Accommodations (5 nights) | \$1,500 |
| Transportation to/from Ontario | \$900 |
| Meals and Incidentals | \$600 |

Estimated total cost = \$4,378.60

CARRIED UNANIMOUSLY

E. LAND USE MATTERS

E.1 1312 - 1324 Broad Street and 615 - 625 Johnson Street (Duck's Block): Rezoning Application No. 00882 and Heritage Alteration Permit with Variances Application No. 00037 (Downtown)

Committee received a report dated March 27, 2025 from the Director of Planning and Development regarding the Rezoning Application No. 00882 and Heritage Alteration Permit with Variances Application No. 00037 for the property located at 1312 - 1324 Broad Street and 615 - 625 Johnson Street in order to add site-specific regulations to allow an increase in density and recommending that the application proceed to bylaw readings.

Committee discussed the following:

- *The Heritage Advisory Panel's recommendation*
- *Building's interior meeting space use for non-profit groups*

Moved and Seconded:

Rezoning with Public Hearing

1. That Council instruct the Director of Planning and Development to prepare the necessary Zoning Bylaw 2018 amendment that would authorize the proposed development outlined in the staff report dated March 27, 2025 for 1314 Broad Street.
2. That, pursuant to section 30 of the Land Use Procedures Bylaw, Council waives the requirement for the holding of a public hearing.
3. That after publication of notification in accordance with section 467 of the Local Government Act, first, second and third reading of the zoning bylaw amendment be considered by Council once the following conditions are met:
 - a. Plan revisions to set back the seventh and eighth storeys approximately 2.3 metres on the north (Johnson Street) elevation.
4. That subject to third reading of the zoning amendment bylaw, the applicant complete the following prior to adoption of the bylaw:
 - a. Prepare and execute legal agreements, with contents satisfactory to the Director of Planning and Development and form satisfactory to the City Solicitor, to secure:
 - i. a \$50,000 contribution toward purchasing local art for the hotel interior
 - ii. an \$80,000 contribution to the Victoria Housing Reserve Fund
 - iii. provision of interior meeting room space of no less than 80m² for the free use of local not-for-profit artist organizations for a minimum period of 10 years
 - iv. heritage retention and rehabilitation of the existing east and west Duck's Building facades and the west rubble wall of the Duck's Carriage Factory building
 - v. public realm improvements including catenary lighting across Broad Street for the length of the site's frontage.
 - b. Prepare and execute legal agreements, with contents satisfactory to the Director of Engineering and Public Works and form satisfactory to the City Solicitor, to secure:

- i. a BC Transit EcoPass fund with a minimum value of \$83,400 to be used by any staff working at the property for discounted public transit use for a minimum of a five-year term or until the fund is depleted.
5. That adoption of the bylaw amendment will not take place until:
 - a. 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.

Heritage Alteration Permit with Variance Application

That Council, after giving notice, and after adoption of the necessary zoning bylaw amendment, if it is adopted, consider the following motion:

1. That Council authorize the issuance of Heritage Alteration Permit with Variances Application No. 00037 for 1314 Broad Street in accordance with plans submitted to the Planning department and date stamped by Planning on February 4, 2025 (the "Plans"), subject to:
 - a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
 - i. increase height from 18.9 metres to 26.25 metres
 - ii. reduce the roof area coverage maximum from 20% to 29%
 - iii. reduce the roof structure setback from 3 metres to 0.78 metres at the east and 1.4 metres at the west
 - iv. reduce the required number of vehicle parking spaces from 44 to 18
 - v. reduce the required number of short-term bicycle parking spaces from nine to zero.
 - b. Final plans to be generally in accordance with the Plans, to the satisfaction of the Assistant Director, Development Services Division, Planning and Development.
2. That the Heritage Alteration Permit, if issued, lapses two years from the date of this resolution."

CARRIED UNANIMOUSLY

E.2 1905 and 1907 Fort Street and 1923 and 1929 Davie Street: Rezoning Application No. 00859 and Associated Development Permit with Variances No. 00248 (Jubilee)

Committee received a report dated March 27, 2025 from the Director of Planning and Development regarding Rezoning Application No. 00859 and associated Development Permit with Variances No. 00248 for the property located at 1905 and 1907 Fort Street and 1923 and 1929 Davie Street in order to increase the density and allow a mixed-use building with commercial use at the ground floor level and multi-unit residential above and recommending that the proposal proceed to bylaw readings.

Committee discussed the following:

- *On-site storage and garbage disposal*

- *Potential of rooftop amenity space*
- *Parking considerations*

Moved and Seconded:

Rezoning Application

1. That Council instruct the Director of Planning and Development to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in the staff report dated March 27, 2025, for 1905 and 1907 Fort Street and 1923 and 1929 Davie 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. Revisions to the plans to the satisfaction of the Director of Planning and Development to:
 - i. provide bicycle parking stalls, bicycle parking aisle width, accessible vehicle parking stalls, barrier free visitor parking stalls, and commercial visitor vehicle parking stalls per Schedule C of the Zoning Regulation Bylaw
 - ii. provide an expanded amenity space and building step back above the fourth storey to address livability impacts and to provide a better transition to the neighbouring properties to the south
 - iii. demonstrate how garbage, recycling, and organics will be stored on, and collected from, the site
 - iv. revise location of on-site car share stall to ensure barrier free access to the stall.
 - b. Revisions to the plans to the satisfaction of the Director of Engineering and Public Works to:
 - i. incorporate stormwater infrastructure per the City of Victoria's Rainwater Management Standards for Green Stormwater Infrastructure
 - ii. incorporate streetscape elements per the Downtown Public Realm Plan including four modern pedestrian fixtures, a bench and garbage can
 - iii. incorporate a dual head level two charger on Davie Street for car share and general-purpose charging.
3. That subject to third reading of the Zoning Regulation Bylaw amendment, the applicant completes the following prior to adoption of the bylaw:
 - a. Prepare and execute legal agreements, with contents satisfactory to the Director of Planning and Development and form satisfactory to the City Solicitor, to secure:
 - i. all the dwelling units as rental in perpetuity
 - ii. provision of no less than twenty-four two-bedroom residential units and five three-bedroom residential units
 - iii. provision of one on-site stall dedicated to a car share vehicle and equipped with a level two charging station
 - iv. a car share membership and minimum \$100 usage credit for each residential unit

- v. a contribution of a minimum of \$55,000 to a car share provider for the purchase and operation of one car share electric vehicle
 - vi. 10 percent of long-term bicycle parking spaces to be oversized cargo bicycle-sized stalls, 2.4m long by 0.9m wide
 - vii. fifty percent of long-term bicycle parking spaces with access to an electrical outlet to enable e-bicycle charging
 - viii. provision of a dedicated bicycle maintenance and wash station with a functioning spigot and drain, bicycle tools, and pump
 - ix. a contribution of at least \$40,000 to the BC Transit EcoPASS program or equivalent for a minimum of five years for use by building residents and employees of the commercial retail units.
- b. Prepare and execute legal agreements, with contents satisfactory to the Director of Engineering and Public Works and form satisfactory to the City Solicitor, to secure provision of the following public realm improvements in accordance with plans dated February 20, 2025, and subsequent plans incorporating the recommended revisions:
- i. City of Victoria standard tree guards for all street trees in grates
 - ii. soil cells to achieve recommended soil volumes for all new street trees
 - iii. design and installation of a grade-raised protected bicycle lane on Fort Street
 - iv. design and installation of bioswales on Fort Street for stormwater infiltration
 - v. incorporation of streetscape elements per the Downtown Public Realm Plan including four modern pedestrian fixtures, a bench and garbage can
 - vi. design and installation of dual head level two on-street charger, with off-site City of Victoria electrical service, on Davie Street, and associated components for car share vehicle and public charging use.
4. That following third reading of the Zoning Regulation Bylaw amendment, the applicant dedicates the following as highway pursuant to section 107 of the Land Title Act to the satisfaction of the Director of Engineering and Public Works prior to adoption of the bylaw:
- a. a 4.78m wide road dedication along Fort Street
 - b. a 1.37m wide road dedication along Davie Street.
5. That adoption of the Zoning Regulation Bylaw amendment will not take place until all the required documents 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 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. 00248 for 1905 and 1907 Fort Street and 1923 and 1929

Davie Street, in accordance with plans submitted to the Planning department and date stamped by Planning on February 20, 2025, and subsequent plans incorporating the recommended revisions subject to:

- a. development meeting all City zoning bylaw requirements, except for the following variances:
 - i. reduce the front lot line setback from 13.50m to 1.83m for building projection, to 1.97m for balconies, and 3.41m for the main building face
 - ii. reduce the north side lot line setback from 13.50m to 1.52m for the main building face
 - iii. reduce the south side lot line setback from 10.10m to 7.58m for the main building face and to 7.30m for the balcony
 - iv. reduce the rear lot line setback from 10.10m to 2.47m for the main building face and 1.76m for the balcony
 - v. increase the site coverage from 20% to 56%
 - vi. increase the building height from 18.50m to 21.14m
 - vii. reduce the parking minimum from 82 stalls to 33 stalls.
2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.”

Amendment:

Moved and Seconded:

That the proponent make beneficial use of the rooftop, in alignment with City policies and guidelines.

1. That Council instruct the Director of Planning and Development to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in the staff report dated March 27, 2025, for 1905 and 1907 Fort Street and 1923 and 1929 Davie Street.

Amendment to the amendment:

Moved and Seconded:

That the proponent make Direct staff to work with the applicant to advance beneficial use of the rooftop, in alignment with City policies and guidelines.

1. That Council instruct the Director of Planning and Development to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in the staff report dated March 27, 2025, for 1905 and 1907 Fort Street and 1923 and 1929 Davie Street.

CARRIED UNANIMOUSLY

On the amendment as amended:

Direct staff to work with the applicant to advance beneficial use of the rooftop, in alignment with City policies and guidelines.

1. That Council instruct the Director of Planning and Development to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the

proposed development outlined in the staff report dated March 27, 2025, for 1905 and 1907 Fort Street and 1923 and 1929 Davie Street.

CARRIED UNANIMOUSLY

On the main motion as amended:

Rezoning Application

Direct staff to work with the applicant to advance beneficial use of the rooftop, in alignment with City policies and guidelines.

1. That Council instruct the Director of Planning and Development to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in the staff report dated March 27, 2025, for 1905 and 1907 Fort Street and 1923 and 1929 Davie 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. Revisions to the plans to the satisfaction of the Director of Planning and Development to:
 - i. provide bicycle parking stalls, bicycle parking aisle width, accessible vehicle parking stalls, barrier free visitor parking stalls, and commercial visitor vehicle parking stalls per Schedule C of the Zoning Regulation Bylaw
 - ii. provide an expanded amenity space and building step back above the fourth storey to address livability impacts and to provide a better transition to the neighbouring properties to the south
 - iii. demonstrate how garbage, recycling, and organics will be stored on, and collected from, the site
 - iv. revise location of on-site car share stall to ensure barrier free access to the stall.
 - b. Revisions to the plans to the satisfaction of the Director of Engineering and Public Works to:
 - i. incorporate stormwater infrastructure per the City of Victoria's Rainwater Management Standards for Green Stormwater Infrastructure
 - ii. incorporate streetscape elements per the Downtown Public Realm Plan including four modern pedestrian fixtures, a bench and garbage can
 - iii. incorporate a dual head level two charger on Davie Street for car share and general-purpose charging.
3. That subject to third reading of the Zoning Regulation Bylaw amendment, the applicant completes the following prior to adoption of the bylaw:
 - a. Prepare and execute legal agreements, with contents satisfactory to the Director of Planning and Development and form satisfactory to the City Solicitor, to secure:
 - i. all the dwelling units as rental in perpetuity
 - ii. provision of no less than twenty-four two-bedroom residential units and five three-bedroom residential units

- iii. provision of one on-site stall dedicated to a car share vehicle and equipped with a level two charging station
 - iv. a car share membership and minimum \$100 usage credit for each residential unit
 - v. a contribution of a minimum of \$55,000 to a car share provider for the purchase and operation of one car share electric vehicle
 - vi. 10 percent of long-term bicycle parking spaces to be oversized cargo bicycle-sized stalls, 2.4m long by 0.9m wide
 - vii. fifty percent of long-term bicycle parking spaces with access to an electrical outlet to enable e-bicycle charging
 - viii. provision of a dedicated bicycle maintenance and wash station with a functioning spigot and drain, bicycle tools, and pump
 - ix. a contribution of at least \$40,000 to the BC Transit EcoPASS program or equivalent for a minimum of five years for use by building residents and employees of the commercial retail units.
- b. Prepare and execute legal agreements, with contents satisfactory to the Director of Engineering and Public Works and form satisfactory to the City Solicitor, to secure provision of the following public realm improvements in accordance with plans dated February 20, 2025, and subsequent plans incorporating the recommended revisions:
- i. City of Victoria standard tree guards for all street trees in grates
 - ii. soil cells to achieve recommended soil volumes for all new street trees
 - iii. design and installation of a grade-raised protected bicycle lane on Fort Street
 - iv. design and installation of bioswales on Fort Street for stormwater infiltration
 - v. incorporation of streetscape elements per the Downtown Public Realm Plan including four modern pedestrian fixtures, a bench and garbage can
 - vi. design and installation of dual head level two on-street charger, with off-site City of Victoria electrical service, on Davie Street, and associated components for car share vehicle and public charging use.
4. That following third reading of the Zoning Regulation Bylaw amendment, the applicant dedicates the following as highway pursuant to section 107 of the Land Title Act to the satisfaction of the Director of Engineering and Public Works prior to adoption of the bylaw:
- a. a 4.78m wide road dedication along Fort Street
 - b. a 1.37m wide road dedication along Davie Street.
5. That adoption of the Zoning Regulation Bylaw amendment will not take place until all the required documents 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 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. 00248 for 1905 and 1907 Fort Street and 1923 and 1929 Davie Street, in accordance with plans submitted to the Planning department and date stamped by Planning on February 20, 2025, and subsequent plans incorporating the recommended revisions subject to:
 - a. development meeting all City zoning bylaw requirements, except for the following variances:
 - i. reduce the front lot line setback from 13.50m to 1.83m for building projection, to 1.97m for balconies, and 3.41m for the main building face
 - ii. reduce the north side lot line setback from 13.50m to 1.52m for the main building face
 - iii. reduce the south side lot line setback from 10.10m to 7.58m for the main building face and to 7.30m for the balcony
 - iv. reduce the rear lot line setback from 10.10m to 2.47m for the main building face and 1.76m for the balcony
 - v. increase the site coverage from 20% to 56%
 - vi. increase the building height from 18.50m to 21.14m
 - vii. reduce the parking minimum from 82 stalls to 33 stalls.
2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.”

CARRIED UNANIMOUSLY

Committee recessed at 10:54 a.m. and reconvened at 11:05 a.m.

E.3 910 Government Street (Axe and Grind): Application to Increase the Licenced Service Capacity (Downtown)

Committee received a report dated March 27, 2025 from the Director of Planning and Development regarding an application to increase the licenced service capacity for the property located at 910 Government Street in order to increase the licenced occupant load by 50 people from 60 to 110 to provide licenced service for the existing axe throwing area, and recommending that Council approve the application.

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 Axe and Grind, located at 910 Government Street, to increase their licenced occupant load by 50 people from 60 to 110 to provide licenced service in the business's axe throwing area, conditional on the following:
 - a. Maintaining hours of service from 9 a.m. to 11 p.m. daily.
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 280 owners and occupants, the City received no response. The Downtown Residents Association responded recommending that that conditions for noise abatement associated with axe throwing be included.
3. Council recommends to the Province that the liquor primary licence be approved as recommended.

OPPOSED (1): Councillor Gardiner

CARRIED (8 to 1)

Councillor Kim left the meeting at 11:31 a.m.

F. STAFF REPORTS

F.1 Report Back on Council Member Motion on Response to U.S. Trade War

Committee received a report dated March 21, 2025 from the Acting Director of Engineering and Public Works, the Director, Communications and Engagement, and Deputy City Manager and Chief Financial Officer responding to Council's request regarding potential procurement policy adjustments and moving to other social media platforms in reaction to recently imposed U.S. tariffs.

Committee discussed the following:

- *Deliberations over availability and financial implications of U.S imported goods*
- *Alternative social media platforms for City accounts*
- *Services and goods that may be impacted within the City*
- *Potential impacts to policies on a Provincial level*

Moved and Seconded:

That Committee receive the Report Back on Council Member Motion on Response to U.S. Trade War report for information.

Absent (1): Councillor Kim

CARRIED (8 to 0)

F.2 Outdoor Patio Program 2025 & 2026 Fee Schedule Update

This item was approved on the Consent Agenda.

G. NOTICE OF MOTIONS

There were no Notices of Motion.

H. NEW BUSINESS

H.1 Council Member Motion: Federation of Canadian Municipalities 2025 Annual Conference and Trade Show Expenses

This item was approved on the Consent Agenda.

I. CLOSED MEETING, IF REQUIRED

Moved and Seconded:

MOTION TO CLOSE THE APRIL 10, 2025 COMMITTEE OF THE WHOLE 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)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

Absent (1): Councillor Kim

CARRIED (8 to 0)

The Committee of the Whole meeting was closed to the public at 11:43 a.m.

I. ADJOURNMENT

Moved and Seconded:

That the Committee of the Whole meeting be adjourned at 1:42 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR