



MINUTES - VICTORIA CITY COUNCIL

November 7, 2024, 1:25 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 Hammond, Councillor Loughton, Councillor Thompson

PRESENT ELECTRONICALLY: Councillor Kim

ABSENT: Councillor Coleman

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, 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, C. Mycroft - Manager of Intergovernmental & Media Relations, B. Roder - Senior Legislative Coordinator, A. Klus - Legislative Coordinator

A. 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 thanked them 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. UNFINISHED BUSINESS

D.1 Rise and Report

D.1.a From the June 27, 2024 Closed Council Meeting

Council rose and reported on the approved Closed Council resolutions.

E. CONSIDERATION OF MINUTES

Moved and Seconded:

That the following items be approved:

E.1 Minutes from the Daytime Council Meeting held October 03, 2024

That the minutes from the Daytime Council meeting held October 03, 2024 be approved.

E.2 Minutes from the Daytime Council meeting held October 10, 2024

That the minutes from the Daytime Council meeting held October 10, 2024 be approved.

CARRIED UNANIMOUSLY

F. REPORTS OF COMMITTEE

F.1 Committee of the Whole

F.1.a Report from the October 17, 2024 Committee of the Whole Meeting

Moved and Seconded:

That the following items be approved:

F.1.a.a 2002 Richmond Road, 1903, 1909 Birch Street, and 1769 Pembroke Street: Rezoning Application No. 00862 and Development Permit with Variances Application No. 00252 (Jubilee)

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 October 3, 2024, for 2002 Richmond Road, 1903/1909 Birch Street, and 1769 Pembroke 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 bylaw amendment be considered by Council once the following conditions are met:

- a. The following revisions to the plans:
 - i. revise site and landscape plans to meet tree minimum, siting and soil volume requirements in accordance with the Tree Protection Bylaw No. 21-035, to the satisfaction of the Director of Parks, Recreation and Facilities
 - ii. revise parking layout to the satisfaction of the Director of Planning and Development to include:
 1. all accessible parking required under Schedule C for all on-site uses
 2. a landscaping buffer
 3. two on-site stalls dedicated to car share vehicles equipped with level two charging stations.
 - b. The following inclusions to the Transportation Demand Management program to the satisfaction of the Director of Planning and Development:
 - i. provision of two on-site or on-street stalls dedicated to car share vehicles and equipped with level two charging stations installed by the applicant
 - ii. provision of two electric car share vehicles
 - iii. car share memberships and usage credits for all units
 - iv. provision of fifty percent of long-term bicycle parking spaces with access to an electrical outlet to enable E-bicycle charging
 - v. provision of a bicycle wash station with a functioning spigot and drain in a dedicated bicycle maintenance area.
 - c. Any revisions to the variances necessary as a result of plan changes outlined above.
3. That subject to third reading of the zoning amendment bylaw, the applicant prepare and execute the following legal agreements, with contents satisfactory to the Director of Planning and Development and form satisfactory to the City Solicitor prior to adoption of the bylaw:
 - a. A housing agreement securing rental in perpetuity and a unit mix consisting of a minimum of twenty-two two-bedroom units.
 - b. Transportation Demand Management agreement including:

- i. provision of two on-site or on-street stalls dedicated to car share vehicles and equipped with level two charging stations
 - ii. a car share membership and usage credit for each residential unit
 - iii. purchase of two electric car share vehicles
 - iv. fifty percent of long-term bicycle parking spaces to have access to an electrical outlet to enable e-bicycle charging
 - v. provision of fifteen at grade on-site long-term oversized cargo bicycle sized stalls 2.4m long x 0.9m wide
 - vi. provision of a dedicated bicycle maintenance and wash station with a functioning spigot and drain
 - vii. a contribution of at least \$40,000 to the BC Transit EcoPASS program for use by residents and employees of the commercial units.
- 4. That subject to 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. A 2.50m wide volumetric statutory right of way along Richmond Road for highway purposes.
 - b. A 1.38 m wide volumetric statutory right of way along Birch Street Road for highway purposes.
 - c. A 1.98 m wide road dedication along Richmond Road for highway purposes to be deposited prior to building
 - d. A 1.78 m wide road dedication along Pembroke Street for highway purposes to be deposited prior to building permit.
 - e. Provision of the following public realm improvements in accordance with plans dated May 2, 2024:
 - 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 Richmond Road.
- 5. 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.
- 6. That Council endorses the construction of the Birch Street public plaza, and requires a report with a detailed cost estimate showing that portion that is constructed by the developer and that portion that may

require funding by the City for the construction of the Birch Street plaza, complete with funding options, prior to final adoption of the rezoning bylaw.

7. 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 Zoning Regulation Bylaw amendment, Council authorize the issuance of Development Permit with Variances No. 00252 for 2002 Richmond Road, 1903/1909 Birch Street, and 1769 Pembroke Street, in accordance with revised plans submitted to the Planning and Development department subject to:
 - a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
 - i. reduce the front (Birch Street) setback from 3.0m for the first storey to 1.38m and from 6.0m above the first storey to 0.0m
 - ii. reduce the flanking street (Richmond Road) setback from 2.4m to 0.00m
 - iii. reduce the west side setback from 2.40m above the first storey to 0.59m
 - iv. reduce the east side setback from 2.40m above the first storey to 0.0m
 - v. reduce the internal north and west lot line setbacks from 2.40m above the first storey to 0.0m
 - vi. reduce the parking minimum from eighty-seven stalls to thirteen stalls
 - vii. increase maximum distance for bike parking from building entrance from 15m to 17.5m
2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.

F.1.a.b

Council Member Motion: Advocacy to Province to Support Small Businesses and other Commercial Tenants

That Council direct the Mayor to write an advocacy letter to appropriate ministries, and the Premier, following the election, to request the following:

1. Greater supports for small businesses and other commercial tenants experiencing high commercial rents and the impacts of current economic conditions;
2. For the Province to consider impacts to downtown Victoria when making decisions about remote and hybrid work arrangements;
3. For a renewed focus on addressing street disorder and its underlaying causes, such as insufficient regionwide supportive housing, affordable housing, deeply subsidized housing, and health and social services, including for mental health and addictions, all of which sit with the provincial government.

CARRIED UNANIMOUSLY

F.1.b Report from the October 24, 2024 Committee of the Whole Meeting

Moved and Seconded:

That the following items be approved:

F.1.b.a 837 Broughton Street: Rezoning Application No. 00874 and Development Permit with Variances Application No. 00272 (Downtown)

Rezoning Application No. 00874

1. That Council instruct the Director of Planning and Development to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development for 837 Broughton 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 Civil plans to show a new boulevard tree, soil cells and an irrigation water service on the Broughton Street frontage to the satisfaction of the Director of Parks, Recreation and Facilities.
 - b. Revisions to the Civil, Site and Landscape plans to show the conceptual design for a marked crosswalk, with overhead sign on Broughton Street (in front of subject property).

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 Planning and Development and form satisfactory to the City Solicitor prior to adoption of the bylaw:
 - a. No residential unit shall be stratified under the Strata Property Act, excluding the ground floor Broughton Street facing unit, which may be strata titled to allow for a commercial use or studio.
 - b. The residential units shall be rental in perpetuity, in accordance with the following requirements: i. one unit may be occupied by the owner or a member of the owner's family.
 - c. Provision of transportation demand management measures to the satisfaction of the Director of Engineering and Public Works including:
 - i. car share memberships for each residential unit and the ground floor studio live-work unit
 - ii. provision of at least eight long-term bicycle stalls in excess of the minimum requirements of Schedule C – Off Street Parking
 - iii. provision of a minimum of six long-term bicycle stalls being allocated to oversized or cargo bicycles
 - iv. all long-term bicycle stalls having access to an electrical charging outlet
 - v. provisions of a bicycle repair station and bicycle wash area
 - vi. space for two mobility scooters with electrical charging capability.
 - d. Provision of the following public realm improvements to the satisfaction of the Director of Engineering and Public Works and the Director of Parks, Recreation and Facilities:
 - i. design, supply and installation of the City's Downtown Public Realm Plan and Streetscape Standards (DPRP), specifically the 'New Town District', including furnishings, materials, and sidewalk scoring patterns
 - ii. Design and installation of a marked crosswalk, with overhead sign on Broughton Street (in front of subject property). Related marked crossing works north of the centre line of Broughton Street would be limited to concrete curb, curb extension, sidewalk, ramp, drainage, signage, paint and tactile domes and would exclude works or effort related to additional trees and/or soil cells, relocation of infrastructure, lighting, or electrical controls.

- iii. City of Victoria standard tree guards for all street trees in grates.
- 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 No. 00272

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. 00272 for 837 Broughton Street in accordance with plans submitted to the Planning and Development department and date stamped by Planning on September 12, 2024 (as amended), subject to:
 - a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
 - i. reduce the required number of residential vehicle parking stalls from 25 to zero;
 - ii. reduce the required number of visitor parking stalls from 4 to zero;
 - iii. reduce the required number of van accessible parking stalls from 1 to zero;
 - iv. reduce the required rear yard setback from 8m to 7m, for portions of the building above the first storey.
 - b. Plan changes to reflect the frontage improvements to accommodate a mid-block crosswalk to the satisfaction of the Director of Engineering and Public Works.
- 2. That the Development Permit with Variances if issued, lapses two years from the date of this resolution."

F.1.b.b

2025 Draft Budget Public Engagement Summary Report

That Council receive the 2025 Draft Budget Public Engagement Summary Report for information.

F.1.b.c

2025-2029 Draft Financial Plan

That Council:

2. Following all budget presentations and deliberations:

- c. Approve an amendment to the Financial Sustainability Policy to allocate all new property tax revenue from new development to the annual capital budget.

3. On October 24, 2024:

- a. Endorse the consultation approach for the 2025-2029 Financial Plan as set out in this report.
- b. Direct staff to continue the consultation approach set out in this report for future years.

F.1.b.d 2025 Committee and Council Meeting Schedule

That Council approve the 2025 Committee of the Whole and Council meeting schedule attached to this report and make it available to the public as required under Section 127 of the *Community Charter*.

CARRIED UNANIMOUSLY

F.1.b.e Council Member Motion: 2025 Budget Considerations, Core Services and Programs – Public Engagement

Moved and Seconded:

That Council direct staff to create, implement and report out on a public engagement program to provide feedback on the City's Draft 2025 Budget and the City's core services and programs, and to direct staff to provide Council with a tabulation and analysis of the current planned engagement feedback program to be launched on October 25.

OPPOSED (3): Councillor Caradonna, Councillor Dell, and Councillor Thompson

CARRIED (5 to 3)

F.1.c Report from the November 07, 2024 Committee of the Whole Meeting

F.1.c.a New Location for Storage Facility for Unhoused Victorians

Moved and Seconded:

- 1. That Council directs staff to work with SOLID Outreach Society and BC Housing to move the storage facility at 926/930 Pandora Street to another location.

CARRIED UNANIMOUSLY

G. BYLAWS

G.1 Amendment Bylaw for Business Licence Bylaw

Moved and Seconded:

That the following bylaw **be adopted**:

1. Business Licence Bylaw, Amendment Bylaw (No. 35), No. 24-046

CARRIED UNANIMOUSLY

H. NOTICE OF MOTIONS

There were no notice of motions.

I. CLOSED MEETING

Moved and Seconded:

MOTION TO CLOSE THE NOVEMBER 07, 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)(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)(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(1)(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public; 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 meeting was closed to the public at 1:46 p.m.

J. APPROVAL OF CLOSED AGENDA

K. CONSIDERATION OF CLOSED MINUTES

L. NEW BUSINESS

L.1 WITHDRAWN

This item was withdrawn from the Closed agenda.

L.2 Litigation and Legal Advice - Community Charter Sections 90(1)(g) and 90(1)(i)

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

L.3 Land, Service at Preliminary Stages and Intergovernmental Relations - Community Charter Sections 90(1)(e), 90(1)(k) and 90(2)(b)

Council discussed a land, service at preliminary stages, and intergovernmental relations matter. The discussion was recorded and kept confidential.

L.4 Employee Relations and Service at Preliminary Stages – Community Charter Sections 90(1)(c) and 90(1)(k)

Council discussed an employee relations and service at preliminary stages matter. The discussion was recorded and kept confidential.

L.5 Intergovernmental Relations and Law Enforcement – Community Charter Section 90(2)(b) and 90(1)(f)

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

M. CONSIDERATION TO RISE & REPORT

N. ADJOURNMENT

Moved and Seconded:

That the Council Meeting be adjourned at 4:15 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR