



MINUTES - COMMITTEE OF THE WHOLE

April 27, 2023, 9:04 A.M.

COUNCIL CHAMBERS, CITY HALL, 1 CENTENNIAL SQUARE

**The City of Victoria is located on the homelands of the Songhees and Esquimalt People
Meeting will recess for a lunch break between 12:00 p.m. and 1:00 p.m.**

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, T. Soulliere - Deputy City Manager / Director of Parks, Recreation & Facilities, C. Kingsley - City Clerk, C. Anderson - Deputy City Clerk, K. Hoese - Director of Sustainable Planning & Community Development, S. Johnson - Director of Communications and Engagement, T. Zworski - City Solicitor, P. Rantucci - Director of Strategic Real Estate, C. Mycroft - Manager of Executive Operations, L. Monk – Manager of Revenue, R. Lin – Manager of Accounting, A. Harned – Food Systems Coordinator, J. Lynka – Manager of Parks Operations, B. Roder - Committee Secretary

A. APPROVAL OF AGENDA

Moved By Councillor Coleman
Seconded By Councillor Thompson

That the agenda be approved.

CARRIED UNANIMOUSLY

B. CONSENT AGENDA

Moved By Councillor Thompson
Seconded By Councillor Coleman

That the following items be approved without further debate:

CARRIED UNANIMOUSLY

C.1 Minutes from the COTW meeting held February 2, 2023

Moved By Councillor Thompson
Seconded By Councillor Coleman

That the minutes from the COTW meeting held February 2, 2023 be adopted.

CARRIED UNANIMOUSLY

I.2 Late Item - Hands of Time License Renewal

Moved By Councillor Thompson
Seconded By Councillor Coleman

That Council authorize the Mayor and City Clerk to execute the agreement to renew the five year agreement between the City of Victoria and the Province of British Columbia to site two sculptures located on Provincial property at 1112 Wharf Street.

And that this motion be forwarded to the April 27, 2023 daytime meeting of Council for consideration.

CARRIED UNANIMOUSLY

D. Presentation

D.1 2022 Financial Statements

Committee received a report dated April 14, 2023, from the Deputy City Manager/ Chief Financial Officer, and a presentation from the Manager of Revenue, providing Council with an overview of the City's 2022 audited Financial Statements and a request for Council's acceptance of the Financial Statements as required by section 167 of the Community Charter.

B. Szabo, Consultant with BDO, provided a presentation regarding the audit findings report for the year ended December 31, 2022 for the City.

Committee discussed the following:

- *Use of grants for operating expenses*
- *Indicators of financial condition*
- *Debt capability to mitigate property tax impacts*
- *Reserve target and Reserve Fund Policy*
- *Capital asset depreciation and asset management*
- *Comparison to other municipalities*
- *Policy and City philosophy to establish borrowing versus reserve fund usage*
- *Potential Crystal Pool service charges*
- *Parks acquisition funds through Development Cost Charges*

D.2 CLOSED MEETING

Moved By Councillor Coleman
Seconded By Councillor Gardiner

MOTION TO CLOSE THE APRIL 27, 2023 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)(c) labour relations or other employee relations.

CARRIED UNANIMOUSLY

The Committee of the Whole meeting was closed to the public at 9:50 a.m.

The Committee of the Whole meeting was reopened to the public at 10:12 a.m.

D.1 2022 Financial Statements

Committee discussed the following:

- *Cooperation from management*
- *Staff identified areas for improvement in developing the financial statements*
- *Public interest in the preparation of financial statements*

Moved By Councillor Thompson
Seconded By Councillor Coleman

That Council:

1. Approve the 2022 Financial Statements.
2. Forward this item to the daytime Council meeting of April 27, 2023 for ratification.

CARRIED UNANIMOUSLY

Committee recessed at 10:18 a.m. and reconvened at 10:30 a.m.

G. STAFF REPORTS

Councillor Kim declared a conflict of interest with the following item, due to being a steward of one of the gardens and recused herself from the meeting at 10:30 a.m.

G.2 New Community Garden Licences of Occupation

Committee received a report dated April 18, 2023, from the Director of Parks, Recreation and Facilities, and a presentation from the Food Systems Coordinator, regarding approval to execute licences of occupation for four new community gardens (Lewis Park Commons Garden, James Bay Berry Patch, Ross Bay Native Plant Garden, and the Fernwood Native Plant Meadow).

Committee discussed the following:

- *Renewal process of community garden licences*
- *Grants to community garden operators*
- *Licence agreements available to not-for-profit organizations*
- *Concerns about poor maintenance and/or vandalism*

Moved By Councillor Caradonna

Seconded By Councillor Gardiner

That Council:

- A. Authorize the Mayor and City Clerk to execute licences of occupation for the following community gardens, subject to the publication of notices as required by the Community Charter, with terms satisfactory to the Director of Parks, Recreation and Facilities, and in a form satisfactory to the City Solicitor.
 1. Lewis Park Commons Garden, James Bay (32 Lewis Street)
 2. Montreal Street Berry Patch, James Bay (intersection of Montreal and Kingston Street)
 3. Ross Bay Native Plant Garden, Fairfield (Lower Memorial Crescent Green)
 4. Fernwood Native Plant Meadow, Fernwood (1240 Gladstone Avenue)
- B. Direct staff to amend the Delegation Bylaw to enable the Director of Parks, Recreation and Facilities to approve new licence agreements for community gardens, in a form satisfactory to the City Solicitor.

FOR (8): Mayor Alto, Councillor Caradonna, Councillor Coleman, Councillor Dell, Councillor Gardiner, Councillor Hammond, Councillor Loughton, and Councillor Thompson

Conflict (1): Councillor Kim

CARRIED (8 to 0)

Councillor Kim rejoined the meeting at 10:37 a.m.

I. NEW BUSINESS

I.1 Council Member Motion: Expanding Allowable Patios on Public Space

Committee received a report dated April 20, 2023, from Mayor Alto, regarding expanding allowable patios on public spaces and including such spaces in the current policy and bylaw.

Committee discussed the following:

- *Ensure patios aren't shut down that were previously open*
- *Potential structural limitations*
- *Considered capacity, safety and accessibility requirements*
- *Public concerned about harm to public space*
- *Extension of business frontage for goods excluded from definition of patio*

Moved By Mayor Alto

Seconded By Councillor Kim

Direct staff to report to Council on the implications of expanding allowable patios on public spaces, and including such spaces in the current policy and bylaw.

Amendment:

Moved By Mayor Alto

Seconded By Councillor Thompson

Direct staff to report to Council on the implications of expanding allowable patios on public spaces, **and closed streets**, and including such spaces in the current policy and bylaw, **in a manner that enables innovative use of unique spaces.**

Amendment to the amendment:

Moved By Councillor Thompson

Seconded By Councillor Dell

Direct staff to report to Council on the implications of expanding allowable patios on public spaces, **and closed streets**, and including such spaces in the current policy and bylaw, **in a manner that enables innovative use of unique spaces, and potentially amending the structural limitations and requirements of such patios to allow for greater flexibility.**

CARRIED UNANIMOUSLY

On the amendment:

Direct staff to report to Council on the implications of expanding allowable patios on public spaces, **and closed streets**, and including such spaces in the current policy and bylaw, **in a manner that enables innovative use of unique spaces, and potentially amending the structural limitations and requirements of such patios to allow for greater flexibility.**

CARRIED UNANIMOUSLY

On the main motion as amended:

Direct staff to report to Council on the implications of expanding allowable patios on public spaces, and closed streets, and including such spaces in the current policy and bylaw, in a manner that enables innovative use of unique spaces, and potentially amending the structural limitations and requirements of such patios to allow for greater flexibility.

CARRIED UNANIMOUSLY

H. NOTICE OF MOTIONS

Councillor Coleman provided notice of motion for the May 4, 2023 Committee of the Whole meeting.

J. ADJOURNMENT OF COMMITTEE OF THE WHOLE

Moved By Councillor Caradonna
Seconded By Councillor Kim

That the Committee of the Whole Meeting be adjourned at 11:13 a.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR

DRAFT