



MINUTES - COMMITTEE OF THE WHOLE

May 18, 2023, 9:00 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, C. Kingsley - City Clerk, S. Johnson – Director, Communications and Engagement, C. Anderson - Deputy City Clerk, T. Zworski - City Solicitor, T. Soulliere - Director of Parks, Recreation & Facilities, C. Mycroft - Manager of Executive Operations, B. Nicholls – Legislation and Policy Analyst, K. Moore – Director of Business & Community Relations, S. Maichen - Committee Secretary

A. APPROVAL OF AGENDA

Moved By Councillor Thompson
Seconded By Councillor Kim

That the agenda be approved.

CARRIED UNANIMOUSLY

B. CONSENT AGENDA

Amendment:

Moved By Councillor Dell
Seconded by unanimous Consent

That item ***F.7 612 Constance Avenue (Township of Esquimalt) – Statutory Right of Way Agreement Acquisition*** be added to the consent agenda.

Approval of the agenda as amended:

CARRIED UNANIMOUSLY

Moved By Councillor Thompson
Seconded By Councillor Kim

That the following items be approved without further debate:

CARRIED UNANIMOUSLY

E.2 C-3052 Washington Avenue: Development Variance Permit No. 00281 (Burnside)

Committee received a report dated April 20, 2023 from the Director of Sustainable Planning and Community Development regarding a Development Variance Permit application for the property located at C-3052 Washington Avenue to permit the enlargement of an existing deck and recommending that it move forward to an opportunity for public comment.

Moved By Councillor Thompson
Seconded By Councillor Kim

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

1. That Council authorize the issuance of Development Variance Permit No. 00281 for C-3052 Washington Avenue, in accordance with plans submitted to the Planning department and date stamped by Planning on January 4, 2023 subject to:
 - a. Proposed development meeting all Burnside and Washington Streets Housing Land Use Contract Authorization Bylaw, 1975 (Bylaw No. 6789) requirements, except for the following variance:
 - i. reduce the rear yard setback for building two, lot six, to 6.03m
2. That the Development Variance Permit, if issued, lapses two years from the date of this resolution.

CARRIED UNANIMOUSLY

F.1 Proclamation: Safe Boating Awareness Week

Committee received a report dated May 10, 2023 from the City Clerk regarding the proclamation for Safe Boating Awareness Week, May 20, 2023.

Moved By Councillor Thompson
Seconded By Councillor Kim

That the Safe Boating Awareness Week's Proclamation be forwarded to the May 18, 2023, Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

F.2 Proclamation: Public Works Week

Committee received a report dated May 11, 2023 from the City Clerk regarding the proclamation for Public Works Week, May 21-27, 2023.

Moved By Councillor Thompson
Seconded By Councillor Kim

That the Public Works Week's Proclamation be forwarded to the May 18, 2023, Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

F.3 Proclamation: International Medical Cannabis Day

Committee received a report dated May 11, 2023 from the City Clerk regarding the proclamation for International Medical Cannabis Day, June 11, 2023.

Moved By Councillor Thompson

Seconded By Councillor Kim

That the International Medical Cannabis Day's Proclamation be forwarded to the June 8th 2023, Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

F.7 612 Constance Avenue (Township of Esquimalt) – Statutory Right of Way Agreement Acquisition

Committee received a report dated May 5, 2023 from the Director of Engineering and Public Works regarding approval of a Statutory Right of Way agreement for a City of Victoria water meter vault, at 612 Constance Avenue, within the Township of Esquimalt.

Moved By Councillor Thompson

Seconded By Councillor Kim

1. That Council authorize that the City of Victoria enter into a Statutory Right of Way agreement for the lands at 612 Constance in the Township of Esquimalt (the "Agreement") on the terms satisfactory to the Director of Engineering and Public Works, and in the form satisfactory to the City Solicitor, for an area of approximately 16.0m² (4.0m * 4.0m) at 612 Constance Avenue, Esquimalt for the purpose of the City's installation, maintenance and operation of a water meter and associated vault on the lands legally described as Lot A, Suburban Lots 44 and 45, Esquimalt District, Plan EPP86051 (PID 031-206-379) .
2. That no legal right or obligation will be created and none shall arise until the Agreement is fully executed by the City.
3. That Council direct staff to add to the delegation authority that Statutory Right of Way considerations for services determined necessary for a development (sanitary, water or storm drainage) be delegated to the Director of Engineering and Public Works to consider and enter into Statutory Right of Way agreements in a form satisfactory to the City Solicitor.

E. LAND USE MATTERS

E.1 340-346 Mary Street and 247-253 Russell Street: Rezoning Application No. 00832 (Vic West)

Committee received a report dated April 6 2023, from the Director of Sustainable Planning and Community Development, with the purpose to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 340-346 Mary Street and 247-253 Russell Street.

Committee discussed the following:

- *The on-site products and restrictions surrounding them*
- *The potential of manufacturing a cannabis industry*
- *Projected population density in the area*

Moved By Councillor Dell

Seconded By Councillor Caradonna

1. That Council instruct the Director of Sustainable Planning and Community Development to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in the staff report March 8, 2023 for 340-346 Mary Street and 247-253 Russell Street.
2. That first and second reading of the zoning bylaw amendment be considered by Council and a public hearing date be set once the following conditions are met:
 - a. Revised plans detailing the required frontage works and driveway crossings in compliance with the requirements of the Highway Access Bylaw which include works as they relate to the new multi-use trail crossing of Mary Street.
3. That subject to approval in principle at the public hearing, 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. Design and provide security for the installation of full frontage works to current City of Victoria standards including full height curb, sidewalk (1.8m), boulevard and potential tree, and which are compatible with recent E&N Trail construction and the new multi-use trail crossing of Mary Street including a new crosswalk and cross ride as a condition of rezoning to be completed within 180 days of adoption of the Zoning Bylaw.
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.

FOR (7): Mayor Alto, Councillor Caradonna, Councillor Coleman, Councillor Dell, Councillor Kim, Councillor Loughton, Councillor Thompson
OPPOSED (2): Councillor Gardiner, Councillor Hammond
CARRIED (7 TO 2)

F. STAFF REPORTS

F.4 Downtown Revitalization Program (Verbal)

Committee received a presentation from the Manager of Economic Development regarding the Downtown Revitalization Program.

Committee discussed the following:

- *Murals and art in the downtown core*
- *Measures to prevent graffiti*
- *Engagement with market providers, event producers, and future outsourcing*
- *Marketing plan from the City's Communications and Engagement team*

F.5 Government Street Briefing (Verbal)

Committee received a presentation from the Senior Urban Designer and the Assistant Director of Transportation regarding Government Street.

Committee discussed the following:

- *How cycling fits in to Government Street*
- *Potential of retractable bollards*
- *Horse carriages and kabuki cabs being permitted in car free zones*
- *Inaccessibility of parades on Government Street*
- *Behaviour changes and plans to help make road rules clear on Government Street for pedestrians and cyclists*
- *Public art opportunities to celebrate Lekwungen culture*

Committee recessed for lunch at 12:00 p.m. and reconvened at 1:00 p.m.

Motion arising:

Moved By: Councillor Caradonna

Seconded By: Councillor Dell

That Council reconfirms the support for previous council motions directing work to maintain Government Street principally as a pedestrianized zone.

CARRIED UNANIMOUSLY

F.6 Municipal Licencing of Passenger Directed Vehicles

Committee received a report dated May 12, 2023 from the City Clerk regarding lessons learned since the implementation of the Province's licencing

requirements, including the introduction of ride-hailing, and to seek Council direction on updating the City's regulatory framework for Passenger Directed Vehicles.

Committee discussed the following:

- *The differentiations between pedicabs and passenger directed vehicle licencing*
- *The possibility of price regulations on high demand ride hailing times*
- *Data tracking in relation to transportation and it's effect on the City's transportation goals*
- *Appeal processes with ride share programs*

Moved By Councillor Dell

Seconded By Councillor Hammond

1. That Council direct staff to: Set a corporate rate for Passenger Directed Vehicles of \$140 for each operator up to a maximum amount depending on the number of operators in the Business Licence Bylaw.
2. Require a copy of each Passenger Directed Vehicle company's provincial authorization to operate and a copy of each operator's provincial Record Check Certificate when a business licence application is made.
3. Set a rate of \$30 for zero emissions vehicles and \$0 for wheelchair accessible vehicles in the Business Licence Bylaw tied to the proposed corporate fee structure.
4. Require monthly data sharing on the total number pick-ups and drop-offs occurring and the vehicle type in the Business Licence Bylaw.
5. Conduct a public notice process pursuant to section 59(2) of the Community Charter outlining a method for those who consider they are affected by the Business Licence Bylaw to make written submissions to Council.
6. Reduce existing duplication in the Vehicles for Hire Bylaw with provincial requirements.
7. Allow Passenger Directed Vehicles to drop off or pick up passengers in metered parking spaces for up to two minutes in the Streets and Traffic Bylaw.
8. Report back to Council if additional regulatory changes need to be made.
 - 8a. Staff report back to Council when a ride-hailing operator's total number of licenses approaches 200 or more licenses, so Council may revisit the expansion of the fee structure.
9. That this be brought forward to the daytime Council of May 18, 2023 for approval.

Amendment:

Moved by Councillor Kim

Seconded By Councillor Thompson

8a. Staff report back to Council when a ride-hailing operator's total number of licenses approaches 200 or more licenses, so Council may revisit the expansion of the fee structure.

FOR (8): Mayor Alto, Councillor Caradonna, Councillor Coleman, Councillor Dell, Councillor Gardiner, Councillor Kim, Councillor Loughton, Councillor Dell
OPPOSED (1): Councillor Hammond

CARRIED (8 TO 1)

On the motion as amended:

CARRIED UNANIMOUSLY

H. NEW BUSINESS

H.1 Council Member Motion: Council Procedure Bylaw Proposed Amendments

This report was deferred to the June 1, 2023 Committee of the Whole meeting.

I. ADJOURNMENT OF COMMITTEE OF THE WHOLE

Moved by Councillor Hammond
Seconded by Councillor Coleman

That the Committee of the Whole Meeting be adjourned at 2:00 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR