



## MINUTES - VICTORIACITY COUNCIL

October 26, 2023, 1:32 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 and Esquimalt People**

**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. Anderson - Deputy City Clerk, S. Johnson - Director of Communications and Engagement, T. Zworski - City Solicitor, T. Soulliere - Director of Parks, Recreation & Facilities, K. Hoese - Director of Sustainable Planning and Community Development, A. Johnston - Planner, G. Diamond - Senior Legislative Coordinator, 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 Esquimalt First Nation communities, and thanked them for allowing us to live, work and play on their lands.

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

**Moved By** Councillor Coleman  
**Seconded By** Councillor Kim

That the agenda be approved.

**CARRIED UNANIMOUSLY**

### **D. REPORTS OF COMMITTEE**

#### **D.1 Committee of the Whole**

##### **D.1.a Report from the October 12, 2023 COTW Meeting**

**Moved By** Councillor Kim  
**Seconded By** Councillor Coleman

That the following recommendations from the October 12, 2023 COTW report be approved:

### **D.1.a.a Rental Housing Incentives**

That Council direct staff to:

1. Prepare a Revitalization Tax Exemption Bylaw to incentivize the inclusion of units affordable to median income households in new market rate rental developments and to encourage additional investment in non-market rental housing projects.
2. Report back on the results of the Revitalization Tax Exemption program after one year of the Revitalization Tax Exemption Program Bylaw being in effect for rental housing projects.
3. Consider a 100% reduction in Development Cost Charges for non-market rental housing projects through the Development Cost Charge Program Review.
4. Update the Victoria Housing Reserve Fund Guidelines to align with senior government programs, remove the maximum grant cap, increase up front grant payments, support larger family friendly units and equity deserving groups, and fund below-market housing units as described in the report.
5. Prepare a Rental Housing Policy and Incentives Handbook, as described in the report.

### **D.1.a.b 827 Fort Street: Development Permit with Variances No. 00244 (Downtown)**

1. That Council waive the standard practice of holding an opportunity for public comment for this application but direct staff to continue other standard practices related to sign posting and public notification, including a request for written commentary to come back to Council for consideration prior to issuing the Development Permit with Variances.
2. That Council authorize the issuance of Development Permit No. 00244 for 827 Fort Street in accordance with plans submitted to the Planning department and date stamped by Planning on September 25, 2023, subject to:
  - a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
    - i. increase the maximum building height from 30m to 33.9m;
    - ii. increase the maximum projection into height for rooftop structures from 5.0m to 6.2m for the elevator overrun and mechanical rooftop units;
    - iii. reduce the total vehicle parking from 90 stalls to 56 stalls;
    - iv. reduce the minimum short-term bicycle parking from 14 stalls to 0 stalls.
  - b. Registration of an amended legal agreement on the property's title, with contents satisfactory to the Director

of Sustainable Planning and Community Development and form satisfactory to the City Solicitor to increase the number of car share memberships from 45 to membership for all units without access to a parking stall, up to a maximum of 75.

3. That the Development Permit, if issued, lapses two years from the date of this resolution

**D.1.a.d 3109 Highview Street: Development Permit with Variances Application No. 00238 (Hillside/Quadra)**

1. That Council waive the standard practice of holding an Opportunity for Public Comment for this application but direct staff to continue other standard practices related to sign posting and public notification, including a request for written commentary to come back to Council for consideration prior to issuing the Development Permit with Variances.
2. And that Council authorize the issuance of Development Permit with Variances Application No. 00238 for 3109 Highview Street in accordance with plans submitted to the Planning department and date stamped August 16, 2023, subject to:
  - a. Proposed development meeting all City zoning regulation bylaw requirements, except the following variances:
    - i. reduce the front lot line setback from 6.0m to 2.0m
    - ii. reduce the rear yard setback from 6.0m to 4.63m to the building and to 3.43m to the steps.
3. The Development Permit with Variances, if issued, lapses two years from the date of this resolution.

**CARRIED UNANIMOUSLY**

**D.1.a.c 822 Catherine Street: Development Permit with Variances No. 00243 (Vic West)**

**Moved By** Councillor Kim  
**Seconded By** Councillor Caradonna

1. That Council waive the standard practice of holding an opportunity for public comment for this application but direct staff to continue other standard practices related to sign posting and public notification, including a request for written commentary to come back to Council for consideration prior to issuing the Development Permit with Variances.
2. And subject to the required notification and advertising, and subject to Council's consideration of any written commentary received, Council consider issuing the Development Permit with Variances as follows:

"That Council authorize the issuance of Development Permit with Variances No. 00243 for 822 Catherine Street, in accordance with plans submitted to the Planning department

and date stamped by Planning on September 7, 2023 subject to:

- a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
    - i. reduce the front yard setback from 3.0m to 2.77m on the first storey and 6.0 to 0m on the upper storeys
    - ii. reduce the rear yard setback from 6.0m to 2.4m
    - iii. increase the height from 3 storeys to 4 storeys
    - iv. reduce the residential vehicle parking from 30 stalls to 9 stalls
    - v. reduce the commercial vehicle parking from 6 stalls to 0 stalls
    - vi. reduce the van accessible vehicle parking from 1 stall to 0 stalls
    - vii. reduce the visitor van accessible vehicle parking from 1 stall to 0 stalls.
  - b. Submission of revised plans to update the data table, offset the horizontal long term bicycle parking from the walls and confirm EV ready vehicle parking stalls.
  - c. Submission of an updated Tree Management Plan referencing Tree Preservation Bylaw No. 05-106.
3. That the Development Permit, if issued, lapses two years from the date of this resolution.

FOR (7): Mayor Alto, Councillor Caradonna, Councillor Dell, Councillor Gardiner Councillor Kim, Councillor Loughton, Councillor Thompson

OPPOSED (2): Councillor Coleman, Councillor Hammond

**CARRIED (7 TO 2)**

**D.1.a.e Council Member Motion: Global Koreans Politicians Council and the Overseas Koreans Cooperation Center's "9th Global Korean Politicians Forum" in Seoul, South Korea, from November 13-16, 2023**

**Moved By** Councillor Kim

**Seconded By** Councillor Thompson

That Council authorize the attendance and associated cost for Councillor Kim to attend the Global Koreans Politicians Council and the Overseas Koreans Cooperation Center's "9th Global Korean Politicians Forum" to be held in Seoul, South Korea, from November 13-16, 2023.

Hotel costs during the Forum dates, as well as airfare, are provided for by the Forum. The associated costs listed here are to allow Councillor Kim to arrive in Korea ahead of November 13 in order to adjust to the time difference, and thus allow for more fulsome engagement in the Forum.

The approximate cost for the hotel for an additional 2 nights is:

Accommodation (2 nights)	\$ 300.00	
Food & Incidentals (meals for 1 day)	\$ 50.00	

Estimated total cost = \$350

**Amendment:**

**Moved By** Councillor Kim

**Seconded By** Councillor Thompson

That Council authorize the attendance and associated cost for Councillor Kim to attend the Global Koreans Politicians Council and the Overseas Koreans Cooperation Center's "9th Global Korean Politicians Forum" to be held in Seoul, South Korea, from November 13-16, 2023.

Hotel costs during the Forum dates, as well as airfare, are provided for by the Forum. The associated costs listed here are to allow Councillor Kim to arrive in Korea ahead of November 13 in order to adjust to the time difference, and thus allow for more fulsome engagement in the Forum.

The approximate cost for the hotel for an additional **2 1** night is:

Accommodation ( <b>2 1</b> night)	\$ 300.00	
Food & Incidentals (meals for 1 day)	\$ 50.00	

Estimated total cost = \$350

**CARRIED UNANIMOUSLY**

**On the main motion as amended:**

That Council authorize the attendance and associated cost for Councillor Kim to attend the Global Koreans Politicians Council and the Overseas Koreans Cooperation Center's "9th Global Korean Politicians Forum" to be held in Seoul, South Korea, from November 13-16, 2023.

Hotel costs during the Forum dates, as well as airfare, are provided for by the Forum. The associated costs listed here are to allow Councillor Kim to arrive in Korea ahead of November 13

in order to adjust to the time difference, and thus allow for more fulsome engagement in the Forum.

The approximate cost for the hotel for an additional 1 night is:

Accommodation (1 night)		\$ 300.00	
Food & Incidentals (meals for 1 day)		\$ 50.00	

Estimated total cost = \$350

**D.1.a.f Council Member Motion: Municipal Election Reform Request to Government of BC**

**Moved By** Councillor Kim

**Seconded By** Councillor Coleman

That Council hereby calls on the Government of British Columbia to:

1. Provide municipal election canvassers with the same access to multifamily buildings enjoyed by provincial and federal election canvassers;
2. To work with local governments to modernize the use of campaign signs in public spaces enhance other modes of informing citizens of municipal elections or provide municipal governments with funding to do so; and,
3. Do more to achieve a higher voter participation rate in municipal elections by young adults and renters, who have been underrepresented at the polls.
4. Provide the same tax credits to municipal election donors as provided to provincial and federal election donors.

FOR (6): Mayor Alto, Councillor Caradonna, Councillor Dell, Councillor Kim, Councillor Loughton, and Councillor Thompson

OPPOSED (3): Councillor Coleman, Councillor Gardiner, and Councillor Hammond

**CARRIED (6 to 3)**

**E. BYLAWS**

**E.1 Bylaws for Permissive Tax Exemptions 2024-2025**

**Moved By** Councillor Kim

**Seconded By** Councillor Dell

That the following bylaw **be adopted**:

1. Tax Exemption (Permissive) Bylaw, 2024-2025, No. 23-059

**CARRIED UNANIMOUSLY**

*Councillor Kim recused herself due to a conflict of interest at 1:45 p.m.*

**Moved By** Councillor Coleman  
**Seconded By** Councillor Loughton

That the following bylaw **be adopted**:

2. Tax Exemption (Permissive) Bylaw, 2024-2025 - Fernwood Neighbourhood Resource Group Society, No. 23-098

**CARRIED**

*Councillor Kim rejoined the meeting at 1:46 p.m.*

**E.2 Bylaw for Officer Bylaw Amendment**

**Moved By** Councillor Coleman  
**Seconded By** Councillor Gardiner

That the following bylaw **be adopted**:

1. Officer Bylaw (Amendment No. 4), No. 23-092

**CARRIED UNANIMOUSLY**

**E.3 Bylaw for Council Code of Conduct for Council Members**

**Moved By** Councillor Caradonna  
**Seconded By** Councillor Thompson

That the following bylaw **be adopted**:

1. Code of Conduct Bylaw, No. 23-058

FOR (6): Mayor Alto, Councillor Caradonna, Councillor Dell, Councillor Kim, Councillor Loughton, Councillor Thompson  
OPPOSED (3): Councillor Coleman, Councillor Gardiner, Councillor Hammond,

**(CARRIED 6 TO 3)**

**E.4 Bylaw for Legal Fees for Responding to Code of Conduct Complaints**

**Moved By** Councillor Coleman  
**Seconded By** Councillor Kim

That the following bylaw **be adopted**:

1. Indemnification for Officers, Employees and Members of Council Bylaw, Amendment Bylaw (No. 2) No. 23-087

**CARRIED UNANIMOUSLY**

#### **E.4 Bylaw for Legal Fees for Responding to Code of Conduct Complaints**

*Council requested that the vote on item **D.1.a.f Council Member Motion: Municipal Election Reform Request to Government of BC** be recalled.*

##### **D.1.a.f Council Member Motion: Municipal Election Reform Request to Government of BC**

**Moved By** Councillor Kim

**Seconded By** Councillor Coleman

That Council hereby calls on the Government of British Columbia to:

1. Provide municipal election canvassers with the same access to multifamily buildings enjoyed by provincial and federal election canvassers;
2. To work with local governments to modernize the use of campaign signs in public spaces enhance other modes of informing citizens of municipal elections or provide municipal governments with funding to do so; and,
3. Do more to achieve a higher voter participation rate in municipal elections by young adults and renters, who have been underrepresented at the polls.
4. Provide the same tax credits to municipal election donors as provided to provincial and federal election donors.

FOR (7): Mayor Alto, Councillor Caradonna, Councillor Dell, Councillor C Hammond, Councillor Kim, Councillor Loughton, and Councillor Thompson

o OPPOSED (2): Councillor Coleman, Councillor Gardiner,

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e **CARRIED (7 TO 2)**

*Council requested that the vote on item **D.1.a.c 822 Catherine Street: Development Permit with Variances No. 00243 (Vic West)** be recalled.*

##### **D.1.a.c 822 Catherine Street: Development Permit with Variances No. 00243 (Vic West)**

**Moved By** Councillor Kim

**Seconded By** Councillor Caradonna

1. That Council waive the standard practice of holding an opportunity for public comment for this application but direct staff to continue other standard practices related to sign posting and public notification, including



- a request for written commentary to come back to Council for consideration prior to issuing the Development Permit with Variances.
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      - ii. reduce the rear yard setback from 6.0m to 2.4m
      - iii. increase the height from 3 storeys to 4 storeys
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    - b. Submission of revised plans to update the data table, offset the horizontal long term bicycle parking from the walls and confirm EV ready vehicle parking stalls.
    - c. Submission of an updated Tree Management Plan referencing Tree Preservation Bylaw No. 05-106.
  3. That the Development Permit, if issued, lapses two years from the date of this resolution.

FOR (6): Mayor Alto, Councillor Caradonna, Councillor Dell, Councillor Kim, Councillor Loughton, Councillor Thompson  
OPPOSED (3): Councillor Coleman, Councillor Gardiner, Councillor Hammond

**CARRIED (6 TO 3)**

**F. CLOSED MEETING**

**Moved By** Councillor Coleman  
**Seconded By** Councillor Kim

*MOTION TO CLOSE THE OCTOBER 26, 2023 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; and*

*Section 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; 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 Council meeting was closed to the public at 1:56 p.m.*

**B. APPROVAL OF CLOSED AGENDA**

**I. UNFINISHED BUSINESS**

**I.1. Legal Advice and Intergovernmental Relations – Community Charter Section 90(1)(i) and Section 90(2)(b)**

*Council discussed a legal and intergovernmental relations matter. The discussion was recorded and kept confidential.*

**K. NEW BUSINESS**

**K.1. Legal Advice – Community Charter Section 90(1)(i)**

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

**K.2 Appointment – Community Charter Section 90(1)(a)**

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

**M. ADJOURNMENT**

**Moved By** Councillor Hammond

**Seconded By** Councillor Dell

That the Council Meeting be adjourned at 3:00 p.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR

DRAFT