



MINUTES - VICTORIA CITY COUNCIL

November 16, 2023, 11:24 A.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 Loughton, Councillor Thompson

PRESENT ELECTRONICALLY: Councillor Hammond

ABSENT: Councillor Kim

STAFF PRESENT: S. Thompson – Deputy City Manager/ Chief Financial Officer, T. Soulliere – Deputy City Manager, C. Kingsley - City Clerk, C. Anderson - Deputy City Clerk, S. Johnson - Director of Communications and Engagement, T. Zworski - City Solicitor, K. Hoesel - Director of Sustainable Planning and Community Development, A. Hudson - Assistant Director of Community Planning, K. Moore – Director of Business & Community Relations, A. Johnston – Assistant Director of Development Services, R. Kenny – Assistant Director of Transportation, R. Soward – Manager of Housing, M. Angrove – Senior Planner, M. Betanzo – Senior Planner, G. Hamblin – Senior Planner, J. Day – Senior Cultural Planner, 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.

C. APPROVAL OF AGENDA

Moved By Councillor Dell
Seconded By Councillor Caradonna

That the following items be added to the agenda and the remainder of the agenda be renumbered accordingly:

- D.1.b.b Council Member Motion: Housing Central - B.C.'s Affordable Housing Conference 2023
- D.1.b.c Request for Removal from the Taxed Boulevard Program

CARRIED UNANIMOUSLY

Moved By Councillor Dell
Seconded By Councillor Caradonna

That the agenda be approved as amended.

CARRIED UNANIMOUSLY

D. REPORTS OF COMMITTEE

D.1 Committee of the Whole

D.1.a Report from the November 02, 2023 COTW Meeting

**D.1.a.a965 Cowichan Street: Development Permit with Variances
Application No. 00253 (Gonzales)**

Moved By Councillor Caradonna
Seconded By Councillor Dell

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 considers authorizing the issuance of Development Permit with Variances Application No. 00253 for 965 Cowichan Street, in accordance with plans submitted and date stamped September 25, 2023, subject to:
 - a. Receipt of a revised arborist report and tree management plan to the satisfaction of the Director of Parks, Recreation and Facilities
 - b. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
 - i. increasing the site coverage requirement from 30% to 43%
 - ii. increasing the rear yard site coverage requirement from 25% to 37%.
3. The Development Permit with Variances lapsing two years from the date of this resolution.

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

OPPOSED (2): Councillor Coleman, and Councillor Gardiner

CARRIED (6 to 2)

D.1.a.b 854-880 Pandora Avenue: Rezoning Application No. 00849 and Development Permit with Variances Application No. 00239 (Downtown)

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 Council report dated September 25, 2023 for 854-880 Pandora Avenue.
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. That the applicant makes the following revisions to the plans satisfactory to the Director of Sustainable Planning and Community Development:
 - i. ensure minimum widths for functional over-size bike parking stalls;
 - ii. revise the Mason Street design to ensure the minimum 1.8m pedestrian zone width is met;
 - iii. incorporate a continuous sidewalk design crossing Mason Street on Quadra Street frontage; and
 - iv. revise the tower materials to provide a lighter material colour, as well as consider options to maintain the visual prominence of the adjacent heritage landmark buildings.
4. That following the third reading of the zoning amendment bylaw, the applicant prepares and executes the following legal agreements, with contents satisfactory to the Director of Sustainable Planning and Community Development and form satisfactory to the City Solicitor prior to adoption of the bylaw:
 - a. The property shall be rental in perpetuity.
 - b. At least five units will be secured as affordable rental in perpetuity including a mix of units:
 - i. two studio units

- ii. two one-bedroom units
 - iii. one two-bedroom townhouse.
 - c. Transportation Demand Management agreement including
 - i. provision of a bicycle or mobility scooter maintenance/wash station
 - ii. fifty percent of long-term bicycle parking spaces to have access to an electrical outlet to enable E-bike charging
 - iii. twenty-two oversize bicycle or mobility scooter parking spaces
 - iv. a minimum of ten car share memberships and usage credits for use by residential units without access to a vehicle parking space.
- 5. That following the third reading of the zoning amendment bylaw, the applicant prepares and executes 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(s):
 - a. A 0.60m wide right of way along Quadra Street and 1.5m wide right of way along Mason Street for highway purposes.
 - b. A legal agreement to secure upgrades to the existing sidewalk conditions, continuous sidewalk on Mason Street crossing, addition of street furniture, and soil cells for any new trees proposed on the Quadra Street frontage, Pandora Street frontage, and Mason Street frontage.
- 6. That adoption of the zoning bylaw amendment will not take place until all the required legal agreements that are registrable in the Land Title Office have been so registered to the satisfaction of the City Solicitor.
- 7. That subject to adoption of the zoning bylaw amendment, Council authorize the projecting encroachments over the City right of way on Quadra Street generally as shown on the plans submitted to the City and date stamped September 14, 2023 provided that the applicant enters into an encroachment agreement with contents satisfactory to the Director of Engineering and Public Works and form satisfactory to the City Solicitor at the time of building permit approval.
- 8. 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. 00239 for 854-880 Pandora Avenue in accordance with plans submitted to the Planning department and date stamped by Planning on September 14, 2023 subject to:
 - a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
 - i. reduce vehicle parking from 113 stalls to 103 stalls
 - ii. reduce the visitor vehicle parking from 20 stalls to 10 stalls
 - iii. reduce the commercial parking from 13 stalls to 11 stalls
 - iv. reduce rear (north) setback for portion of building between 5m and 18m in height from 8.0m to 2.23m
 - v. reduce rear (north) setback for portion of building greater than 18m in height from 10.0m to 5.65m
 - vi. reduce east side setback for portion of building greater than 18m in height from 10.0m to 6.27m
 - vii. reduce west side setback for portion of building less than 18m in height from 3.0m to 0.35m
 - viii. permit long term bike parking to be located more than one level below finished grade
2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.

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

OPPOSED (2): Councillor Coleman, and Councillor Gardiner
CARRIED (6 to 2)

D.1.a.c Development Cost Charges and Development Finance Tools

Moved By Councillor Dell
Seconded By Councillor Caradonna

That Council receive the Development Cost Charges and Development Finance Tools report for information.

CARRIED UNANIMOUSLY

D.1.b Report from the November 16, 2023 COTW Meeting

D.1.b.a Council Member Motion: Housing Central - B.C.'s Affordable Housing Conference 2023

Moved By Councillor Coleman
Seconded By Councillor Dell

That Council authorizes the attendance and associated costs for Councillor Loughton to attend Housing Central – B.C.'s Affordable Housing Conference hosted by the B.C. Non-Profit Housing Association in Vancouver from November 21-22, 2023.

The approximate cost for attending is:

Accommodation (1 night)	\$ 287.81
Transportation	\$ 200
Meals	\$ 70
TOTAL	\$ 557.81

Estimated total cost = \$557.81

CARRIED UNANIMOUSLY

D.1.b.b Council Member Motion: Housing Central - B.C.'s Affordable Housing Conference 2023

Moved By Councillor Coleman

Seconded By Councillor Dell

That Council authorizes the attendance and associated costs for Councillor Thompson to attend Housing Central – B.C.'s Affordable Housing Conference hosted by the B.C. Non-Profit Housing Association in Vancouver from November 21-22, 2023.

The approximate cost for attending is:

Accommodation (1 night)	\$ 287.81
Transportation	\$ 200
Meals	\$ 70
TOTAL	\$ 557.81

Estimated total cost = \$557.81

CARRIED UNANIMOUSLY

D.1.b.c 10 Chown Pl. Phase 2: Victoria Housing Reserve Fund Grant Application (Burnside)

Moved By Councillor Coleman

Seconded By Councillor Dell

That Council pass the following motion and bring it forward for ratification at the November 16th, 2023 daytime Council meeting:

1. That Council approve a grant from the Victoria Housing Reserve Fund to the Gorge View Society in the amount of \$770,000 to assist in the construction of a six-storey 68-unit apartment building and nine

townhouses at 11 Chown Place, subject to the following conditions:

- i. The applicant receives approval for the required development permit application and executes a Housing Fund Grant Agreement in the form satisfactory to the Director of Sustainable Planning and Community Development and the City Solicitor.
- ii. The applicant fulfills the applicable requirements of the Victoria Housing Reserve Fund Guidelines.
- iii. \$616,000 shall be payable to the applicant upon execution of the Housing Fund Grant Agreement and the remaining balance of \$154,000 shall be payable to the applicant once the City has issued all required occupancy permits for the project.
- iv. That the passage of this resolution creates no legal rights for the applicant or any other person, or obligation on the part of the City, until and unless all agreements are fully executed by the City.

CARRIED UNANIMOUSLY

E. BYLAWS

E.1 Bylaws for 710 Caledonia Avenue and 1961 Douglas Street: rezoning Application No. 00815, Official Community Plan Amendment, and Development Permit with Variances Application No. 00205

Moved By Councillor Caradonna
Seconded By Councillor Thompson

That the following bylaw **be given first, second, and third readings:**

1. Housing Agreement (710 Caledonia Avenue and 1961 Douglas Street - Affordable Rental) Bylaw (2023) No. 23-012
2. Housing Agreement (710 Caledonia Avenue and 1961 Douglas Street - Rental Tenure) Bylaw (2023) No. 23-017

CARRIED UNANIMOUSLY

Moved By Councillor Thompson
Seconded By Councillor Caradonna

That the following bylaw **be adopted:**

1. Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 27) No. 23-010
2. Zoning Regulation Bylaw, Amendment Bylaw (No. 1292) No. 23-011

CARRIED UNANIMOUSLY

Moved By Councillor Dell
Seconded By Councillor Thompson

Development Permit with Variances No. 00205

1. Plans date stamped February 14, 2023.
2. Development meeting all *Zoning Regulation Bylaw* requirements except for the following variances:
 - a. increase the maximum building height of Building A from 45m to 55m
 - b. increase the maximum building height of Building B from 45m to 72m
 - c. increase the maximum building height of Building C from 45m to 65m
 - d. reduce the minimum setback for a rooftop structure from the outer edge of a roof from 3m to 0m for Building B
 - e. increase the maximum coverage for rooftop structures from 20% to 50%
 - f. reduce the required number of residential parking spaces from 297 to 226
 - g. reduce the required number of visitor parking spaces from 45 to 30.
3. Final plans to be generally in accordance with plans date stamped February 14, 2023.
4. That the Development Permit, if issued lapses two years from the date of this resolution.

CARRIED UNANIMOUSLY

F. NEW BUSINESS

F.1 822 Catherine Street: Development Permit with Variances No. 00243

Moved By Councillor Caradonna
Seconded By Councillor Dell

1. 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.
2. That the Development Permit, if issued, lapses two years from the date of this resolution.

FOR (5): Mayor Alto, Councillor Caradonna, Councillor Dell, Councillor Loughton, and Councillor Thompson

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

CARRIED (5 to 3)

H. CLOSED MEETING

Moved By: Councillor Coleman

Seconded By: Councillor Dell

MOTION TO CLOSE THE NOVEMBER 16, 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)(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

I. APPROVAL OF CLOSED AGENDA

Moved By Councillor Caradonna

Seconded By Councillor Loughton

That the closed agenda be approved

CARRIED UNANIMOUSLY

J. NEW BUSINESS

J.1 DEFERRED

J.2 DEFERRED

J.3 Intergovernmental Relations - Community Charter Section 90(2)(b)

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

J.4 Intergovernmental Relations - Community Charter Section 90(2)(b)

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

L. ADJOURNMENT

Moved By: Councillor Coleman

Seconded By: Councillor Loughton

That the Council Meeting be adjourned at 11:47 a.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR