



MINUTES - VICTORIA CITY COUNCIL

April 4, 2024, 1:37 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 Nations

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, C. Kingsley - City Clerk, C. Anderson - Deputy City Clerk, T. Zworski - City Solicitor, K. Hoese - Director of Sustainable Planning and Community Development, S. Johnson – Director, Communications and Engagement, A. Johnston - Acting Director of Development Services, K. Stevenot – Senior Planner, C. Mycroft – Manager, Intergovernmental and Media Relations, B. Nicholls – Legislation and Policy Analyst, W. Doyle - Acting Director, Engineering & Public Works, J. Putnik – Planner, Tenant Assistance, A. Heimbürger - 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 both Nations for the remarkable work through their family histories over thousands of years and continued today in collaboration with us to ensure that the care they took continues to be how we situate the work that we do today. Council thanked the Nations for allowing us to live, work and play on their lands.

C. APPROVAL OF AGENDA

Moved and Seconded:

That the agenda be approved.

CARRIED UNANIMOUSLY

D. REPORTS OF COMMITTEE

D.1 Committee of the Whole

D.1.a Report from the March 14, 2024 COTW Meeting

D.1.a.a Parking Stands for Horse Drawn Vehicles

Council discussed the following:

- *Ability of staff to regulate health & safety of horses through Vehicles for Hire Bylaw*

Moved and Seconded:

That Council direct staff to:

1. Renew the horse drawn vehicle parking stand agreements until December 31, 2030 to:
 - a. Capital City Tally-Ho and Sightseeing Company
 - b. Victoria Single Horse Drawn Carriage Tours
 - c. Black Beauty Line
2. Set the monthly fee payable for each parking stand at \$1,340.24, and delegate to staff the authority to modify the monthly fee.
3. Bring forward bylaw amendments to:
 - a. Delegate to staff all authority for parking stands in Schedule C of the *Vehicles for Hire Bylaw*.

Amendment:

Moved and Seconded:

That Council direct staff to:

1. Renew the horse drawn vehicle parking stand agreements until December 31, ~~2030~~ **2028** to:
 - a. Capital City Tally-Ho and Sightseeing Company
 - b. Victoria Single Horse Drawn Carriage Tours
 - c. Black Beauty Line
2. Set the monthly fee payable for each parking stand at \$1,340.24, and delegate to staff the authority to modify the monthly fee.
3. Bring forward bylaw amendments to:
 - a. Delegate to staff all authority for parking stands in Schedule C of the *Vehicles for Hire Bylaw*.

OPPOSED (5): Councillor Coleman, Councillor Dell, Councillor Gardiner, Councillor Hammond and Councillor Loughton

DEFEATED (4 to 5)

On the main motion:

That Council direct staff to:

1. Renew the horse drawn vehicle parking stand agreements until December 31, 2030 to:
 - a. Capital City Tally-Ho and Sightseeing Company
 - b. Victoria Single Horse Drawn Carriage Tours
 - c. Black Beauty Line
2. Set the monthly fee payable for each parking stand at \$1,340.24, and delegate to staff the authority to modify the monthly fee.
3. Bring forward bylaw amendments to:
 - a. Delegate to staff all authority for parking stands in Schedule C of the *Vehicles for Hire Bylaw*.

OPPOSED (1): Councillor Kim

CARRIED (8 to 1)

D.1.a.b

Council Member Motion: Expanding Supports for Community Centres and Community Arts Spaces in Victoria

Councillor Kim recused herself from the meeting at 2:00 p.m. due to a potential pecuniary conflict of interest due to her employer.

Moved and Seconded:

That Council direct staff to use \$55k from 2024 contingency funds for the following:

1. A \$35,000 grant to the new Neighbourhood Arts Society and Collective (NASC), subject to the creation of an operating agreement and renewed lease between the organization and the City, to authorize the City Manager to execute all agreements where non-profit operators are providing services on the City's behalf, in a form satisfactory to the City Solicitor.
2. A \$20,000 grant to the Victoria Multicultural Society (VMS) to operate the Victoria Events Centre as a non-profit arts centre
3. And that staff recommend to Council, as part of the Budget 2025 process, where operating funds might come from in the future for the NASC to receive ongoing funding, and where grant funds might come from for VMS to receive funding in 2025 and 2026.

OPPOSED (2): Councillor Gardiner, and Councillor Hammond

CONFLICT (1): Councillor Kim

CARRIED (6 to 2)

Councillor Kim rejoined the meeting at 2:04 p.m.

D.1.a.c Council Member Motion: Motor Vehicle Act (MVA) Advocacy

Moved and Seconded:

That Council direct the Mayor to send an advocacy letter to the Province by the end of March requesting the following:
That the Province:

1. As a priority, permit the use of electric wheelchairs and mobility devices on local streets and in the bike and roll lane network via the Motor Vehicle Act and associated regulations;
2. include new micro-mobility devices, including electric skateboards and mopeds and other difficult-to-categorize devices, into the update of the Motor Vehicle Act and associated regulations;
3. ensure that the MVA and associated regulations support active transportation, multi-user road safety, and accessibility.

OPPOSED (2): Councillor Gardiner, and Councillor Hammond

CARRIED (7 to 2)

D.1.a.d Council Member Motion: Our Place – Operating Hours and Storage Grant for 2024

Moved and Seconded:

That Council directs staff to:

1. add a one-time grant of \$100,000 from the funds anticipated to be part of the Social Policy, Accessibility, and Equity Pilot Grant to fund OPS operating hours and the storage program for one year;
2. report back with a summary list of funding that the City provides to organizations to serve the unhoused population so that Council can consider whether to allocate such funds differently for this year; and,
3. work with the Provincial Government, BC Housing and Island Health to support the Provincial Government taking

over funding the above or equivalent or better services in future years as part of the Heart and Hearth program under the MOU and Belonging in BC.

OPPOSED (2): Councillor Gardiner, and Councillor Hammond

CARRIED (7 to 2)

D.1.a.e Council Member Motion: Community Safety and Connection for Caledonia Place

Moved and Seconded:

That Council directs staff to:

1. Request that OPS do regular safety checks and block watch in the vicinity of Caledonia Place and ensure there is strong collaboration between OPS, bylaw, and police to mitigate any potential community safety issues;
2. Reach out to OPS and the NPNA to encourage the creation of a pilot project(s) to provide work opportunities for interested Caledonia Place residents and people experiencing homelessness in the neighbourhood, potentially via Work BC;
3. Request that OPS set up a Residents' Advisory Committee (RAC) at Caledonia Place;
4. Request that OPS, the NPNA, and Caledonia Place's RAC sets up a Community Working Group to brainstorm and implement solutions to improve community safety and well-being for the neighbourhood, including the establishment of a conflict resolution strategy;
5. Allocate up to \$50,000 as a grant to OPS by reallocating from the Social Policy, Accessibility, and Equity Pilot Grant 2024 budget for the above work and request that OPS provide a summary of expenses and report on the performance of each pilot project established by December 31, 2024,

OPPOSED (1): Councillor Gardiner

CARRIED (8 to 1)

E. BYLAWS

Moved and Seconded:

That the following bylaws be given first and second readings:

E.1 Bylaw for 557-561 Fisgard Street: Heritage Designation Application No. 00205

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

1. Heritage Designation (557-561 Fisgard Street) Bylaw No. 24-006

E.2 Bylaw for 565 Fisgard Street: Heritage Designation Application No. 00207

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

1. Heritage Designation (565 Fisgard Street) Bylaw No. 24-007

CARRIED UNANIMOUSLY

E.3 Amendment Bylaw for Council Remuneration Bylaw

Council discussed the following:

- *Use of the Union of BC Municipalities' council remuneration guide to inform a decision on Council remuneration*

Motion to postpone:

Moved and Seconded:

That consideration of Bylaw 24-027 be postponed until July 25th, and that the city manager be directed to strike an independent task force comprised of diverse community, non-profit, government, and business leaders, using the UBCM councillor remuneration guide and its terms of reference, a report to be completed by July 1st and the work remunerated with a stipend for task force members, to:

1. Review council's decision on pay and benefits in light of the recommendations of the MNP Governance Review and the information in the remuneration consultant's report;
2. Conduct interviews with councillors to determine accurate time commitments for city-related work;
3. Make a recommendation to council on any salary adjustments, benefits adjustments, and per diems for committee appointments and conferences;
4. Task force to be overseen and facilitated by a senior member of City staff, as per recommendations of UBCM guidebook.

Amendment:

Moved and Seconded:

That consideration of Bylaw 24-027 be postponed until July 25th, and that the city manager be directed to strike an independent task force comprised of diverse community, non-profit, **labour**, government, and business leaders, using the UBCM councillor remuneration guide and its terms of reference, a report to

be completed by July 1st and **the work** remunerated with a stipend for task force members, to:

1. Review council's decision on pay and benefits in light of the recommendations of the MNP Governance Review and the information in the remuneration consultant's report;
2. Conduct interviews with councillors to determine accurate time commitments for city-related work;
3. Make a recommendation to council on any salary adjustments, benefits adjustments, and per diems for committee appointments and conferences;
4. Task force to be overseen and facilitated by a senior member of City staff, as per recommendations of UBCM guidebook.

CARRIED UNANIMOUSLY

Amendment:

Moved and Seconded:

That consideration of Bylaw 24-027 be postponed until July 25th, and that the city manager be directed to strike an independent task force comprised of diverse community, non-profit, labour, government, and business leaders, using the UBCM councillor remuneration guide and its terms of reference, a report to be completed by July 1st and the work remunerated with a stipend for task force members, to:

1. Review council's decision on pay and benefits in light of the recommendations of the MNP Governance Review and the information in the remuneration consultant's report;
2. Conduct interviews with councillors to determine accurate time commitments for city-related work;
3. Make a recommendation to council on any salary adjustments, benefits adjustments, ~~and per diems for committee appointments and conferences;~~ **and the effective date of any such adjustments;**
4. Task force to be overseen and facilitated by a senior member of City staff, as per recommendations of UBCM guidebook.

CARRIED UNANIMOUSLY

Council discussed the following:

- *Value of establishing a process to review Council remuneration at the end of each Council term*
- *Professionalism of using a consultant versus a citizen task force*

Amendment:

Moved and Seconded:

That consideration of Bylaw 24-027 be postponed until July 25th, and that the city manager be directed to strike an independent task force comprised of diverse community, non-profit, labour, government, and business leaders, using the UBCM councillor remuneration guide and its terms of reference, a report to be completed by July 1st and the work remunerated with a stipend for task force members, to:

1. Review council's decision on pay and benefits in light of the recommendations of the MNP Governance Review and the information in the remuneration consultant's report;
2. Conduct interviews with councillors to determine accurate time commitments for city-related work;
3. Make a recommendation to council on any salary adjustments, benefits adjustments, per diems for committee appointments and conferences, **and other compensatory options**, and the effective date of any such adjustments;
4. Task force to be overseen and facilitated by a senior member of City staff, as per recommendations of UBCM guidebook.

OPPOSED (2): Councillor Gardiner, and Councillor Hammond

CARRIED (7 to 2)

On the motion to postpone as amended:

That consideration of Bylaw 24-027 be postponed until July 25th, and that the city manager be directed to strike an independent task force comprised of diverse community, non-profit, labour, government, and business leaders, using the UBCM councillor remuneration guide and its terms of reference, a report to be completed by July 1st and the work remunerated with a stipend for task force members, to:

1. Review council's decision on pay and benefits in light of the recommendations of the MNP Governance Review and the information in the remuneration consultant's report;
2. Conduct interviews with councillors to determine accurate time commitments for city-related work;
3. Make a recommendation to council on any salary adjustments, benefits adjustments, per diems for committee appointments and conferences, and other compensatory options, and the effective date of any such adjustments;
4. Task force to be overseen and facilitated by a senior member of City staff, as per recommendations of UBCM guidebook.

CARRIED UNANIMOUSLY

E.4 Amendment Bylaw for Delegation Bylaw

Moved and seconded;

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

1. Delegation Bylaw, Amendment Bylaw (No. 1) No. 24-025

CARRIED UNANIMOUSLY

E.5 Bylaw for 2816 Irma Street: Rezoning Application No. 00829 and Development Permit with Variance Application No. 00217

Council discussed the following:

- Support for the relocation of displaced tenants

Moved and Seconded:

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1333) No. 24-011

CARRIED UNANIMOUSLY

E.6 Bylaw for 1514 and 1520 Foul Bay Road: Rezoning Application No. 00762 and Development Permit Application No. 000590

Moved and Seconded:

That the following bylaw **be adopted:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1318) No. 23-084

CARRIED UNANIMOUSLY

Moved and Seconded:

Development Permit with Variances Application

1. That subject to the adoption of the necessary Zoning Regulation Bylaw amendment, Council authorize the issuance of Development Permit No. 000590 for 1514 and 1520 Foul Bay Road, in accordance with plans submitted to the Planning department and date stamped by Planning on May 11, 2023, subject to:
 - a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
 - a. increase the maximum height from 10.50m to 11.50m
 - b. reduce the minimum front setback from 6.00m to 4.48m
 - c. reduce the minimum rear setback from 4.00m to 2.04m
 - d. reduce the minimum side (north) setback from 4.00m to 2.64m
 - e. reduce the minimum side (south) setback from 4.00m to 2.64m

- f. reduce the minimum number of visitor vehicle parking spaces from 1 to 0
- g. reduce the minimum short term bicycle parking spaces from 2 six-racks to 1 six-rack
- b. The property being consolidated into one lot.
- 2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.

CARRIED UNANIMOUSLY

F. NEW BUSINESS

F.1 854-880 Pandora Avenue: Rezoning Application No. 00849 and associated Development Permit with Variances Application No. 00239

Moved and Seconded:

Rezoning Application (updates in bold text)

- 1. That Council give first, second, and third readings to Zoning Regulation Bylaw, Amendment Bylaw (No. 1329) after publication of notification in accordance with section 467 of the *Local Government Act*.
- 2. That the applicant provides clearance from the Ministry of Environment and Climate Change Strategy in accordance with section 557 (2) of the *Local Government Act* prior to final adoption of Zoning Regulation Bylaw, Amendment Bylaw (No. 1329).

Development Permit with Variances Application (updates in bold text)

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 854/858 and 880 Pandora Avenue, in accordance with plans submitted to the Planning department and date stamped by Planning on December 4, 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 2.20m
 - v. reduce rear (north) setback for portion of building greater than 18m in height from 10.0m to 5.50m
 - vi. reduce east side setback for portion of building greater than 18m in height from 10.0m to 6.25m

- vii. reduce west side setback for portion of building less than 18m in height from 3.0m to 0.30m
 - viii. reduce east side setback for portion of building less than 18m in height from 3.0m to 0.60m
 - ix. 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.

CARRIED UNANIMOUSLY

G. CLOSED MEETING

Moved and Seconded:

MOTION TO CLOSE THE APRIL 4, 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)(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 of 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; 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

H. APPROVAL OF CLOSED AGENDA

Moved and Seconded:

That the closed agenda be approved.

CARRIED UNANIMOUSLY

J. NEW BUSINESS

J.1 Law Enforcement - Community Charter Section 90(1)(f)

Council discussed a matter involving law enforcement. The discussion was recorded and kept confidential.

J.4 Litigation/Legal Advice - Community Charter Sections 90(1)(g) and 90(1)(i)

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

K. ADJOURNMENT

Moved and Seconded:

That the Council Meeting be adjourned at 4:27 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR