



MINUTES - COMMITTEE OF THE WHOLE

February 22, 2024, 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 Nations
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, C. Anderson - Deputy City Clerk, T. Zworski - City Solicitor, K. Hoese - Director of Sustainable Planning and Community Development, P. Rantucci - Director of Strategic Real Estate, C. Tunis - Senior Process Planner, A. Johnston - Acting Director of Development Services, T Soulliere - Deputy City Manager, K. Lauriston - Development Process Coordinator, R. Tooke - Manager of Sustainability, Assets and Support Services, M. Tromp Hoover - Lead, Solid Waste Reduction, W. Doyle - Acting Director of Engineering & Public Works, A. Heimburger - Legislative Coordinator

A. TERRITORIAL ACKNOWLEDGEMENT

Committee acknowledged that the City of Victoria is located on the homelands of the Songhees First Nation and Esquimalt First Nation communities. Committee noted the extension of respect from the Nations to settlers in trusting that we will do better as stewards and neighbours, 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 Thompson

That the agenda be approved.

CARRIED UNANIMOUSLY

D. CONSENT AGENDA

Council requested that item ***F.1 - 586 Johnson St: Application for a New Liquor Primary Licence for Forged Axe Throwing (Downtown)*** be removed from the Consent Agenda.

Moved By Councillor Coleman
Seconded By Councillor Kim

That the following Consent Agenda items be approved:

E.1 Minutes from the Committee of the Whole meeting held February 08, 2024

That the minutes from the Committee of the Whole meeting February 08, 2024 be approved.

I.1 Council Member Motion: Federation of Canadian Municipalities (FCM) Annual Conference

Committee received a Council Member Motion regarding the associated costs for travel to the Federation of Canadian Municipalities Annual Conference, June 6-9, 2024 in Calgary.

That Council authorizes the attendance and associated costs for Councillor Gardiner to attend the FCM Annual Conference to be held in Calgary, Alberta, from June 6-9, 2024.

The approximate cost for attending is:

Conference Registration Fee	\$1,150
Travel to/from Calgary (June 5-9/10)	\$700
Taxis (Victoria x2 and Calgary x2)	\$250
Accommodation (4-5 nights)	\$985
Carbon Tax (.28x150)	\$42
Food & Incidentals (2 dinner, 1 lunch, 1-2 b'fast)	\$120
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	\$3,247

Note: (departure on June 9 or 10 to be determined when more complete agenda available)

Estimated total cost = \$3,247

I.2 Council Member Motion: Columbia Institute High Ground Civic Governance Forum

Committee received a Council Member Motion regarding associated costs for a Councillor's attendance at the Columbia Institute's High Ground Civic Governance Forum, March 22-23, 2024 in Vancouver.

That Council authorize the attendance and associated costs for Councillor Thompson to attend the Columbia Institute's High Ground Civic Governance Forum to be held in Vancouver, BC, on March 22 and 23, 2024.

The approximate cost for attending is:

Conference Registration Fee (early bird)	\$ 467.00
Ferries to/from Vancouver	\$ 165.20
Mileage	\$ 99.40
Accommodation (2 nights)	\$ 600.00
Parking	\$ 90.00
Food & Incidentals (1 breakfast, 1 lunch, 1 dinner)	\$ 100.00

Estimated total cost = \$1,521.60

I.3 Council Member Motion: Council Member Attendance at Association of Vancouver Island and Coastal Communities (AVICC) 2024

Committee received a Council Member Motion regarding registration costs for Council member attendance at the AVICC AGM and convention, April 12-14, 2024 at the Victoria Conference Centre.

1. That Council authorize up to nine Council Members to attend the AVICC annual meeting April 12 – 14, 2024, in Victoria, and further authorize payment of each attending Council member’s “Early Bird” Registration fee of \$400.
2. That, if adopted, this Resolution be considered at the daytime Council Meeting February 22, 2024.

CARRIED UNANIMOUSLY

F. LAND USE MATTERS

F.1 586 Johnson St: Application for a New Liquor Primary Licence for Forged Axe Throwing (Downtown)

Committee received a report dated February 1, 2024 from the Director of Sustainable Planning and Community Development regarding an application for a liquor primary licence for the property located at 586 Johnson Street in order to allow liquor service with hours of service Sunday to Thursday from 9 a.m. to 12 a.m. inside and 9 a.m. to 10 p.m. on the patio, and Friday and Saturday from 9 a.m. to 1 a.m. inside and 9 a.m. to 11 p.m. on the patio, with a total occupant load of 74 people.

Committee discussed:

- *Current noise concerns and neighbourhood impact of extended hours and liquor service on patio*
- *Mitigation of noise, and bylaw compliance response in the event of violations*
- *Scope of the acoustic report as required in the staff recommendation*

Moved By Councillor Caradonna
Seconded By Councillor Dell

That Council direct staff to provide the following response to the Liquor and Cannabis Regulation Branch:

1. That Council supports the application from Forged Axe Throwing, located at 586 Johnson Street, for a new liquor primary licence having hours of service Sunday to Thursday from 9 a.m. to 12 a.m. inside and 9 a.m. to 10 p.m. on the patio, and Friday and Saturday from 9 a.m. to 1 a.m. inside and 9 a.m. to 11 p.m. on the patio, with a total occupant load of 74 people to allow up to 50 people inside the establishment and up to 24 people in the licensed outdoor patio area.
2. Endorsement of the application is subject to receipt of an acoustic report from a qualified acoustic engineer, and the sound attenuation measures it prescribes being carried out, to the satisfaction of the Director of Sustainable Planning and Community Development.
3. The following comments are provided regarding the prescribed considerations:
 - a. If the application is approved, it is anticipated to have a positive economic impact on the community as the approval supports the viability of the business as a local employer.
 - b. The views of residents were solicited through a mailout to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. In response to the notification that went to 899 owners and occupants, the City received 33 letters of correspondence. Of these letters, five expressed opposition and 28 expressed support for the proposal. A letter from the Downtown Residents Association notes support for the provision of late-night activities and concern regarding the potential noise impact on neighbouring residential units.
4. Council recommends to the Province that the liquor primary licence be approved as recommended.

Motion to refer:

Moved By Councillor Hammond

Seconded By Councillor Gardiner

Motion to refer Council consideration of this matter until receipt of acoustic report identified in Section 2 below:

That Council direct staff to provide the following response to the Liquor and Cannabis Regulation Branch:

1. That Council supports the application from Forged Axe Throwing, located at 586 Johnson Street, for a new liquor primary licence having hours of service Sunday to Thursday from 9 a.m. to 12 a.m. inside and 9 a.m. to 10 p.m. on the patio, and Friday and Saturday from 9 a.m. to 1 a.m. inside and 9 a.m. to 11 p.m. on the patio, with a total occupant load of 74 people to allow up to 50 people inside the establishment and up to 24 people in the licensed outdoor patio area.

2. Endorsement of the application is subject to receipt of an acoustic report from a qualified acoustic engineer, and the sound attenuation measures it prescribes being carried out, to the satisfaction of the Director of Sustainable Planning and Community Development.
3. The following comments are provided regarding the prescribed considerations:
 - a. If the application is approved, it is anticipated to have a positive economic impact on the community as the approval supports the viability of the business as a local employer.
 - b. The views of residents were solicited through a mailout to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. In response to the notification that went to 899 owners and occupants, the City received 33 letters of correspondence. Of these letters, five expressed opposition and 28 expressed support for the proposal. A letter from the Downtown Residents Association notes support for the provision of late-night activities and concern regarding the potential noise impact on neighbouring residential units.
4. Council recommends to the Province that the liquor primary licence be approved as recommended.

FOR (2): Councillor Gardiner, and Councillor Hammond

OPPOSED (7): Mayor Alto, Councillor Caradonna, Councillor Coleman, Councillor Dell, Councillor Kim, Councillor Loughton, and Councillor Thompson

DEFEATED (2 to 7)

Amendment:

Moved By Councillor Hammond

Seconded By Councillor Gardiner

That Council direct staff to provide the following response to the Liquor and Cannabis Regulation Branch:

1. That Council supports the application from Forged Axe Throwing, located at 586 Johnson Street, for a new liquor primary licence having hours of service Sunday to Thursday from 9 a.m. to 12 a.m. inside and 9 a.m. to 10 p.m. on the patio, and Friday and Saturday from 9 a.m. to 1 a.m. inside and 9 a.m. to 11 p.m. on the patio, with a total occupant load of 74 people to allow up to 50 people inside the establishment and up to 24 people in the licensed outdoor patio area.
2. Endorsement of the application is subject to receipt of an acoustic report from a qualified acoustic engineer **with particular emphasis on the potential impact to adjacent residents**, and the sound attenuation measures it prescribes being carried out, to the satisfaction of the Director of Sustainable Planning and Community Development.

3. The following comments are provided regarding the prescribed considerations:
 - a. If the application is approved, it is anticipated to have a positive economic impact on the community as the approval supports the viability of the business as a local employer.
 - b. The views of residents were solicited through a mailout to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. In response to the notification that went to 899 owners and occupants, the City received 33 letters of correspondence. Of these letters, five expressed opposition and 28 expressed support for the proposal. A letter from the Downtown Residents Association notes support for the provision of late-night activities and concern regarding the potential noise impact on neighbouring residential units.
4. Council recommends to the Province that the liquor primary licence be approved as recommended.

FOR (6): Mayor Alto, Councillor Coleman, Councillor Gardiner, Councillor Hammond, Councillor Kim, and Councillor Loughton

OPPOSED (3): Councillor Caradonna, Councillor Dell, and Councillor Thompson

CARRIED (6 to 3)

Amendment:

Moved By Councillor Gardiner

Seconded By Councillor Hammond

That Council direct staff to provide the following response to the Liquor and Cannabis Regulation Branch:

1. That Council supports the application from Forged Axe Throwing, located at 586 Johnson Street, for a new liquor primary licence having hours of service Sunday to Thursday from 9 a.m. to 12 a.m. inside and 9 a.m. to ~~10 p.m.~~ **9 p.m.** on the patio, and Friday and Saturday from 9 a.m. to 1 a.m. inside and 9 a.m. to ~~11 p.m.~~ **9 p.m.** on the patio, with a total occupant load of 74 people to allow up to 50 people inside the establishment and up to 24 people in the licensed outdoor patio area.
2. Endorsement of the application is subject to receipt of an acoustic report from a qualified acoustic engineer with particular emphasis on the potential impact to adjacent residents, and the sound attenuation measures it prescribes being carried out, to the satisfaction of the Director of Sustainable Planning and Community Development.
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- b. The views of residents were solicited through a mailout to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. In response to the notification that went to 899 owners and occupants, the City received 33 letters of correspondence. Of these letters, five expressed opposition and 28 expressed support for the proposal. A letter from the Downtown Residents Association notes support for the provision of late-night activities and concern regarding the potential noise impact on neighbouring residential units.
4. Council recommends to the Province that the liquor primary licence be approved as recommended.

Moved By: Councillor Caradonna

Seconded By: Councillor Kim

That the previous question be called.

CARRIED UNANIMOUSLY

On the amendment:

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

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

DEFEATED (3 to 6)

On the main motion as amended:

That Council direct staff to provide the following response to the Liquor and Cannabis Regulation Branch:

1. That Council supports the application from Forged Axe Throwing, located at 586 Johnson Street, for a new liquor primary licence having hours of service Sunday to Thursday from 9 a.m. to 12 a.m. inside and 9 a.m. to 10 p.m. on the patio, and Friday and Saturday from 9 a.m. to 1 a.m. inside and 9 a.m. to 11 p.m. on the patio, with a total occupant load of 74 people to allow up to 50 people inside the establishment and up to 24 people in the licensed outdoor patio area.
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 - a. If the application is approved, it is anticipated to have a positive economic impact on the community as the approval supports the viability of the business as a local employer.
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the licensed location and a notice posted at the property. In response to the notification that went to 899 owners and occupants, the City received 33 letters of correspondence. Of these letters, five expressed opposition and 28 expressed support for the proposal. A letter from the Downtown Residents Association notes support for the provision of late-night activities and concern regarding the potential noise impact on neighbouring residential units.

4. Council recommends to the Province that the liquor primary licence be approved as recommended.

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

OPPOSED (1): Councillor Gardiner

CARRIED (8 to 1)

Committee recessed at 10:12 a.m. and reconvened at 10:25 a.m.

F. LAND USE MATTERS

F.2 621-629 Princess Ave: Development Permit with Variances Application No. 00235 (Burnside)

Moved By Mayor Alto

Seconded By Councillor Dell

MOTION TO CLOSE THE FEBRUARY 22, 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)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED UNANIMOUSLY

The Committee of the whole meeting was closed to the public at 10:29 a.m. and reopened to the public at 11:00 a.m.

Committee received a report dated February 08, 2024 from the Director of Sustainable Planning and Community Development regarding the Development Permit with Variances application for 621-629 Princess Street for lot consolidation and construction of a four-storey building intended for use as a self-storage facility with ground-orientated general commercial-industrial space, and recommending that the application be declined.

Committee discussed:

- *Implications of requiring the Applicant to pursue Rezoning prior to issuance of a Development Permit*
- *Notification and consultation with Neighbourhood Associations*
- *Accessibility, servicing and future use of the Government Street orphan lot*

Motion to postpone:

Moved By Councillor Caradonna

Seconded By Councillor Dell

That Council postpone decisions on this application until staff have had the opportunity to work with the proponent on pursuing a rezoning, to solve issues related to the potentially orphaned lot at 2121 Government Street, and to address other issues identified by staff related to the Official Community Plan and City policies.

Committee discussed:

- *Concerns around timelines to accommodate rezoning as a condition of the motion to postpone*

Amendment:

Moved By Councillor Dell

Seconded By Councillor Caradonna

That Council postpone decisions on this application until staff have had the opportunity to work with the proponent on pursuing a rezoning, **with the application to be expedited by staff and preapplication CALUC process to be waived**, to solve issues related to the potentially orphaned lot at 2121 Government Street, and to address other issues identified by staff related to the Official Community Plan and City policies.

CARRIED UNANIMOUSLY

Committee discussed:

- *Employment opportunities in downtown core connected to rezoning*

Committee Recessed for lunch at 11:58 a.m. and reconvened at 1:02 p.m.

On the motion to postpone as amended:

Postpone decisions on this application until staff have had the opportunity to work with the proponent on pursuing a rezoning, with the application to be expedited by staff and preapplication CALUC process to be waived, to solve issues related to the potentially orphaned lot at 2121 Government Street, and to address other issues identified by staff related to the Official Community Plan and City policies.

FOR (6): Councillor Caradonna, Councillor Coleman, Councillor Dell, Councillor Hammond, Councillor Kim, and Councillor Thompson

OPPOSED (3): Mayor Alto, Councillor Gardiner, and Councillor Loughton

CARRIED (6 to 3)

G. STAFF REPORTS

G.1 Zero Waste Victoria Update and Action Plan

Committee received a report dated February 9, 2024 from the Acting Director of Engineering and Public Works regarding impacts of Zero Waste Victoria's 2021-2023 action plan and to present the proposed Zero Waste Victoria 2024-2027 action plan.

Committee discussed:

- *Considerations for provision of in-house recycling, mixed solid waste, and organics waste collection service for multi-unit residential buildings*
- *Feasibility of switching to a local depot for disposal of City-collected organics waste*
- *Implications of 'convenience culture' and impacts on waste volume*

Motion to Extend:

Moved By Councillor Hammond

Seconded By Councillor Gardiner

That the COTW meeting be extended until 3:00 p.m.

CARRIED UNANIMOUSLY

Committee discussed:

- *Potential revenue sources from waste diversion*
- *Compliance with public realm zero waste stations and need for multi-generational education on proper waste diversion*

Moved By Councillor Caradonna

Seconded By Councillor Kim

That Council:

1. Endorse the proposed 2024-2027 Zero Waste Victoria action plan; and
2. Request the Mayor send a letter to the Minister of Environment and Climate Change Strategy to advocate for an expedited review of the City's proposed *Single-Use Items Reduction Bylaw*.

Amendment:

Moved By Councillor Caradonna

Seconded By Councillor Kim

That Council:

1. Endorse the proposed 2024-2027 Zero Waste Victoria action plan; and
2. Request the Mayor send a letter to the Minister of Environment and Climate Change Strategy to advocate for an expedited review of the

City's proposed *Single-Use Items Reduction Bylaw*, and to consider implementing a similar policy province-wide.

CARRIED UNANIMOUSLY

Committee discussed:

- *Costs to property owners and developers associated with Deconstruction Bylaw*
- *Opportunities for pop-up depots for recyclables not included in the CRD's Blue Box program*

On the main motion as amended:

That Council:

1. Endorse the proposed 2024-2027 Zero Waste Victoria action plan; and
2. Request the Mayor send a letter to the Minister of Environment and Climate Change Strategy to advocate for an expedited review of the City's proposed Single-Use Items Reduction Bylaw, and to consider implementing a similar policy province-wide.

CARRIED UNANIMOUSLY

K. ADJOURNMENT OF COMMITTEE OF THE WHOLE

Moved By Councillor Coleman

Seconded By Councillor Gardiner

That the Committee of the Whole Meeting be adjourned at 2:45 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR