



MINUTES - COMMITTEE OF THE WHOLE

April 18, 2024, 9:08 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, S. Johnson - Director of Communications and Engagement, T. Zworski - City Solicitor, P. Rantucci - Director of Strategic Real Estate, T. Soulliere - Deputy City Manager, K. Hoeser - Director of Sustainable Planning and Community Development, A. Johnston - Assistant Director of Development Services, S. Maichen - Legislative Coordinator

The Mayor called the meeting to order at 9:08 a.m.

Committee recessed at 9:08 a.m. due to technology issues and reconvened at 9:37 a.m.

A. TERRITORIAL ACKNOWLEDGEMENT

Council acknowledged that the City of Victoria is located on the homelands of the Songhees First Nations and Esquimalt First Nations communities and urged us to take a moment to appreciate that much of what we are able to do today is empowered by the many generations of Songhees and Esquimalt First Nations people that came before us.

C. APPROVAL OF AGENDA

Councillor Gardiner noted an intention to present a Notice of Motion at agenda item G.1 Notice of Motion.

Moved and Seconded:

That the agenda be approved.

CARRIED UNANIMOUSLY

D. CONSENT AGENDA

Council requested that item **F.2 1011 Fort Street: Rezoning Application No. 00863 (Downtown)** be removed from the consent agenda.

Moved and Seconded:

That the following Consent Agenda items be approved:

E. CONSIDERATION OF MINUTES

E.1 Minutes from the Committee of the Whole meeting held March 7, 2024

That the minutes from the Committee of the Whole meeting held March 7, 2024 be approved.

F. LAND USE MATTERS

F.1 1212 Vista Heights: Rezoning Application No. 00809 and Development Permit with Variances Application No. 000639 (Hillside/Quadra)

Committee received a report dated April 4, 2024 from the Director of Sustainable Planning and Community Development regarding the Rezoning Application and Development Permit with Variances for the property located at 1212 Vista Heights to permit the construction of a new two-family dwelling unit (duplex) on the subject property, and recommending that the application proceed to bylaw readings.

Rezoning Application

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 dated March 1, 2024, for 1212 Vista Heights.
2. That, after publication of notification in accordance with section 467 of the Local Government Act, first, second, and third reading of the zoning regulation bylaw amendment be considered by Council.
3. 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 Application

That Council consider the following motion:

1. That subject to the adoption of the necessary Zoning Regulation Bylaw amendment, Council authorize the issuance of Development Permit No. 000639 for 1212 Vista Heights, in accordance with plans submitted to the Planning department and date stamped by Planning on February 15, 2024.
2. That the Development Permit, if issued, expires two years from the date of this resolution.

G. STAFF REPORTS

G.2 UBCM Disaster Risk Reduction - Climate Adaption Grant Application

Committee received a report dated April 5, 2024 from the Acting Director of Engineering & Public Works and the Fire Chief regarding an opportunity for funding related to disaster risk reduction and preparing for natural hazards in a changing climate and requesting that Council support staff in submitting a grant application for the Union of BC Municipalities' Community Emergency Preparedness Fund, Disaster Risk Reduction - Climate Adaptation stream.

That Council:

1. Support the application of a grant including overall grant management through the Union of British Columbia Municipalities' (UBCM) Community Emergency Preparedness Fund (CEPF), Disaster Risk Reduction – Climate Adaptation stream for \$350,000 in funding to develop the Gorge Coastal Flood Adaptation Strategy and \$467,500 in funding for Cooling centre infrastructure (HVAC systems and passive cooling awnings for three Community Centres); and
2. Authorize the Chief Financial Officer to enter on behalf of the City of Victoria, into a shared cost agreement with UBCM on the terms acceptable to the Chief Financial Officer, the Director of Engineering and Public Works, and the Fire Chief in a form acceptable to the City Solicitor.

G.3 Support for Canadian Senior Women's Basketball Team Event

Committee received a report dated March 26, 2024 from the Deputy City Manager regarding the details associated with potential City sponsorship of a series of games featuring the Canadian Senior Women's Basketball Team in June 2024 and recommending that Council approves funding support for the event.

That Council:

- A. Approve up to \$25,000 in financial support for a 3-game series featuring the Canadian Senior Women's Basketball Team at Save-On-Foods Memorial Centre, to be funded through the Corporate Contingency budget, and
- B. Authorize the Deputy City Manager to execute any necessary agreements with the proponent, in a form satisfactory to the City Solicitor.

CARRIED UNANIMOUSLY

F. LAND USE MATTERS

F.2 1011 Fort Street: Rezoning Application No. 00863 (Downtown)

Committee received a report dated April 4, 2024 from the Director of Sustainable Planning and Community Development regarding the Rezoning Application for the property located at 1011 Fort Street to allow the conversion of ground floor commercial space into two residential units fronting onto Meares Street, while

maintaining the commercial use fronting onto Fort Street, and recommending that the application proceed to bylaw readings.

Moved and Seconded:

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 dated April 18, 2024 for 1011 Fort Street.
2. That, after publication of notification in accordance with section 467 of the Local Government Act, first, second and third reading of the zoning regulation bylaw amendment be considered by Council.
3. 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.

CARRIED UNANIMOUSLY

G. STAFF REPORTS

G.1 Electric Vehicle Strategy Bylaw Updates

Committee received a report dated April 5, 2024 from the Acting Director of Engineering & Public Works regarding the increasing electric vehicle (EV) adoption by the public in Victoria and seeking Council approval for staff to proceed with proposed measures directed at enhancing and expanding EV use within the City.

Committee discussed the following:

1. *Current rates regarding new purchases*
2. *Direct Current Fast Charger (DCFC) fees and moving from time charging to power charging*
3. *Legal and equity considerations, as well as time limits being set by signage*

Moved and Seconded:

1. That Council instruct the Director of Engineering and Public Works (the “**Director**”) to make an application to Measurement Canada for a dispensation for Level 3 Electric Vehicle Supply equipment in order to enable the City to set fees for access to its public DC Fast Chargers on a per kilowatt hour (kWh) basis, and authorize the Director to accept the terms and conditions of doing so in the form attached as Appendix B, and to execute the associated indemnification agreement with Measurement Canada, in the form attached as Appendix C.
2. Subject to the City being granted a dispensation from Measurement Canada pursuant to the above resolution, that Council instruct the City Solicitor to draft an amendment to the City Parkades Electric Vehicle Charging Fees Bylaw to update DC fast charging fees as required to support implementation of the EV and E-Mobility Strategy.

3. That Council instruct the City Solicitor to bring forward the necessary bylaw updates to allow for the following:
 - a. Delegate to the Director the authority to issue licences to owners and occupants of residential property in order to allow such persons to run electric vehicle (“EV”) charging cords across the City right of way adjacent to their property for the purpose of charging EVs;
 - b. Expansion of the delegation to the Director allowing them to set fees for the use of public EV charging stations to also allow them to set fees for the use of car share EV charging stations where such charging stations are owned by the City;
 - c. Increase the fee for Street Occupancy Permits within Electric Vehicle Charging Zones to offset revenue lost from City-owned EV charging stations when the public are unable to utilize the charging stations; and
 - d. To allow the City to enforce the City Parkades Electric Vehicle Charging Fees Bylaw where the City has a licence or lease to operate EV charging stations on private property.

Amendment:

Moved and Seconded:

3. That Council instruct the City Solicitor to bring forward the necessary bylaw updates to allow for the following:
 - a. Delegate to the Director the authority to issue licences to owners and occupants of residential property in order to allow such persons to run electric vehicle (“EV”) charging cords across the City right of way adjacent to their property for the purpose of charging EVs, **with considerations for accessibility concerns addressed to the satisfaction of the Director in partnership with an accessibility-focused organization and/or the city’s accessibility committee;**

OPPOSED (4): Mayor Alto, Councillor Coleman, Councillor Gardiner, Councillor Hammond,

CARRIED (5 TO 4)

On the main motion as amended:

1. That Council instruct the Director of Engineering and Public Works (the “**Director**”) to make an application to Measurement Canada for a dispensation for Level 3 Electric Vehicle Supply equipment in order to enable the City to set fees for access to its public DC Fast Chargers on a per kilowatt hour (kWh) basis, and authorize the Director to accept the terms and conditions of doing so in the form attached as Appendix B, and to execute the associated indemnification agreement with Measurement Canada, in the form attached as Appendix C.
2. Subject to the City being granted a dispensation from Measurement Canada pursuant to the above resolution, that Council instruct the City Solicitor to draft an amendment to the City Parkades Electric Vehicle Charging Fees Bylaw to update DC fast charging fees as required to support implementation of the EV and E-Mobility Strategy.

3. That Council instruct the City Solicitor to bring forward the necessary bylaw updates to allow for the following:
 - a) Delegate to the Director the authority to issue licences to owners and occupants of residential property in order to allow such persons to run electric vehicle (“EV”) charging cords across the City right of way adjacent to their property for the purpose of charging EVs, with considerations for accessibility concerns addressed to the satisfaction of the Director in partnership with an accessibility-focused organization and/or the city’s accessibility committee;
 - b) Expansion of the delegation to the Director allowing them to set fees for the use of public EV charging stations to also allow them to set fees for the use of car share EV charging stations where such charging stations are owned by the City;
 - c) Increase the fee for Street Occupancy Permits within Electric Vehicle Charging Zones to offset revenue lost from City-owned EV charging stations when the public are unable to utilize the charging stations; and
 - d) To allow the City to enforce the City Parkades Electric Vehicle Charging Fees Bylaw where the City has a licence or lease to operate EV charging stations on private property.

CARRIED UNANIMOUSLY

G. NOTICE OF MOTIONS

Notice of Motion from Councillor Gardiner:

That Council direct staff to:

1. Consider and recommend an approach to sheltering in parks which suggests sanctioned parks and/or areas of parks. Such considerations to include:
 - a. parks currently identified as providing the basic necessities for those sheltering,
 - b. park sizes,
 - c. areas within parks which are separated from playground areas by 10 meters,
 - d. proximity to established service providers, and
 - e. identifying a target number of maximum sheltering sites related to park size, and positioning of any playground, within each park.

Committee recessed at 10:39 a.m. and reconvened at 10:50 a.m.

I. NEW BUSINESS

I.1 Council Member Motion: Reducing Reliance on Parks Sheltering in Victoria

Council received a Council Member Motion dated April 18, 2024 from Councillor Caradonna and Councillor Loughton regarding sheltering at Victoria parks and requesting that Council direct staff to offer housing or indoor sheltering to those sheltering at Vic West Park and Irving Park as a precondition for phasing out sheltering in those two parks.

Moved and Seconded:

1. That Council direct staff to work with BC Housing, relevant service providers, and the City's sheltering Relocation Coordinator, to offer indoor sheltering or housing to the people sheltering in Irving Park and Vic West Park;
2. That, contingent upon the above taking place, Council direct staff to phase out and eventually prohibit overnight sheltering in Irving Park and Vic West Park by 1 August 2024, via an update to the Parks Regulation Bylaw.

MOTION TO CLOSE THE APRIL 18, 2024 COMMITTEE OF THE WHOLE MEETING TO THE PUBLIC

That Committee 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.

OPPOSED (1): Councillor Caradonna

CARRIED (8 TO 1)

The Committee of the Whole meeting was closed to the public at 10:53 a.m. and reopened to the public at 11:12 a.m.

Amendment:

Moved and Seconded:

1. That Council direct staff to work with BC Housing, relevant service providers, and the City's sheltering Relocation Coordinator, to offer indoor sheltering or housing to the people sheltering in Irving Park and Vic West Park; **as of April 18, 2024.**
2. That, contingent upon the above taking place, Council direct staff to phase out and eventually prohibit overnight sheltering in Irving Park and Vic West Park by 1 August 2024, via an update to the Parks Regulation Bylaw.

OPPOSED (1): Councillor Kim

CARRIED (8 TO 1)

Amendment:

Moved and Seconded:

- 3. Direct staff to identify three indoor or outdoor locations, excluding parks, where sheltering could be permitted, and report back to Council before June 15 with the sites**

The Chair ruled the motion out of order stating that it would be more appropriately addressed as a motion arising.

Councillor Kim appealed the ruling of the Chair.

Moved and Seconded:

That the Chair's ruling be overturned.

OPPOSED: (3): Councillor Coleman, Councillor Hammond, Councillor Thompson

CARRIED (5 TO 3)

On the amendment:

- 3. That Council direct staff to identify three indoor or outdoor locations, excluding parks, where sheltering could be permitted, and report back to Council before June 15 with the sites.**

Amendment to the amendment:

Moved and Seconded:

- 3. That, to facilitate the relocation of those sheltering in these parks, Council direct staff to identify three indoor or outdoor locations, excluding parks, where sheltering could be permitted, and report back to Council before June 15 with the sites.**

DEFEATED UNANIMOUSLY

Amendment to the amendment:

Moved and Seconded:

- 3. That, to facilitate the relocation of those sheltering in parks, Council direct staff to identify three indoor or outdoor locations, excluding parks, where sheltering could be permitted, and report back to Council before June 15 with the sites.**

CARRIED UNANIMOUSLY

Amendment to the amendment:

Moved and Seconded:

3. That, to facilitate the relocation of those sheltering in parks, Council direct staff to identify at least three indoor or outdoor locations, excluding parks, where sheltering could be permitted, and report back to Council before June 15 with the sites.

OPPOSED (1): Councillor Hammond

CARRIED (8 TO 1)

Councillor Kim raised a point of order regarding language used in Council member commentary.

Amendment to the amendment:

Moved and Seconded:

3. That, to facilitate the relocation of those sheltering in parks, Council direct staff to identify at least three indoor or outdoor locations, excluding parks, where sheltering could be permitted, and work with BC Housing and other partners to have those locations adequately staffed, and report back to Council before June 15 with the sites.

The Chair ruled the motion out of order noting it was not germane to the amendment and would be better suited as an amendment to the main motion.

On the amendment as amended:

3. That, to facilitate the relocation of those sheltering in parks, Council direct staff to identify at least three indoor or outdoor locations, excluding parks, where sheltering could be permitted, and report back to Council before June 15 with the sites.

OPPOSED (1): Councillor Hammond

CARRIED (8 TO 1)

Committee recessed for lunch at 12:00 p.m. and reconvened at 1:01 p.m.

Amendment:

Moved and Seconded:

3. That, to facilitate the relocation of those sheltering in parks, Council direct staff to identify at least three indoor or outdoor locations, excluding parks, where sheltering could be permitted, and report back to Council before June 15 with the sites.
4. That Council direct staff to work with BC Housing and other partners to have those locations identify in the number 3 adequately staffed.

The amendment was withdrawn.

Amendment:

Moved and Seconded:

1. That Council direct staff to work with BC Housing, relevant service providers, and the City's sheltering Relocation Coordinator, to offer indoor sheltering or housing to the people sheltering in ~~Irving Park and Vic West Park~~ **all Victoria parks;**

The Chair ruled the amendment out of order, stating that it went significantly beyond the original intent of the motion.

On the main motion as amended:

1. That Council direct staff to work with BC Housing, relevant service providers, and the City's sheltering Relocation Coordinator, to offer indoor sheltering or housing to the people sheltering in Irving Park and Vic West Park as of April 18, 2024;
2. That, contingent upon the above taking place, Council direct staff to phase out and eventually prohibit overnight sheltering in Irving Park and Vic West Park by 1 August 2024, via an update to the Parks Regulation Bylaw.
3. That, to facilitate the relocation of those sheltering in parks, direct staff to identify at least three indoor or outdoor locations, excluding parks, where sheltering could be permitted, and report back to Council before June 15 with the sites.

OPPOSED (2): Councillor Hammond, Councillor Thompson

CARRIED (7 TO 2)

I.2 Council Member Motion: "Irving Park" Parks Regulation Bylaw Amendment

Committee received a Council Member Motion dated April 11, 2024 from Councillor Gardiner regarding overnight sheltering at Irving Park and requesting that Council direct staff to bring forward amendments to the Parks Regulation Bylaw to prohibit overnight sheltering at Irving Park.

The Chair ruled the motion out of order stating that the motion deals specifically with a motion that was considered in the previous matter.

K. ADJOURNMENT OF COMMITTEE OF THE WHOLE

Moved and Seconded:

That the Committee of the Whole Meeting be adjourned at 1:37 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR

DRAFT