



MINUTES - COMMITTEE OF THE WHOLE

May 23, 2024, 9:02 AM.

COUNCIL CHAMBERS, CITY HALL, 1 CENTENNIAL SQUARE

The City of Victoria is located on the homelands of the Songhees Nation and Esquimalt Nation

PRESENT: Mayor Alto in the Chair, Councillor Caradonna, Councillor Coleman, Councillor Dell, Councillor Gardiner, Councillor Hammond, Councillor Loughton, Councillor Thompson

PRESENT ELECTRONICALLY: Councillor Kim

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. Hoese - Director of Sustainable Planning and Community Development, A. Johnston - Assistant Director of Development Services, M. Betanzo - Senior Planner, B. Roder - Senior Legislative Coordinator, A. Klus - Legislative Coordinator

A. TERRITORIAL ACKNOWLEDGEMENT

Mayor and Council acknowledged that the City of Victoria is located on the historical and contemporary homelands of the Songhees First Nation and Esquimalt First Nation, offering respect and gratitude for the privilege of serving its people and surrounding communities.

C. APPROVAL OF AGENDA

Moved and Seconded:

That the agenda be approved.

CARRIED UNANIMOUSLY

D. CONSENT AGENDA

Councillor Gardiner requested that item E.2 1055 Alston Street: Rezoning Application No. 00851 and Development Permit with Variances Application No. 00234 (Vic

West) and item F.3 Improving Governance Processes through Comprehensive Delegation Bylaw be removed from the consent agenda.

Moved and Seconded:

That the following Consent Agenda items be approved:

E.1 1035 Russell Street: Rezoning Application No. 00844 and Development Permit with Variances Application No. 00266 (Vic West)

Committee received a report dated May 9, 2024 from the Director of Sustainable Planning and Community Development regarding the Rezoning Application and Development Permit with Variances Application for the property located at 1035 Russell Street in order to rezone from the R-2 Zone, Two Family Dwelling District to a new zone based on the Missing Middle Regulations for Corner Townhouses, to permit eight ground-oriented townhouse units in a single building 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 May 9, 2024 for 1035 Russell 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 once the following conditions are met:
 - a. Revise the plans to provide one van accessible parking stall and adjust the proposed variances if necessary, to the satisfaction of the Director of Sustainable Planning and Community Development.
 - b. Revise the Tenant Assistance Plan, to the satisfaction of the Director of Sustainable Planning and Community Development, to meet expectations of the Tenant Assistance Policy, and more specifically to include:
 - i. Rent compensation for eligible tenants as per length of tenancy and at 2022 CMHC average rents or tenant's rent, whichever is higher.
 - ii. Relocation support for eligible tenants with at least three housing options that are comparable in size, location and price, and which meet tenant needs.
 - c. Revise the arborist report, site survey, landscape plan and civil plan to the satisfaction of the Director of Parks, Recreation and Facilities.
3. That following the third reading of the zoning amendment bylaw, the applicant prepare and execute 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. a 2.47m wide Statutory Right of Way on Russell Street.
4. That adoption of the zoning bylaw amendment will not take place until all of the required legal agreements that are registrable in the Land Title Office have been so registered to the satisfaction of the City Solicitor.

Development Permit with Variances

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. 00266 for 1035 Russell Street, in accordance with plans submitted to the Planning department and date stamped by Planning on December 1, 2023, subject to:

- a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
 - i. reduce the side (east) setback from 4.0m to 3.01m;
 - ii. reduce the rear (south) setback from 4.0m to 1.52m;
 - iii. increase the site coverage from 50% to 53.3%;
 - iv. decrease the open site space requirement from 45% to 40.18%;
 - v. decrease the number of required visitor parking stalls from 1 to 0; and
 - vi. decrease the number of required van accessible parking stalls from 1 to 0.
- b. Final plans generally in accordance with the plans date stamped December 1, 2023, with the following revisions:
 - i. Modifications to the Russell Street frontage to accommodate additional landscaping and simplifying the design of the building, as stated in the letter from the Applicant dated April 9, 2024.
 - ii. Revised plans to the satisfaction of the Director of Engineering are required that addresses the following:
 - Ensure doors do not swing out across a public sidewalk or statutory right of way.
 - Correct the alignment of Raynor Street and ensure all drawings are consistent.
 - Move the sidewalk to align with the property line along Raynor Street and the inbound SRW boundary along Russell Street and ensure all drawings are consistent.

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

F.2 Purchasing Policy Proposed Amendments

Committee received a report dated April 19, 2024 from the Deputy City Manager and Chief Financial Officer regarding a report seeking Council's approval of amendments to the City's Purchasing Policy and associated delegated authorities.

That Council:

1. Approve the amended Purchasing Policy (Appendix A), and
2. Direct the City Solicitor to prepare the necessary amendments to bylaws, in alignment with the limits and authorities established in the amended Purchasing Policy, to:
 - a. Delegate the authority to negotiate, enter into, execute and administer Purchase Agreements to the following positions:

- i. Purchase Agreements over \$500,000 – City Manager
 - ii. Purchase Agreements up to and including \$500,000 – Chief Financial Officer
 - iii. Purchase Agreements up to and including \$74,999.99 – Manager or Department Director
 - iv. Purchase Agreements for goods up to and including \$10,000 – Project Manager
- b. Delegate the authority to administer, amend and renew Purchase Agreements of any value – Project Manager

With all delegations subject to the following conditions:

- c. Purchase Agreement must be in writing and in a form satisfactory to the City Solicitor;
- d. Any amendments that add to the work, service, or goods must be integrally related to and necessary to fulfill the objectives of the subject contract as described in the underlying solicitation; and
- e. Any renewal term not to exceed that set out in the underlying solicitation.

F.4 1124 Vancouver Street – Statutory Right of Way Agreement Acquisition for Water Meter

Committee received a report dated May 2, 2024 from the Acting Director of Engineering and Public Works regarding the Statutory Right of Way Agreement Acquisition for Water Meter for the property located at 1124 Vancouver Street in order to seek Council approval of a Statutory Right of Way agreement (SRW) for a City of Victoria water meter and vault, at 1124 Vancouver Street, Lot A and Lots 782, 783, 785 Plan EPP126734 [PID 031-877-826]) and recommending that it be approved.

- 1. That Council authorize that the City of Victoria enter into a Statutory Right of Way agreement for the lands at 1124 Vancouver Street in the City of Victoria (the “**Agreement**”) on the terms satisfactory to the Director of Engineering and Public Works, and in the form satisfactory to the City Solicitor, for an area of approximately 9.5m² (2.7m * 3.5m) at 1124 Vancouver Street, Victoria for the purpose of the City’s installation, maintenance and operation of a water meter and associated vault on the lands legally described as LOT A and Lots 782, 783, 785 Plan EPP126734 (PID 031-877-826).
- 2. That no legal right or obligation will be created, and none shall arise until the Agreement is fully executed by the City.

CARRIED UNANIMOUSLY

E. LAND USE MATTERS

E.2 1055 Alston Street: Rezoning Application No. 00851 and Development Permit with Variances Application No. 00234 (Vic West)

Committee received a report dated May 9, 2024 from the Director of Sustainable Planning and Community Development regarding the Rezoning Application and Development Permit with Variances Application for the property located at 1055 Alston Street in order to rezone from the M2-S Zone, Songhees Light Industrial District, to a new zone to construct a mixed-use building with one industrial unit and approximately 56 residential units and recommending that that the application proceed to bylaw readings.

Committee discussed the following:

- *Requirement for industrial parking*
- *Noise allowances*
- *Incorporating residential and industrial use*
- *Lack of community amenities*

Moved and Seconded:

Option 1: Require ADP Review

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 May 9, 2024 for 1055 Alston 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 once the following conditions are met:
 - a. Revised plans identifying a second car share stall on-site.
 - b. The application be reviewed by the Advisory Design Panel.
3. That following the third reading of the zoning amendment bylaw, the applicant prepare and execute 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:
 - a. Provision of a 1.0m wide statutory right of way for a portion along Alston Street to accommodate a sidewalk and two boulevard trees to City standards.
 - b. Provision of transportation demand management measures including:
 - i. two electric car share vehicles with a security of \$55,000 per vehicle
 - ii. two car share vehicle parking stalls equipped with Level 2 electric vehicle charging stations
 - iii. public access to the shared vehicle parking stalls
 - iv. a minimum of 56 car share memberships and credits
 - v. enhanced bicycle facilities including 50% of long-term bicycle spaces to have access to an electrical outlet, 10% of long-term bicycle parking to be oversized for cargo bicycles, and a bicycle maintenance station, and
 - vi. two EcoPasses for a minimum of five years for the industrial space.

4. That adoption of the zoning bylaw amendment will not take place until all of the required legal agreements that are registrable in the Land Title Office have been so registered to the satisfaction of the City Solicitor.
5. 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. 00234 for 1055 Alston Street, in accordance with plans submitted to the Planning department and date stamped by Planning on April 18, 2024, subject to:

- a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
 - i. reduce the residential vehicle parking from 55 stalls to 17 stalls
 - ii. reduce the visitor vehicle parking from six stalls to two stalls
 - iii. reduce the industrial vehicle parking from eight stalls to four stalls
 - iv. reduce the visitor van accessible stall from one stall to zero stalls
 - v. reduce the surface parking lot setback from a street from 1m to 0.6m
 - vi. eliminate the landscape screen between a surface parking lot and a street.

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

OPPOSED (4): Councillor Caradonna, Councillor Dell, Councillor Loughton, and Councillor Thompson

CARRIED (5 to 4)

E.3 902 Foul Bay Road: Development Permit with Variances Application No. 00273 (Gonzales)

Committee received a report dated May 2, 2024 from the Director of Sustainable Planning and Community Development regarding the Development Permit with Variances Application for the property located at 902 Foul Bay Road in order to propose amendments to a previously approved permit to construct two stacked townhouse dwellings containing 18 units, and recommending that the application be approved.

Committee discussed the following:

- *Delegating certain types of permit decision-making to staff*
- *Proposed carport versus parking area*
- *Intent as strata development and management of amenities*

Moved and Seconded:

That Council consider the following motion:

- “1. That Council , after giving notice, posting signage, and inviting written comments from the public for Council’s consideration, authorize the issuance of Development Permit with Variances Application No. 00273 for 902 Foul Bay Road to permit amendments to the plans attached to the existing approved permit issued for Development Permit with Variances Application No. 00192, in accordance with plans submitted to the Planning department and date stamped by Planning on May 1, 2024, subject to the following:
- a. Plan revisions, to the satisfaction of the Director of Sustainable Planning and Community Development:
 - i. provide an improved landscaped buffer between the parking area and the street;
 - ii. modify the plans to provide a feature to encourage play in the common outdoor amenity space; and
 - iii. retain the green roof above the one-bedroom units, utilize the flat roof area as an outdoor amenity or add additional landscaping and stormwater management features elsewhere on the site.
 - b. The proposed development meeting all City zoning bylaw requirements, except for variances permitted by the existing approved permit Development Permit with Variances Application No. 00192 and the following variance:
 - i. reduce the landscape buffer around parking areas from 1m to 0.65m.
2. That the Development Permit with Variances, if issued, expires two years from the date of this resolution.”

Amendment:

Moved and Seconded:

That Council consider the following motion:

- “1. That Council , after giving notice, posting signage, and inviting written comments from the public for Council’s consideration, authorize the issuance of Development Permit with Variances Application No. 00273 for 902 Foul Bay Road to permit amendments to the plans attached to the existing approved permit issued for Development Permit with Variances Application No. 00192, in accordance with plans submitted to the Planning department and date stamped by Planning on May 1, 2024, subject to the following:
- a. Plan revisions, to the satisfaction of the Director of Sustainable Planning and Community Development:
 - i. provide an improved landscaped buffer between the parking area and the street;
 - ii. modify the plans to provide a feature to encourage play in the common outdoor amenity space; and
 - iii. **encourage the applicant to** retain the green roof above the one-bedroom units, utilize the flat roof area as an outdoor amenity or add

- additional landscaping and stormwater management features elsewhere on the site.
- b. The proposed development meeting all City zoning bylaw requirements, except for variances permitted by the existing approved permit Development Permit with Variances Application No. 00192 and the following variance:
 - i. reduce the landscape buffer around parking areas from 1m to 0.65m.
2. That the Development Permit with Variances, if issued, expires two years from the date of this resolution.”

OPPOSED (6): Mayor Alto, Councillor Coleman, Councillor Gardiner, Councillor Hammond, Councillor Kim, and Councillor Thompson

DEFEATED (3 to 6)

Amendment:

Moved and Seconded

That Council consider the following motion:

- “1. That Council , after giving notice, posting signage, and inviting written comments from the public for Council’s consideration, authorize the issuance of Development Permit with Variances Application No. 00273 for 902 Foul Bay Road to permit amendments to the plans attached to the existing approved permit issued for Development Permit with Variances Application No. 00192, in accordance with plans submitted to the Planning department and date stamped by Planning on May 1, 2024, subject to the following:
- a. Plan revisions, to the satisfaction of the Director of Sustainable Planning and Community Development:
 - i. provide an improved landscaped buffer between the parking area and the street;
 - ii. modify the plans to provide a feature to encourage play in the common outdoor amenity space; and
 - iii. retain the green roof above the one-bedroom units, utilize the flat roof area as an outdoor amenity or add additional landscaping and stormwater management features elsewhere on the site.
 - iv. **to retain carport with green roof**
 - b. The proposed development meeting all City zoning bylaw requirements, except for variances permitted by the existing approved permit Development Permit with Variances Application No. 00192 and the following variance:
 - i. reduce the landscape buffer around parking areas from 1m to 0.65m.
2. That the Development Permit with Variances, if issued, expires two years from the date of this resolution.”

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

DEFEATED (1 to 8)

Amendment:

Moved and Seconded:

That Council consider the following motion:

“1. That Council , after giving notice, posting signage, and inviting written comments from the public for Council’s consideration, authorize the issuance of Development Permit with Variances Application No. 00273 for 902 Foul Bay Road to permit amendments to the plans attached to the existing approved permit issued for Development Permit with Variances Application No. 00192, in accordance with plans submitted to the Planning department and date stamped by Planning on May 1, 2024, subject to the following:

- a. Plan revisions, to the satisfaction of the Director of Sustainable Planning and Community Development:
 - i. provide an improved landscaped buffer between the parking area and the street;
 - ii. modify the plans to provide a feature to encourage play in the common outdoor amenity space; and
 - iii. retain the green roof above the one-bedroom units, utilize the flat roof area as an outdoor amenity or add additional landscaping and stormwater management features elsewhere on the site, **or the carport structure.**
 - b. The proposed development meeting all City zoning bylaw requirements, except for variances permitted by the existing approved permit Development Permit with Variances Application No. 00192 and the following variance:
 - i. reduce the landscape buffer around parking areas from 1m to 0.65m.
2. That the Development Permit with Variances, if issued, expires two years from the date of this resolution.”

OPPOSED (1): Councillor Gardiner

CARRIED (8 to 1)

On the main motion as amended:

That Council consider the following motion:

“1. That Council , after giving notice, posting signage, and inviting written comments from the public for Council’s consideration, authorize the issuance of Development Permit with Variances Application No. 00273 for 902 Foul Bay Road to permit amendments to the plans attached to the existing approved permit issued for Development Permit with Variances Application No. 00192, in accordance with plans submitted to the Planning department and date stamped by Planning on May 1, 2024, subject to the following:

- a. Plan revisions, to the satisfaction of the Director of Sustainable Planning and Community Development:

- i. provide an improved landscaped buffer between the parking area and the street;
 - ii. modify the plans to provide a feature to encourage play in the common outdoor amenity space; and
 - iii. retain the green roof above the one-bedroom units, utilize the flat roof area as an outdoor amenity or add additional landscaping and stormwater management features elsewhere on the site, or the carport structure
- b. The proposed development meeting all City zoning bylaw requirements, except for variances permitted by the existing approved permit Development Permit with Variances Application No. 00192 and the following variance:
- i. reduce the landscape buffer around parking areas from 1m to 0.65m.
2. That the Development Permit with Variances, if issued, expires two years from the date of this resolution.”

OPPOSED (2): Councillor Gardiner, and Councillor Hammond

CARRIED (7 to 2)

Committee recessed at 10:37 a.m. and reconvened at 10:46 a.m.

F. STAFF REPORTS

F.3 Improving Governance Processes through Comprehensive Delegation Bylaw

Committee received a report dated May 2, 2024 from the Deputy City Manager regarding a report seeking Council direction to expand the Delegation Bylaw to delegate to senior staff, routine administrative matters which bind the City and select authorities which further improve the efficiency and effectiveness of operations.

Committee discussed the following:

- *Naming rights in regard to financial or capital commitments*
- *Potential for an appeal or review process*
- *Interjurisdictional scan of best practices*

Moved and Seconded:

That Council direct the City Solicitor to draft a new delegation bylaw as described in Option 1 of this report and bring forward for Council’s consideration at a future meeting.

CARRIED UNANIMOUSLY

H. NEW BUSINESS

H.1 Council Member Motion: Parking Outside of the Downtown Neighbourhood

Committee received a Council Member Motion dated May 17, 2024 from Councillor Matt Dell and Councillor Dave Thompson regarding parking outside of the Downtown Neighbourhood.

Councillor Loughton left the meeting at 11:19 a.m. due to a Councillor obligation and was absent for the remainder of the meeting.

Committee recessed at 11:20 a.m. due to a technical issue and reconvened at 11:21 a.m.

Committee discussed the following:

- *Support from neighbouring municipalities*
- *Affects on possible amalgamation*
- *Operating costs*

Moved and Seconded:

That Council direct staff to report back on:

1. Reducing private vehicle movements and parking in the downtown neighbourhood by exploring the potential of creating a new parkade, or increased public parking capacity, on the north side of the downtown core.
2. Including in the OCP related objectives and metrics, such as:
 - a. reducing vehicle movements and vehicle km travelled in the downtown;
 - b. shifting numbers of parking stalls from the downtown to peripheral areas; and,
 - c. providing last-mile solutions (including transit, micro-mobility and bike share) available at any major parking locations in the periphery in order to help people move quickly from parking to final destinations.

Amendment:

Moved and Seconded:

That Council direct staff to report back on:

1. Reducing private vehicle movements and parking in the downtown neighbourhood by exploring the potential of creating a new parkade, or increased public parking capacity, **on the north side of the downtown core outside the downtown.**
2. Including in the OCP related objectives and metrics, such as:
 - a. reducing vehicle movements and vehicle km travelled in the downtown;
 - b. shifting numbers of parking stalls from the downtown to peripheral areas; and,
 - c. providing last-mile solutions (including transit, micro-mobility and bike share) available at any major parking locations in the periphery in order to help people move quickly from parking to final destinations.

CARRIED UNANIMOUSLY

On the main motion as amended:

That Council direct staff to report back on:

1. Reducing private vehicle movements and parking in the downtown neighbourhood by exploring the potential of creating a new parkade, or increased public parking capacity, outside the downtown.
2. Including in the OCP related objectives and metrics, such as:
 - a. reducing vehicle movements and vehicle km travelled in the downtown;
 - b. shifting numbers of parking stalls from the downtown to peripheral areas; and,
 - c. providing last-mile solutions (including transit, micro-mobility and bike share) available at any major parking locations in the periphery in order to help people move quickly from parking to final destinations.

CARRIED UNANIMOUSLY

J. ADJOURNMENT OF COMMITTEE OF THE WHOLE

Moved and Seconded:

That the Committee of the Whole Meeting be adjourned at 11:51 a.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR