



MINUTES - VICTORIACITY COUNCIL

June 13, 2024, 4:40 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 Nation and Xwsepsum Nation

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

PRESENT ELECTRONICALLY: Councillor Dell (Arrived at 4:43 p.m.)

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, K. Moore - Head of Business and Community Relations, A. Johnston - Assistant Director of Development Services, R. Soward – Manager of Housing, A. Hudson – Assistant Director of Sustainable Planning and Community Development, A. Cusack – Senior Planner in Housing Policy, J. Edney – Housing Planner, S. Maichen - Legislative Coordinator

A. TERRITORIAL ACKNOWLEDGEMENT

Council Acknowledged that the City of Victoria is located on the historical and contemporary homelands of the Songhees First Nation and Xwsepsum First Nation and noted the importance of taking a moment each day to reflect on the grace and generosity of the two nations.

Councillor Dell joined the meeting online at 4:43 p.m.

C. APPROVAL OF AGENDA

Council requested that the following agenda items be moved to the June 20, 2024 meeting agenda:

- *F.1 - Bylaw for 1011 Fort Street: Rezoning Application No. 00863*
- *F.2 - Amendment Bylaws for Zoning Regulation Bylaw Pursuant to Bill 44: Housing Statutes (Residential Development) Amendment Act, 2023 and Bill 47: Housing Statutes (Transit-Oriented Areas) Amendment Act, 2023*

Moved and Seconded:

That the agenda be approved as amended.

CARRIED UNANIMOUSLY

D. CONSIDERATION OF MINUTES

That the following minutes be approved:

Moved and Seconded:

D.1 Minutes from the Evening Council meeting held March 14, 2024

That the minutes from the Evening Council meeting held March 14, 2024 be approved.

D.2 Minutes from the Evening Council meeting held April 25, 2024

That the minutes from the Evening Council meeting held April 25, 2024 be approved.

D.3 Minutes from the Daytime Council meeting held May 02, 2024

That the minutes from the Daytime Council meeting held May 2, 2024 be approved.

D.4 Minutes from the Daytime Council meeting held May 09, 2024

That the minutes from the Daytime Council meeting held May 9, 2024 be approved.

D.5 Minutes from the Daytime Council meeting held May 16, 2024

That the minutes from the Daytime Council meeting held May 16, 2024 be approved.

D.6 Minutes from the Daytime Council meeting held May 23, 2024

That the minutes from the Daytime Council meeting held May 23, 2024 be approved.

CARRIED UNANIMOUSLY

E. REPORTS OF COMMITTEE

E.1 Committee of the Whole

E.1.a Report from the May 16, 2024 COTW Meeting

Moved and Seconded:

That the following items from the Committee of the Whole meeting held May 16, 2024 be approved:

E.1.a.a Douglas Street Downtown Dedicated Bus Lane Update

That Council direct staff to:

1. Transition the current time-limited dedicated bus lanes between Hillside Avenue and Herald Street to be in effect 24 hours a day, 7 days a week (Segment A as described in this report) starting as soon as resources permit, but in any event no later than the end of 2024.
2. Commence detailed design for dedicated bus lanes and other complete street improvements on Douglas Street, between Hillside Avenue and Belleville Street (Segments B and C - Option F as described in this report).
3. Report back by Q1 of 2026 following the outcomes of detailed design and provide associated recommendations on next steps for project implementation.
4. Consider ways of including safe access for cycling, micromobility, and mobility scooters as part of the overall Douglas redevelopment project.

E.1.a.b Downtown Victoria Business Association - Business Improvement Area Renewal Request

That Council proceed with the DVBA's request for a five-year renewal of the Business Improvement Area by way of Council Initiative, Subject to Land Owner Petition Against.

E.1.a.c Proposed Capital Regional District Bylaw No. 4588 - Regional Parks Loan Authorization Bylaw No. 1, 2024

That Council:

1. Consent to the adoption of Capital Regional District Bylaw 4588, "Regional Parks Loan Authorization Bylaw No. 1, 2024.

CARRIED UNANIMOUSLY

E.1.b Report from the May 23, 2024 COTW Meeting

E.1.b.b 1055 Alston Street: Rezoning Application No.00851 and Development Permit with Variances Application No. 00234 (Vic West)

Moved and Seconded:

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 (1): Councillor Dell

CARRIED (8 TO 1)

E.1.b.c

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

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 (2): Councillor Gardiner, Councillor Hammond

CARRIED (7 TO 2)

Moved and Seconded:

That the following recommendations from the May 23, 2024 Committee of the Whole meeting be approved:

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

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.

E.1.b.d

Purchasing Policy Proposed Amendments

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.

E.1.b.e Improving Governance Processes through Comprehensive Delegation Bylaw

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.

E.1.b.f 1124 Vancouver Street – Statutory Right of Way Agreement Acquisition for Water Meter

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.

E.1.b.g Council Member Motion: Parking Outside of the Downtown Neighbourhood

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

E.1.c Report from the June 13, 2024 COTW Meeting

E.1.c.a Council Member Motion: Union of BC Municipalities (UBCM) Resolution for a Universal Basic Income

Moved and Seconded:

That Victoria City Council endorse the following Resolution, and forward the same to the Union of BC Municipalities for consideration at its September 2024 annual convention:

Whereas municipalities are increasingly expected to respond to gaps in Canada's social safety net resulting from growing economic, racial and health inequalities, And whereas a basic income program, in addressing key social determinants of health, such as income and housing, can alleviate pressures on municipalities to address poverty and fill gaps in social supports, such as shelter, housing, food security and mental health,

And whereas evidence from basic income research and pilots shows that when people have a sufficient and secure income their mental and physical health improves, they have the capacity to secure more affordable, suitable, and safe housing, childcare, healthy food, and transportation, and poverty rates decrease,

And whereas the provision of a basic livable income would benefit individuals, families and communities and protect

the most vulnerable in society, and support community resilience,

And whereas evidence shows that a federally funded basic income that improves people's financial stability is possible, as successful income transfer programs already exist in Canada for seniors (Old Age Security and the Guaranteed Income Supplement) and parents (Canada Child Benefit), and to aid in recovery post-COVID (Canada Emergency Response Benefit),

Therefore, be it resolved that the Union of BC Municipalities urges the Governments of British Columbia and Canada to individually and/or collectively implement a Universal Basic Income, ensuring everyone has sufficient income to meet their needs, helping British Columbia and Canada lessen poverty and homelessness, alleviating the pressure on municipalities to use their limited resources to fill gaps in our social safe net.

OPPOSED (1): Councillor Gardiner

CARRIED (8 TO 1)

E.1.c.b

Council Member Motion: Union of BC Municipalities (UBCM) – Vacancy Control

Moved and Seconded:

That Victoria City Council endorse the following Resolution, and forward the same to the Union of BC Municipalities for consideration at its September 2024 annual Convention.

WHEREAS the Government of British Columbia and Premier David Eby are on the record as saying REITs are a “predatory model [that] leads to evictions and rent hikes”

AND WHEREAS the Province of B.C. has recognized that vacancy control is effective at protecting affordable housing stock, as evidenced by its recent decision to prevent evictions in Downtown Eastside single-room occupancy buildings;

AND WHEREAS the unaffordability of housing limits the ability of renters to contribute to local economies, as noted by Leilani Farha (the former United Nations Special Rapporteur on housing and current Global Director of THE SHIFT, a housing initiative to actualize the housing as a basic human right);

AND WHEREAS refuting a human rights-based framework towards the commodification and financialization of housing is a contributor to the affordability crisis, and that renter protection must be a priority enacted through: 1) vacancy controls, 2) REIT bans, and 3) ensuring rent control protection, as stated by the federal housing advocate Marie-Josée Houle;

AND WHEREAS non-profit housing providers rely on their relatively limited rental income to maintain operating budgets and operating capacity;

AND WHEREAS communities across the province are unable to find desperately needed workers in the trades, healthcare, education, and childcare because of the unaffordability of housing ;

AND WHEREAS the loss of affordable rental housing is inextricably linked to the dire social and public health concerns that municipalities across the province are struggling to adequately address;

AND WHEREAS the average rent for unoccupied units surpassed the overall average rent for occupied units by 43%, where residents of B.C. face the highest rates of eviction in Canada and 85% of those evictions are no-fault evictions, disproportionately impacting single-income households, people with disabilities, and similarly equity-seeking groups;

AND WHEREAS the current levels of investment in non-market housing have proven insufficient at meeting demand;

AND WHEREAS a straightforward increase in market-supply housing is inadequate to meet the needs and income-based capacities of a significant proportion of residents;

AND WHEREAS to prevent growing rates of homelessness and to protect low-income renter households, emergency homelessness prevention strategies through government regulatory intervention are required;

AND WHEREAS, as an example, Victoria's average rental rates have increased by 51% (from \$1,170 in 2018 to \$2,275 in April 2024) since the BC 2018 Rental Task Force recommended against vacancy control under the caveat that the government monitor their success at "reducing bad-faith evictions, with the goal of improving people's security in their rental homes and to make adjustments, if necessary;" [emphasis added]

THEREFORE, BE IT RESOLVED THAT the Province of British Columbia implement vacancy control on rental units owned by “financial landlords,” including but not limited to corporate landlords and real estate investment trusts.

OPPOSED (2): Councillor Gardiner, Councillor Hammond

CARRIED (7 TO 2)

E.1.c.c Council Member Motion: Union of BC Municipalities (UBCM) Resolution: Request for the Province to Set Standards for Municipal Council Remuneration

Moved and Seconded:

That Council endorses the following resolution, and that staff submit it for consideration at the Union of BC Municipalities Conference by June 15, 2024, and that this motion be forwarded to daytime council for consideration.

Whereas UBCM has developed a Council and Board Remuneration Guide and despite excellent best practice suggestions Councils are still required to vote on their remuneration;

And whereas this system creates political pressure due to perceived conflict of interest by the public, which often results in remuneration rates not adequately compensating the workload;

And whereas accurate compensation for time commitment could help to reduce barriers to running for local office and attract diverse candidates:

Therefore be it resolved that UBCM request that the province work with the union to set a standardized rates grid based on transparent criteria for local government elected-official remuneration.

OPPOSED (2): Councillor Gardiner, Councillor Hammond

CARRIED (7 TO 2)

F.3 Bylaws for Loan Authorization Bylaws - Transportation Improvements, Public Washroom Improvements and Parks Redevelopment

Moved and Seconded:

That the following bylaws **be adopted**:

1. Loan Authorization (Transportation Improvements Capital Projects) Bylaw, No. 24-018
2. Loan Authorization (Public Washroom Improvements Capital Projects) Bylaw, No. 24-019
3. Loan Authorization (Parks Redevelopment Capital Projects) Bylaw, No. 24-020

CARRIED UNANIMOUSLY

H. CLOSED MEETING

MOTION TO CLOSE THE JUNE 13, 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)(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;

Section 90(1)(g) litigation or 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.

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

The daytime Council meeting was closed to the public at 4:56 p.m.

CARRIED UNANIMOUSLY

I. APPROVAL OF CLOSED AGENDA

Moved and Seconded:

That the closed agenda be approved.

CARRIED UNANIMOUSLY

J. NEW BUSINESS

J.1 Litigation and Legal Advice - Community Charter Section 90(1)(g) and 90(1)(i)

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

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

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

K. ADJOURNMENT

Moved and Seconded:

That the Council Meeting be adjourned at 5:39 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR