



MINUTES - VICTORIA CITY COUNCIL

July 4, 2024, 3:30 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 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. Hoese - Director of Sustainable Planning and Community Development, G. Diamond - Senior Legislative Coordinator, A. Klus - Legislative Coordinator

A. TERRITORIAL ACKNOWLEDGEMENT

Council acknowledged that the City of Victoria is located on the homelands of the Songhees First Nation and Xwsepsum First Nation communities, and thanked them for allowing us to live, work and play on their lands.

C. APPROVAL OF AGENDA

Moved and Seconded:

That the agenda be approved.

CARRIED UNANIMOUSLY

D. UNFINISHED BUSINESS

D.1 Rise and Report

D.1.a From the June 27, 2024 Closed Council Meeting:

Rise and Report of Period 1 2024 Closed Resolutions

That Council rise and report the resolutions listed in Attachment 1 of Rise and Report of Period 1 2024 Closed Resolutions.

E. REPORTS OF COMMITTEE

E.1 Committee of the Whole

E.1.a Report from the June 20, 2024 COTW Meeting

E.1.a.a 1276 and 1278 Gladstone Avenue: Rezoning Application No. 00860 and Development Permit with Variances Application No. 00249 (Fernwood)

Councillor Kim recused herself at 3:36 p.m. due to a potential pecuniary conflict of interest.

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 June 6, 2024, for 1276/1278 Gladstone Avenue.
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. Revisions to the landscape plan to consider achieving the siting and soil volume requirements of the *Tree Protection Bylaw* for the proposed replacement tree in the front yard to the satisfaction of the Director of Parks, Recreation and Facilities.
 - b. Revisions to the frontage design to include a ramp access as part of the proposed on-street loading zone design, to the satisfaction of the Director of Engineering and Public Works.
3. That following the third reading of the Zoning Regulation Bylaw amendment, the applicant prepare and execute legal agreements, with contents satisfactory to the Director of Sustainable Planning and Community Development, the Director of Engineering and Public Works, and form satisfactory to the City Solicitor prior to adoption of the bylaw to secure the following:
 - a. To secure the 18 new residential dwelling units as rental in perpetuity.
 - b. To secure two two-bedroom units and six three-bedroom units within the building.
 - c. Provision of transportation demand measures including:

- i. a \$55,000 contribution towards the purchase and operation of a shared home-based Electric Vehicle (EV)
 - ii. a \$20,000 contribution towards the design and installation of an on-street dual head level 2 Electric Vehicle (EV) charger
 - iii. car share membership with a \$100.00 usage credit per dwelling unit
 - iv. BC Transit Eco Passes for 50 percent of the units for a three-year term.
 - d. Authorization for the existing Statutory Right-of-way CA7437563 currently registered on Title (a 1.85m SRW for highway purposes) along Gladstone Avenue be rescinded and replaced with a new Statutory Right-of-way for the same area and purpose, with updated terms and conditions.
 - e. Authorization for the City Solicitor to enter into a Statutory Right-of-way for the purpose of municipal infrastructure (a water vault) if it is determined to be required.
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 Variance 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. 00249 for 1276/1278 Gladstone Avenue, in accordance with plans submitted to the Planning department and date stamped by Planning on April 26, 2024, subject to:
 - a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
 - i. reduce the minimum rear lot line setback from 6.00m to 3.95m for the main face of the building and to 1.00m for the first storey and patio
 - ii. reduce the minimum side (east) lot line setback from 3.50m to 2.09m for the building, to 1.44m for the balconies, and to 0.06m for the steps
 - iii. reduce the minimum side (west) lot line setback from 3.50m to 2.08m for the main face of the

- building, to 1.36m for the balconies, and to 0.00m for the first storey and patio
- iv. reduce the number of residential parking spaces from 18 spaces to 0 spaces
 - v. reduce the number of commercial parking spaces from 8 spaces to 0 spaces
 - vi. reduce the number of visitor parking spaces from 2 spaces to 0 spaces
 - vii. reduce the number of accessible parking spaces from 1 space to 0 spaces
 - viii. reduce the number of van accessible parking spaces from 1 space to 0 spaces
 - ix. increase the maximum height of a building from 12m to 13.56m
 - x. increase the maximum number of storeys from four storeys to five storeys.
2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution."

OPPOSED (3): Councillor Coleman, Councillor Gardiner, and Councillor Hammond
Conflict (1): Councillor Kim

CARRIED (5 to 3)

Councillor Kim rejoined the meeting at 3:37 p.m.

Moved and Seconded:

That the following items from the Committee of the Whole meeting held June 20, 2024 be approved:

E.1.a.b Development Cost Charges Review - Consultation Results

That Council direct staff to bring forward an amended Development Cost Charges bylaw for consideration of introductory readings.

E.1.a.c Victoria Housing Strategy Annual Review Report 2023

That Council receive the Victoria Housing Strategy Annual Review 2023 report for information.

E.1.a.d Council Member Motion: City of Victoria response to on-going antisemitic actions

That Council reaffirm direction to staff to respond promptly to communications from the public regarding discriminatory

or other actions intended to create hate and/or division in our community by:

1. assessing communications from the public which assert City funding support or otherwise links the City to organizations which advocate for discriminatory behaviour to
 - a. determine if any grant or other city funding is used directly or indirectly to support discriminatory activities, and
 - b. recommend continuing or altering City financial support for an organization involved with such discriminatory activities.
2. prioritizing the removal of graffiti which is likely to be offensive, abusive, hateful or threatening in nature by
 - a. removing such graffiti on City public property.
 - b. promptly notifying property owners of such graffiti on their property and their obligation to remove graffiti.

CARRIED UNANIMOUSLY

E.1.b Report from the July 04, 2024 COTW Meeting

Moved and Seconded:

That the following items from the Committee of the Whole meeting held July 04, 2024 be approved:

E.1.b.a Appointment of Bylaw Officers

That Council approve the appointment of Alyson Barnes and Kurn Koshal

1. As Bylaw Officers pursuant to section 2(a) of the Inspection Bylaw (06-061); and
2. As a Business Licence Inspector for the City of Victoria

E.1.b.b Council Member Motion: Support for the Victoria Hockey Legacy Society Bid for the 2025 U17 Hockey Challenge

1. That Council request the mayor write to the Victoria Hockey Legacy Society, indicating support for their bid to host the 2025 World Under-17 Hockey Challenge, indicating contributions of in-kind and/or financial aid up to a value of \$100,000 which may be derived from an application to the City's Major Community Initiatives and Events Grants program.

CARRIED UNANIMOUSLY

F. BYLAWS

F.1 Amendment Bylaw for Parks Regulation Bylaw

Moved and Seconded:

That the following bylaw **be adopted**:

1. Parks Regulation Bylaw, Amendment Bylaw (No. 19), No. 24-038

OPPOSED (3): Councillor Hammond, Councillor Kim, and Councillor Thompson

CARRIED (6 to 3)

G. CLOSED MEETING

Moved and Seconded:

MOTION TO CLOSE THE JULY 04, 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)(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;

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)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and

Section 90(1)(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.

CARRIED UNANIMOUSLY

The daytime Council meeting was closed to the public at 3:57 p.m.

H. APPROVAL OF CLOSED AGENDA

Moved and Seconded:

That the Closed agenda be approved.

CARRIED UNANIMOUSLY

I. NEW BUSINESS

I.1 Land, Service at Preliminary Stages, and Legal Advice - Community Charter Section 90(1)(e), 90(1)(k), and 90(1)(i)

Council discussed a Land, Service at Preliminary Stages, and Legal Advice matter. The discussion was recorded and kept confidential.

I.3 Appointment - Community Charter Section 90(1)(a)

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

K. ADJOURNMENT

Moved and Seconded:

That the Council Meeting be adjourned at 5:06 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR