



## MINUTES - VICTORIA CITY COUNCIL

April 25, 2024, 11:01 A.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 and Esquimalt Nations**

**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, C. Mycroft - Manager of Intergovernmental & Media Relations, A. Johnston – Assistant Director of Development Services, R. Soward – Manager of Housing, M. Angrove – Senior Planner, Development Agreements, R. Kenny – Assistant Director of Transportation, D. Newman – Acting Director of Parks, Recreation and Facilities, A. Heimburger - Legislative Coordinator

The Mayor noted the recent notification mailed out regarding a citizen's assembly between the District of Saanich and the City of Victoria with regard to amalgamation, and urged residents to consider participation.

### **A. TERRITORIAL ACKNOWLEDGEMENT**

Council acknowledged that the City of Victoria is located in its entirety on the historical and contemporary lands of the Lək̓wəjən people – the Songhees First Nation and Esquimalt First Nation communities. Council reflected upon the importance of being mindful of the history of stewardship by the Nations while land use decisions are being made, and thanked them for allowing us to live, work and play on their lands.

### **C. APPROVAL OF AGENDA**

Council, by unanimous consent, added item **E.1.b.b Council Member Motion: Reimbursement of Association of Vancouver Island and Coastal Communities (AVICC) Conference (April 12-14, 2024)** to the agenda.

Moved and Seconded:

That the agenda be approved as amended.

**CARRIED UNANIMOUSLY**

**D. CONSIDERATION OF MINUTES**

Moved and seconded:

That the following minutes be approved:

**D.1 Minutes from the Evening Council meeting held January 15, 2024**

That the minutes from the Evening Council meeting held January 15, 2024 be approved.

**D.2 Minutes from the Daytime Council meeting held March 14, 2024**

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

**D.3 Minutes from the Daytime Council Meeting held April 4, 2024**

That the minutes from the Daytime Council meeting held April 4, 2024 be approved.

**CARRIED UNANIMOUSLY**

**E. REPORTS OF COMMITTEE**

**E.1 Committee of the Whole**

**E.1.a Report from the April 11, 2024 COTW Meeting**

**E.1.a.a 1005 Chamberlain: Rezoning Application No.00834 and Development Permit with Variances Application No.00236 (Gonzales)**

*Councillor Thompson recused himself from the meeting due to his proximity to the property and the perception of bias.*

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 March 28, 2024, for 1005 Chamberlain Street.
2. That, pursuant to section 30 of the *Land Use Procedures Bylaw*, Council waives the requirement for the holding of a public hearing.
3. That, after publication of notification in accordance with section 467 of the *Local Government Act*, first, second, and third reading of the zoning bylaw amendment be

considered by Council once the following conditions are met:

- a. preparation and execution of a Housing Agreement for a term of five years to secure the two-family dwelling (duplex) building as rental, on terms to the satisfaction of the Director of Sustainable Planning and Community Development.
4. That following third reading of the Zoning Regulation Bylaw amendment, the applicant prepare and execute a legal agreement to secure a 3.0m wide right-of-way for pipes and access for sanitary sewer purposes, with contents satisfactory to the Director of Engineering and Public Works and form satisfactory to the City Solicitor prior to adoption of the bylaw.
  5. That adoption of the Zoning Regulation 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.
  6. 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 authorizes the issuance of Development Permit with Variances No. 00236 for 1005 Chamberlain Street, in accordance with plans submitted to the Planning department and date stamped by Planning on February 22, 2024, subject to:
  - a. securing the provision of **four** car share memberships including car share credits for each membership with contents satisfactory to the Director of Engineering and Public Works and form satisfactory to the City Solicitor.
  - b. proposed development meeting all City zoning bylaw requirements, except for the following variances:
    - i. reduce the minimum front yard setback from 7.50m to 7.43m
    - ii. reduce the minimum rear yard setback from 10.47m to 6.70m

- iii. reduce the minimum side yard setback (south) from 3.00m to 2.23m
  - iv. reduce the minimum side yard setback (north) from 1.50m to 0.75m
  - v. reduce the minimum number of residential parking spaces from 2 space to 0 spaces
  - vi. increase the maximum projection for stairs into the front yard setback from 2.50m to 4.46m
  - vii. increase the maximum projection for porches and ramps into the front yard setback from 2.50m to 2.78m
  - viii. increase the maximum number of storeys from two storeys to three storeys
  - ix. increase the maximum height of a building from 7.60m to 8.02m
  - x. allow for roof decks.
2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.”

CONFLICT (1): Councillor Thompson

**CARRIED (8 to 0)**

*Councillor Thompson rejoined the meeting at 11:06 a.m.*

Moved and Seconded:

That the following recommendations from the April 11, 2024 Committee of the Whole Meeting be approved:

**E.1.a.b Future of Victoria’s Employment Lands – Key Considerations**

That Council receive the findings outlined in this report for information.

**E.1.a.c Climate Leadership Program Update**

That Council direct staff to update Victoria’s 2050 community greenhouse gas emissions reduction targets to align with province’s commitment to net zero by 2050.

**CARRIED UNANIMOUSLY**

**E.1.a.d Council Member Motion: Commemorating a Local Hero – Hudlin memorial Way**

*Council expressed its appreciation for Doug Hudlin's contributions to the City and community.*

Moved and Seconded:

1. That Council direct staff to create and install three commemorative street signs, on existing poles below existing street signs along Higgins Street between Hillside Avenue and Cook Street, to recognize Doug Hudlin's contributions to the city and community, and,
2. That such action is undertaken within the existing budget of the Parks department or from the Parks Capital Infrastructure Program which is used to make repairs and minor upgrades to sport facilities, to a maximum of \$1,000, the design, fabrication, and installation undertaken to the satisfaction of the Director of Parks, Recreation and Facilities.

**CARRIED UNANIMOUSLY**

**E.1.b Report from the April 25, 2024 COTW Meeting**

**E.1.b.a 621, 627, 629 Princess Avenue and 624 Pembroke Street: Development Permit with Variances Application No. 00235 (Burnside)**

Moved and Seconded:

That Council, after giving notice, posting signage, and inviting written comments from the public for Council's consideration, consider the following motion:

1. "That Council authorize the issuance of Development Permit with Variances No. 00235 for 616 and 624 Pembroke Street, 621,627 and 629 Princess Avenue, in accordance with plans submitted to the Planning department and date stamped by Planning on March 26, 2024, subject to:
  - a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
    - i. adjust the east side internal lot boundary setback from either 0m or a minimum of 3m to 0.45m
    - ii. adjust the west side internal lot boundary setback from either 0m or a minimum of 3m to 0.45m
    - iii. reduce the required vehicle parking stalls from 137 stalls to 12 stalls.

- b. Registration of the following legal agreements, with contents satisfactory to the Director of Engineering and Public Works and form satisfactory to the City Solicitor:
    - i. Provision of transportation demand management measures including:
      - 1. two yearly BC Transit Eco passes for a minimum of five years to be distributed to staff
      - 2. end of trip shower facilities.
    - ii. A 0.6m Statutory-Right-of-Way along the Pembroke Street frontage.
    - iii. A covenant ensuring that at least 516m<sup>2</sup> of commercial-industrial unit space on the ground level are not used for self-storage.
  - c. The property being consolidated into one lot.
2. That the Development Permit, if issued, lapses two years from the date of this resolution.
  3. That subject to issuance of the Development Permit, Council authorize the projecting encroachments over the City rights of way on Pembroke Street and Princess Street generally as shown on the plans submitted to the City and dated January 26, 2024, provided that the applicant enters into an encroachment agreement with contents satisfactory to the Director of Engineering and Public Works and form satisfactory to the City Solicitor.

**CARRIED UNANIMOUSLY**

**E.1.b.b Council Member Motion: Reimbursement of Association of Vancouver Island and Coastal Communities (AVICC) Conference (April 12-14, 2024)**

Moved and Seconded:

That Council authorise the attendance and associated additional AVICC Conference costs for Councillor Loughton to be reimbursed. Costs include a workshop and taxes. The additional cost to the early registration is \$31.50.

**CARRIED UNANIMOUSLY**

**F. BYLAWS**

**F.1 Bylaw for 480 and 492 Esquimalt Road: Rezoning Application No. 00794 and Development Permit with Variances Application No. 00183**

*Council discussed:*

- *Neighbourhood response to application*

Moved and Seconded:

That the following bylaw **be given first, second, and third readings:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1326) No. 24-012

**CARRIED UNANIMOUSLY**

**F.2 Bylaw for 854-880 Pandora Avenue: Rezoning Application No. 00849 and Development Permit with Variances Application No. 00239**

Moved and Seconded:

That the following bylaw **be given first, second, and third readings:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1329) No. 24-010

OPPOSED (2): Councillor Coleman, and Councillor Gardiner

**CARRIED (7 to 2)**

**F.3 Bylaw for 1314 and 1318 Wharf Street: Request to Discharge a Housing Agreement**

Moved and Seconded:

That the following bylaw **be adopted:**

1. Housing Agreement (1314 and 1318 Wharf Street) Repeal Bylaw No. 24-022

OPPOSED (2): Councillor Coleman, and Councillor Kim

**CARRIED (7 to 2)**

**F.4 Amendment Bylaw for Market Rental Building Revitalization Tax Exemption Bylaw**

Moved and Seconded:

That the following bylaw **be adopted:**

1. Market Rental Building Revitalization Tax Exemption Bylaw, Amendment Bylaw (No. 1) No. 24-028

**CARRIED UNANIMOUSLY**

**H. CLOSED MEETING**

Moved and Seconded:

MOTION TO CLOSE THE APRIL 25, 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;*

*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; and*

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 11:19 a.m.*

**I. APPROVAL OF CLOSED AGENDA**

Moved and Seconded:

That the closed agenda be approved

ABSENT (1): Councillor Loughton

**CARRIED (8 to 0)**

**K. NEW BUSINESS**

**K.1 Legal Advice - Community Charter Section 90(1)(i)**

*Council discussed a matter involving legal advice. The discussion was recorded and kept confidential.*

*Councillor Loughton joined the meeting at 1:03 p.m.*

**K.2 Legal Advice - Community Charter Section 90(1)(i)**



*Council discussed a matter involving legal advice. The discussion was recorded and kept confidential.*

**K.3 Land / Service at Preliminary Stages / Intergovernmental - Community Charter Sections 90(1)(e), 90(1)(k), 90(2)(b)**

*Council discussed a matter involving land, a service at preliminary stages and intergovernmental relations. The discussion was recorded and kept confidential.*

**M. ADJOURNMENT**

Moved and Seconded:

That the Council Meeting be adjourned at 4:25 p.m.

**CARRIED UNANIMOUSLY**

---

CITY CLERK

---

MAYOR