



MINUTES - COMMITTEE OF THE WHOLE

July 18, 2024, 9:04 A.M.

COUNCIL CHAMBERS, CITY HALL, 1 CENTENNIAL SQUARE

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: 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, A. Bronee - Manager, Communications and Engagement, D. Atkinson - Fire Chief, D. Newman - Director, Parks, Recreation & Facilities, B. Stark - A/ Director, Parks & Open Spaces, C. Moffatt - Assistant City Solicitor, K. Moore - Head of Business and Community Relations, C. Mycroft - Manager of Intergovernmental & Media Relations, R. Bateman - Planner, S. Webb - Manager of Transportation, G. Diamond - Senior Legislative Coordinator, A. Klus - Legislative Coordinator

A. TERRITORIAL ACKNOWLEDGEMENT

Committee acknowledged that the City of Victoria is located on the historical and contemporary homelands of the Songhees First Nation and Xwsepsum First Nation.

B. INTRODUCTION OF LATE ITEMS

B.1 Council Member Motion: Ending daytime sheltering/camping in Victoria parks, and on Victoria streets, boulevards and sidewalks

Moved and Seconded:

That the late item ***Council Member Motion: Ending daytime sheltering/camping in Victoria parks, and on Victoria streets, boulevards and sidewalks*** be added to the agenda as item H.5.

CARRIED UNANIMOUSLY

C. APPROVAL OF AGENDA

Moved and Seconded:

That the agenda be approved as amended.

CARRIED UNANIMOUSLY

D. CONSENT AGENDA

*Councillor Kim requested that item **F.2 – Amendment to Patio Regulation Bylaw No. 23-035** be removed from the Consent Agenda and that item **E.3 - 2659 Douglas Street: Tax Incentive Program Application No. 000033 (Burnside)** be added to the Consent Agenda.*

*Councillor Dell requested that item **E.3 – 2659 Douglas Street: Tax Incentive Program Application No. 000033 (Burnside)** be removed from the Consent Agenda.*

*Councillor Hammond requested that item **F.3 – Amendments to the Short-Term rental Regulation Bylaw** be removed from the Consent Agenda.*

*Councillor Gardiner requested that item **F.1 - Recommendation for Victoria Cannabis Company Farmgate at 340 Mary Street** be removed from the Consent Agenda.*

Moved and Seconded:

That the following Consent Agenda items be approved:

E.1 1115 Johnson Street, 1110 and 1120 Yates Street: Development Variance Permit Application No. 00286 (Fernwood)

Committee received a report dated July 04, 2024 from the Director of Sustainable Planning and Community Development regarding the Development Variance Permit Application for the properties located at 1115 Johnson Street, 1110 and 1120 Yates Street in order to allow changes to the approved bicycle parking layout and type of bicycle parking spaces provided for the Cook Street Plaza mixed-use development project currently under construction, and recommending that the application be approved.

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 Variance Permit Application No. 00286 for 1115 Johnson Street, and 1110 and 1120 Yates Street, in accordance with plans submitted to the Planning department and date stamped by Planning on July 9, 2024, subject to:

- a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:

- i. reduce the minimum percentage of long-term ground anchored bicycle parking spaces from 50% to 19% for Parcel A and from 50% to 49% for Parcel B
 - ii. reduce the minimum unobstructed height clearance for bicycle parking spaces from 2.1m to 0.0m (for stacked bicycle parking spaces)
 - iii. reduce the minimum distance from the walls/structures within the building to the bicycle parking spaces from 0.45m to 0.30m (for stacked bicycle parking spaces)
 - iv. reduce the minimum bicycle parking space aisle width from 1.50m to 1.13m
 - v. reduce the total number of residential long-term bicycle parking spaces from 233 to 208
 - vi. to be relieved from providing all bicycle parking spaces permanently anchored to the ground or wall, as stacked bicycle parking spaces does not meet this requirement.
2. That the Development Variance Permit lapses two years from the date of this resolution.
3. That Council ratify the decision at the daytime session immediately following the Committee of the Whole Meeting.”

H.1 Council Member Motion: Union of British Columbia Municipalities (UBCM) Travel Expense Reimbursement

Committee received a Council Member Motion from Councillor Caradonna dated July 08, 2024 requesting reimbursement for the associated costs for travel and attendance at the Union of BC Municipalities Convention, September 16-20, 2024 in Vancouver.

That Council authorize the attendance and associated costs for Councillor Caradonna to attend the Union of BC Municipalities 2024 Convention in Vancouver, BC, on 16-20 September 2024, and recommending that this motion be forwarded to the daytime meeting of July 18, 2024 for consideration.

The approximate cost for attending is:

Conference registration fee	\$600
Air travel	\$242
Accommodation (2 nights, 17th – 19th)	\$850
Food and incidentals	\$200
Carbon Tax (0.03 x 150/tonne)	\$4.50
Totals	\$1896.50

H.2 Council Member Motion: Union of British Columbia Municipalities Convention (September 16-20, 2024) Expenses

Committee received a Council Member Motion from Councillor Kim dated July 11, 2024 requesting reimbursement for the associated costs for travel and attendance at the Union of BC Municipalities Convention, September 16-20, 2024 in Vancouver.

1. That Council authorize the attendance and associated costs for Councillor Kim to attend the Union of British Columbia Municipalities Conference held Vancouver BC, on September 16-20, 2024; and
2. That the motion be forwarded to July 18, 2024 daytime Council for consideration.

The approximate cost for attending is:

Conference Registration Fee (+GST)	\$630
Accommodations (4 nights)	\$858
Transportation to/from Vancouver	\$100
TransLink bus fare	\$40
Meals and Incidentals	\$300

Estimated total cost = \$1,928.

H.3 Council Member Motion: Canadian Capital Cities Organization 2024 Conference September 2024

Committee received a Council Member Motion from Councillor Gardiner dated July 12, 2024 seeking reimbursement for costs associated with participation in the Canadian Capital Cities Organization 2024 Conference to be held in Winnipeg, Manitoba, on September 22-25, 2024. That Council authorize the attendance and associated costs for Councillor Gardiner to participate in the Canadian Capital Cities Organization 2024 Conference to be held in Winnipeg, Manitoba, on September 22-25, 2024.

The approximate cost for attending is:

Conference Registration Fee	\$ 400.00
Travel to/from Winnipeg	\$ 405.00
Taxis (Victoria and Winnipeg)	\$ 200.00
Accommodation (3 nights)	\$ 640.00
Food & Incidentals	\$ 150.00
Carbon Tax (0.76 x \$150/tonne)	\$114.00
	\$ 1,909.00

Estimated Total Cost = \$1,909.00

H.4 Council Member Motion: Union of BC Municipalities 2024 Convention

Committee received a council member motion dated July 12, 2024 from Councillor Thompson requesting Council to authorize the attendance and associated costs to attend the Union of BC Municipalities 2024 Convention to be held in Vancouver, BC, in September, 2024.

That Council approve this motion for same day consideration due to the deadline for early bird fees.

That Council authorize the attendance and associated costs for Councillor Dave Thompson to attend the Union of BC Municipalities 2024 Convention to be held in Vancouver, BC, in September, 2024.

The approximate cost per person for attending is:

Conference Registration Fee	\$ 600.00
Conference Session Fees	\$ 250.00
Travel to/from Vancouver	\$ 408.00
Accommodation (4 nights)	\$ 1700.00
Food & Incidentals	\$ 100.00
Carbon Tax (0.03 x \$150/tonne)	\$4.50
<hr/> TOTAL	<hr/> \$ 3062.50

CARRIED UNANIMOUSLY

E. LAND USE MATTERS

E.2 674, 676, and 678 Battery Street, 675 and 685 Niagara Street, and 50 Douglas Street: Rezoning Application No. 00810 and associated Development Permit with Variances Application No. 000614 and Heritage Alteration Permit Application No. 00251 (Downtown)

Committee received a report dated July 04, 2024 from the Director of Sustainable Planning and Community Development regarding the Rezoning Application and associated Development Permit with Variances Application and Heritage Alteration Permit Application for the property located at 674, 676, and 678 Battery Street, 675 and 685 Niagara Street, and 50 Douglas Street in order to rezone from the R3-2 Zone, Multiple Dwelling District, to increase the density from **1.6:1** floor space ratio (FSR) to 2.45:1 FSR and allow construction of a new six-storey assisted living building and recommending it proceed to bylaw readings.

Committee discussed the following:

- *Tenant Assistance Policy, length of review*
- *The legislation that covers individuals in assisted living (Residential Tenancy Act or Assisted Living Act) in terms of relocation*
- *Mitigating shifts in rent for vulnerable seniors, right of first refusal for returning renters*
- *Expanding width of sidewalk to accommodate mobility devices*

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 July 4, 2024 for 674, 676, and 678 Battery Street, 675 and 685 Niagara Street, and 50 Douglas 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 following the third reading of the zoning amendment bylaw, the applicant prepare and execute an 2.38 m wide statutory right of way along Niagara Street for highway purposes to the satisfaction of the Director of Engineering and Public Works prior to adoption of the bylaw.
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. 000614 for 674, 676, and 678 Battery Street, 675 and 685 Niagara Street, and 50 Douglas Street, in accordance with plans submitted to the Planning department and date stamped by Planning on May 21, 2024, subject to:
- a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
 - i. increase the maximum height from 18.50m to 23.10m
 - ii. increase the maximum site coverage from 40% to 53%
 - iii. reduce the minimum open site space from 50% to 41%
 - iv. reduce the Battery Street setback from 10.00m to 6.00m for the triplex
 - v. reduce the Battery Street setback from 10.00m to 6.50m for the building and 5.00m for the balcony of the assisted living facility
 - vi. reduce the Niagara Street setback from 4.00m to 2.50m for the port cochere of the assisted living facility
 - vii. reduce the internal east setback from 6.00m to 5.00m for the balcony of the assisted living facility
 - viii. reduce the internal south setback from 6.00m to 4.70m for the balcony of the assisted living facility
 - ix. locate an accessory building in the side yard instead of the rear yard
 - x. increase the maximum height of an accessory building from 3.50m to 3.70m.
2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.”

Heritage Alteration Permit Application

That Council, consider the following motion:

- “1. That Council authorize the issuance of the Heritage Alteration Permit No. 00251 for 674, 676, and 678 Battery Street, 675 and 685 Niagara Street, and 50 Douglas Street in accordance with plans submitted to the Planning department and date stamped by Planning on May 21, 2024 (the “Plans”), subject to the proposed development meeting all City zoning bylaw requirements.
2. That the Heritage Alteration Permit, if issued, lapses two years from the date of this resolution.”

Amendment:

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 July 4, 2024 for 674, 676, and 678 Battery Street, 675 and 685 Niagara Street, and 50 Douglas 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 following the third reading of the zoning amendment bylaw, the applicant prepare and execute an 2.38 m wide statutory right of way along Niagara Street for highway purposes to the satisfaction of the Director of Engineering and Public Works prior to adoption of the bylaw.
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. **Ensure that the TAP relocation lead time is 12 months for all tenants and that their relocation and right for first refusal and minimizes sudden rental increase and accounts for the needs of vulnerable seniors, to the satisfaction of the Director of Planning**
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.

Amendment to the amendment:

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 July 4, 2024 for 674, 676, and 678 Battery Street, 675 and 685 Niagara Street, and 50 Douglas 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 following the third reading of the zoning amendment bylaw, the applicant prepare and execute an 2.38 m wide statutory right of way along Niagara Street for highway purposes to the satisfaction of the Director of Engineering and Public Works prior to adoption of the bylaw.
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. **Ensure that the TAP relocation lead time is 12 months for all tenants and that their relocation and right for first refusal and minimizes sudden rental increase and accounts for the needs of vulnerable seniors residents, to the satisfaction of the Director of Planning**
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.

CARRIED UNANIMOUSLY

On the amendment as amended:

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 July 4, 2024 for 674, 676, and 678 Battery Street, 675 and 685 Niagara Street, and 50 Douglas 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 following the third reading of the zoning amendment bylaw, the applicant prepare and execute an 2.38 m wide statutory right of way along Niagara Street for highway purposes to the satisfaction of the Director of Engineering and Public Works prior to adoption of the bylaw.
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. **Ensure that the TAP relocation lead time is 12 months for all tenants and that their relocation and right for first refusal and minimizes sudden rental increase and accounts for the needs of vulnerable residents, to the satisfaction of the Director of Planning**

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.

CARRIED UNANIMOUSLY

On the main motion as amended:

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 July 4, 2024 for 674, 676, and 678 Battery Street, 675 and 685 Niagara Street, and 50 Douglas 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 following the third reading of the zoning amendment bylaw, the applicant prepare and execute an 2.38 m wide statutory right of way along Niagara Street for highway purposes to the satisfaction of the Director of Engineering and Public Works prior to adoption of the bylaw.
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. Ensure that the TAP relocation lead time, is 12 months for all tenants and that their relocation and right for first refusal and minimizes sudden rental increase and accounts for the needs of vulnerable residents, to the satisfaction of the Director of Planning
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 authorize the issuance of Development Permit with Variances No. 000614 for 674, 676, and 678 Battery Street, 675 and 685 Niagara Street, and 50 Douglas Street, in accordance with plans submitted to the Planning department and date stamped by Planning on May 21, 2024, subject to:
 - b. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
 - i. increase the maximum height from 18.50m to 23.10m
 - ii. increase the maximum site coverage from 40% to 53%
 - iii. reduce the minimum open site space from 50% to 41%
 - iv. reduce the Battery Street setback from 10.00m to 6.00m for the triplex

- v. reduce the Battery Street setback from 10.00m to 6.50m for the building and 5.00m for the balcony of the assisted living facility
 - vi. reduce the Niagara Street setback from 4.00m to 2.50m for the port cochere of the assisted living facility
 - vii. reduce the internal east setback from 6.00m to 5.00m for the balcony of the assisted living facility
 - viii. reduce the internal south setback from 6.00m to 4.70m for the balcony of the assisted living facility
 - ix. locate an accessory building in the side yard instead of the rear yard
 - x. increase the maximum height of an accessory building from 3.50m to 3.70m.
2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.”

Heritage Alteration Permit Application

That Council, consider the following motion:

“1. That Council authorize the issuance of the Heritage Alteration Permit No. 00251 for 674, 676, and 678 Battery Street, 675 and 685 Niagara Street, and 50 Douglas Street in accordance with plans submitted to the Planning department and date stamped by Planning on May 21, 2024 (the “Plans”), subject to the proposed development meeting all City zoning bylaw requirements.

2. That the Heritage Alteration Permit, if issued, lapses two years from the date of this resolution.”

OPPOSED (1): Councillor Coleman

CARRIED (8 to 1)

*Committee recessed at 10:57 a.m. and reconvened at 11:13 a.m.
Councillor Dell was absent when the meeting reconvened.*

E.3 2659 Douglas Street: Tax Incentive Program Application No. 000033 (Burnside)

Moved and Seconded:

Motion to postpone consideration of item E.3 - 2659 Douglas Street: Tax Incentive Program Application No. 000033 (Burnside) until after item F.1 - Recommendation for Victoria Cannabis Company Farmgate at 340 Mary Street.

OPPOSED (1): Councillor Thompson

ABSENT (1): Councillor Dell

CARRIED (7 to 1)

F.1 Recommendation for Victoria Cannabis Company Farmgate at 340 Mary Street

Committee received a report dated July 10, 2024 from the City Clerk seeking a Council resolution regarding an application by Victoria Cannabis Company Farmgate at 340 Mary Street to obtain a provincial cannabis retail store license.

Committee discussed the following:

- *Time duration of odor issue, possibility to mitigate*

Councillor Dell rejoined the meeting at 11:17 a.m.

Moved and Seconded:

1. That Council direct staff to advise the Liquor and Cannabis Regulation Branch (LCRB):

The Council of the City of Victoria supports the application of Victoria Cannabis Company Farmgate at 340 Mary Street to receive a provincial cannabis retail store license with the following comments:

- a. The Council recommends that the Liquor and Cannabis Regulation Branch issue a license to Victoria Cannabis Company Farmgate at 340 Mary Street.
- b. Bylaw Services indicated cannabis retail would have limited community impact; however, they outlined ongoing issues with the odour of the adjacent cultivation site and that it be resolved before issuing a local government recommendation.

The Victoria Police Department did not raise any concerns about community impacts.

- c. The reasons for a positive local government recommendation include that:

- i. The location permits storefront cannabis retail.
- ii. Staff did not raise significant concerns about community impact of storefront cannabis retail at this location only the preexisting adjacent cultivation site.

d. Residents' views were solicited through a mail-out to property owners and occupiers within 100 meters of this address and to the relevant neighbourhood association.

The City sent 312 notices, including the Vic West Neighbourhood Association.

2. That Council direct staff to advise the LCRB of Council's recommendation subject to the applicant's compliance with applicable City bylaws and permits.

OPPOSED (1): Councillor Gardiner

CARRIED (8 to 1)

E.3 2659 Douglas Street: Tax Incentive Program Application No. 000033 (Burnside)

Committee received a report dated July 04, 2024 from the Director of Sustainable Planning and Community Development regarding the Tax Incentive Program Application for the property located at 2659 Douglas Street in order to present

Council with an update on the findings of the third-party review and information, analysis and recommendation regarding an application for a tax exemption under the City's Tax Incentive Program (TIP) to assist in the seismic upgrading of the heritage-designated building historically called the Scott Building, and recommending that the application be declined.

Councillor Coleman and Councillor Kim left the meeting at 11:25 a.m. and rejoined the meeting at 11:37 a.m.

Committee discussed the following:

- *Ability to preserve heritage buildings, changes to regulatory systems and policy*
- *How to determine what aspects of the building are retained*

Moved and Seconded:

That Council approve Tax Incentive Program Application No. 000033 for 2659 Douglas Street.

1. That Council instruct the Director of Sustainable Planning and Community Development to prepare a heritage tax exemption bylaw to exempt 665.89 square meters (7,168 square feet) of residential area on the second story and exempt 665.89 square meters (7,168 square feet) of residential area on the third storey of the assessed value of the property at 2659 Douglas Street for a period of ten years.
2. That, first, second and third readings of the heritage tax exemption bylaw be considered by Council.
3. That subject to approval of first three readings, the applicant execute an exemption agreement with contents to the satisfaction of the Director of Sustainable Planning and Community Development and form satisfactory to the City Solicitor prior to adoption of the bylaw that contains the following conditions:
 - a. the final costs of seismic upgrading must be verified by a third-party consultant to the satisfaction of the Director of Sustainable Planning and Community Development; and
 - b. the tax exemption does not apply in a calendar year during any part of which any residential dwelling unit is not used for residential purposes.
4. 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.

OPPOSED (1): Councillor Thompson

CARRIED (8 to 1)

Committee recessed at 11:59 a.m. and reconvened at 1:02 p.m.

F. STAFF REPORTS

F.2 Amendment to Patio Regulation Bylaw No. 23-035

Committee received a report date July 02, 2024 from the Director of Strategic Real Estate and the Director of Parks, Recreation & Facilities regarding a report seeking Council approval to amend the Patio Regulation Bylaw to include part of Mary Street Park for an outdoor patio operated by an adjacent business.

Committee discussed the following:

- *Frequency of patios found encroached on parks*
- *Duration of permits*

Moved and Seconded:

That Council:

1. direct staff to bring forward an amendment to the Patio Regulation Bylaw No. 23-035, that will add a portion of Mary Street Park to the class of public lands that may be licenced as a patio under that Bylaw, and address minor housekeeping issues; and
2. forward this motion to the July 18, 2024 daytime meeting of Council for consideration.

Amendment:

Moved and Seconded:

That Council:

1. direct staff to bring forward an amendment to the Patio Regulation Bylaw No. 23-035, that will add a portion of Mary Street Park to the class of public lands that may be licenced as a **seasonal** patio under that Bylaw, and address minor housekeeping issues; and
2. forward this motion to the July 18, 2024 daytime meeting of Council for consideration.

OPPOSED (9): Mayor Alto, Councillor Caradonna, Councillor Coleman, Councillor Dell, Councillor Gardiner, Councillor Hammond, Councillor Kim, Councillor Loughton, and Councillor Thompson

DEFEATED UNANIMOUSLY

On the main motion:

That Council:

1. direct staff to bring forward an amendment to the Patio Regulation Bylaw No. 23-035, that will add a portion of Mary Street Park to the class of public lands that may be licenced as a patio under that Bylaw, and address minor housekeeping issues; and
2. forward this motion to the July 18, 2024 daytime meeting of Council for consideration.

CARRIED UNANIMOUSLY

F.3 Amendments to the Short-Term Rental Regulation Bylaw

Committee received a report dated July 09, 2024 from the Manager of Bylaw and Licensing, Bylaw Services regarding a report updating Council on the amendments related to short-term rental regulations and seek Council's directions regarding reasonable opportunity for affected persons to make representations to Council.

Committee discussed the following:

- *Impact on property owners*
- *Change in definitions/terminology*

Moved and Seconded:

1. That, pursuant to section 59 of the *Community Charter*, Council direct the City Clerk to publish notice of its intention to amend the *Short-Term Rental Regulation Bylaw* and provide an opportunity for persons who consider themselves to be affected to make written representations to Council prior to the adoption of the amendment bylaw.
2. That this matter be advanced for ratification at the July 18, 2024, daytime Council meeting.

CARRIED UNANIMOUSLY

Motion arising:

Moved and Seconded:

That Council direct staff to report back on the implications of amending the City's *Short-Term Rental Regulation Bylaw*, and/or related bylaws, on the following topics:

1. Updating section 2.b.ii, or other relevant sections or related bylaws, to add language that would explicitly prohibit the use of secondary suites for short-term rentals;
2. Updating section 3 (2), or other relevant sections or related bylaws, to add language that would place a cap on the maximum number of nights that a principal residence could be rented out as a short-term rental within a calendar year, for instance, for 120, 150, or 180 nights in total.

In addition, for staff to report back on the following related items:

1. On the viability of creating a sliding licensing fee based on the frequency with which a host rents out a short-term rental. For instance, a system in which hosts who rent out a short-term rental for 1-14 nights per year pay a certain amount, hosts who rent out a short-term rental for 14-60 nights pay a higher amount, and hosts who rent out a short-term rental for 61 nights or more pay the highest amount. Staff to focus on enforceability, viability, and the ability to establish a cost-recovery licensing system for administering short-term rentals in Victoria;

2. On the viability of adding short-term rental regulations to the provincial baseline while also minimizing the City's enforcement responsibilities. Staff to focus on whether the enforcement responsibilities could be shared with the Province – and if so, how – or whether creating additional regulations means that the City alone takes responsibility for the enforcement of short-term rentals moving forward.

OPPOSED (1): Councillor Gardiner

CARRIED (8 to 1)

G. NOTICE OF MOTIONS

There were no notice of motions.

H. NEW BUSINESS

H.5 Council Member Motion: Ending daytime sheltering/camping in Victoria parks, and on Victoria streets, boulevards and sidewalks

Committee received a Council Member Motion from Councillor Hammond dated July 15, 2024 requesting the City Manager work with her senior leadership to put an end to illegal daytime temporary sheltering in Victoria parks and on city streets, sidewalks and boulevards.

Moved and Seconded:

1. That Council direct the City Manager to work with her senior leadership to put an end to illegal daytime temporary sheltering in Victoria parks and on city streets, sidewalks and boulevards by:
 - a. identifying what it will take to achieve this goal, including processes, personnel and costs;
 - b. giving estimates of time by which a realistic outcome could take place;
 - c. identifying from which existing budget areas, including reserves, needed financial resources can be taken, and the implication of using those resources for these purposes (including what, if any City projects may need to be put on hold).
2. In the interim, and until a realistic plan can be put in place to end illegal daytime temporary sheltering, that Council directs the City Manager to work with all people necessary (police, fire, emergency services, provincial government agencies, city staff, etc.) to find ways to ameliorate the harm arising from illegal daytime sheltering.

That this motion be forwarded to the daytime council meeting of July 18, 2024 for consideration.

Amendment:

Moved and Seconded:

1. That Council direct the City Manager to work with her senior leadership to put an end to illegal daytime temporary sheltering in Victoria parks and on city streets, sidewalks and boulevards by:
 - a. identifying what it will take to achieve this goal, including processes, personnel and costs;
 - b. giving estimates of time by which a realistic outcome could take place;
 - c. identifying from which existing budget areas, including reserves, needed financial resources can be taken, and the implication of using those resources for these purposes (including what, if any City projects may need to be put on hold).
2. In the interim, and until a realistic plan can be put in place to end illegal daytime temporary sheltering, that Council directs the City Manager to work with all people necessary (police, fire, emergency services, provincial government agencies, city staff, **lived-experience experts** etc.) to find ways to ameliorate the harm arising from illegal daytime sheltering.

That this motion be forwarded to the daytime council meeting of July 18, 2024 for consideration.

OPPOSED (1): Councillor Gardiner

CARRIED (8 to 1)

Amendment:

Moved and Seconded:

1. That Council direct the City Manager to work with her senior leadership to put an end to illegal daytime temporary sheltering in Victoria parks and on city streets, sidewalks and boulevards by:
 - a. identifying what it will take to achieve this goal, including processes, personnel and costs;
 - b. giving estimates of time by which a realistic outcome could take place;
 - c. identifying from which existing budget areas, including reserves, needed financial resources can be taken, and the implication of using those resources for these purposes (including what, if any City projects may need to be put on hold).
2. In the interim, and until a realistic plan can be put in place to end illegal daytime temporary sheltering, that Council directs the City Manager to work with all people necessary (police, fire, emergency services, provincial government agencies, city staff, lived-experience experts, **Indigenous peoples** etc.) to find ways to ameliorate the harm arising from illegal daytime sheltering.

That this motion be forwarded to the daytime council meeting of July 18, 2024 for consideration.

CARRIED UNANIMOUSLY

Amendment:

Moved and Seconded:

1. That Council direct the City Manager to work with her senior leadership to put an end to illegal daytime temporary sheltering in Victoria parks and on city streets, sidewalks and boulevards by:
 - a. identifying what it will take to achieve this goal, including processes, personnel and costs;
 - b. giving estimates of time by which a realistic outcome could take place;
 - c. identifying from which existing budget areas, including reserves, needed financial resources can be taken, and the implication of using those resources for these purposes (including what, if any City projects may need to be put on hold).
2. In the interim, and until a realistic plan can be put in place to end illegal daytime temporary sheltering, that Council directs the City Manager to work with all people necessary (police, fire, emergency services, provincial government agencies, city staff, lived-experience experts, Indigenous peoples, **the Office of the Federal Housing Advocate**, etc.) to find ways to ameliorate the harm arising from illegal daytime sheltering.

That this motion be forwarded to the daytime council meeting of July 18, 2024 for consideration.

Amendment to the amendment:

Moved and Seconded:

That Council direct the City Manager to work with her senior leadership to put an end to illegal daytime temporary sheltering in Victoria parks and on city streets, sidewalks and boulevards by:

- a. identifying what it will take to achieve this goal, including processes, personnel and costs;
 - b. giving estimates of time by which a realistic outcome could take place;
 - c. identifying from which existing budget areas, including reserves, needed financial resources can be taken, and the implication of using those resources for these purposes (including what, if any City projects may need to be put on hold).
2. In the interim, and until a realistic plan can be put in place to end illegal daytime temporary sheltering, that Council directs the City Manager to work with all people necessary (police, fire, emergency services, provincial government agencies, city staff, lived-experience experts, Indigenous peoples, **the Office of the Federal Housing Advocate, and other Federal agencies and departments**, etc.) to find ways to ameliorate the harm arising from illegal daytime sheltering.

That this motion be forwarded to the daytime council meeting of July 18, 2024 for consideration.

OPPOSED (2): Councillor Gardiner, and Councillor Hammond

CARRIED (7 to 2)

On the amendment as amended:

1. That Council direct the City Manager to work with her senior leadership to put an end to illegal daytime temporary sheltering in Victoria parks and on city streets, sidewalks and boulevards by:
 - a. identifying what it will take to achieve this goal, including processes, personnel and costs;
 - b. giving estimates of time by which a realistic outcome could take place;
 - c. identifying from which existing budget areas, including reserves, needed financial resources can be taken, and the implication of using those resources for these purposes (including what, if any City projects may need to be put on hold).
2. In the interim, and until a realistic plan can be put in place to end illegal daytime temporary sheltering, that Council directs the City Manager to work with all people necessary (police, fire, emergency services, provincial government agencies, city staff, lived-experience experts, Indigenous peoples, **the Office of the Federal Housing Advocate, and other Federal agencies and departments,** etc.) to find ways to ameliorate the harm arising from illegal daytime sheltering.

That this motion be forwarded to the daytime council meeting of July 18, 2024 for consideration.

OPPOSED (2): Councillor Gardiner, and Councillor Hammond

CARRIED (7 to 2)

Amendment:

1. That Council direct the City Manager to work with her senior leadership to **continue to try to** put an end to illegal daytime temporary sheltering in Victoria parks and on city streets, sidewalks and boulevards by:
 - a. identifying what it will take to achieve this goal, including processes, personnel and costs;
 - b. giving estimates of time by which a realistic outcome could take place;
 - c. identifying from which existing budget areas, including reserves, needed financial resources can be taken, and the implication of using those resources for these purposes (including what, if any City projects may need to be put on hold).

2. In the interim, and until a realistic plan can be put in place to end illegal daytime temporary sheltering, that Council directs the City Manager to work with all people necessary (police, fire, emergency services, provincial government agencies, city staff, lived-experience experts, Indigenous peoples, the Office of the Federal Housing Advocate, and other Federal agencies and departments, etc.) to find ways to ameliorate the harm arising from illegal daytime sheltering.

That this motion be forwarded to the daytime council meeting of July 18, 2024 for consideration.

OPPOSED (5): Mayor Alto, Councillor Coleman, Councillor Dell, Councillor Gardiner, and Councillor Hammond

DEFEATED (4 to 5)

Motion to extend the meeting:

Moved and Seconded:

That the meeting be extended to 3:23 p.m.

CARRIED UNANIMOUSLY

On the main motion as amended:

1. That Council direct the City Manager to work with her senior leadership to put an end to illegal daytime temporary sheltering in Victoria parks and on city streets, sidewalks and boulevards by:
 - a. identifying what it will take to achieve this goal, including processes, personnel and costs;
 - b. giving estimates of time by which a realistic outcome could take place;
 - c. identifying from which existing budget areas, including reserves, needed financial resources can be taken, and the implication of using those resources for these purposes (including what, if any City projects may need to be put on hold).
2. In the interim, and until a realistic plan can be put in place to end illegal daytime temporary sheltering, that Council directs the City Manager to work with all people necessary (police, fire, emergency services, provincial government agencies, city staff, lived-experience experts, Indigenous peoples, the Office of the Federal Housing Advocate, and other Federal agencies and departments, etc.) to find ways to ameliorate the harm arising from illegal daytime sheltering.

That this motion be forwarded to the daytime council meeting of July 18, 2024 for consideration.

OPPOSED (1): Councillor Kim

CARRIED (8 to 1)

I. CLOSED MEETING, IF REQUIRED

There was no requirement for a Closed meeting.

J. ADJOURNMENT OF COMMITTEE OF THE WHOLE

Moved and Seconded:

That the Committee of the Whole Meeting be adjourned at 3:16 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR