



## MINUTES - VICTORIA CITY COUNCIL

July 18, 2024, 3:33 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: S. Thompson - Deputy City Manager / Chief Financial Officer, C. Kingsley - City Clerk, C. Anderson - Deputy City Clerk, 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, C. Mycroft - Manager of Intergovernmental & Media Relations, A. Johnston - Assistant Director of Development Services, A. Bronee - Manager, Communications and Engagement, D. Atkinson - Fire Chief, K. Moore - Director, Business & Community Relations, D. Newman - Director, Parks, Recreation & Facilities. B. Stark - A/ Director, Parks & Open Spaces, C. Moffatt - Assistant City Solicitor, J. Biem - Assistant City Solicitor, K. Janota-Bzowska - Planner, K. Stevenot - Senior Planner, P. Carroll - Senior Planner, S. Webb - Assistant Director, Corporate Planning, T. Piwowar - Manager of Facility 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 Esquimalt First Nation communities, and thanked them for allowing us to live, work and play on their lands.

### **B. INTRODUCTION OF LATE ITEMS**

*There were no late items.*

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

Moved and Seconded:

That the agenda be approved.

**CARRIED UNANIMOUSLY**

**D. REPORTS OF COMMITTEE**

**D.1 Committee of the Whole**

**D.1.a Report from the July 04, 2024 COTW Meeting**

**D.1.a.a Centennial Square Revitalization Concept Design Update**

*Councillor Hammond left the meeting at 3:37 p.m.*

Moved and Seconded:

THAT Council approve the updated concept design for Centennial Square and direct staff to proceed with implementation as outlined in this report as amended by the following:

1. Increase the child-oriented play features in the final designs.
2. In future consider commercial mixed-use to return to the north side of the Square.
3. After removal of the unsafe trees, and without slowing down the project, staff to repurpose the timber within the Victoria community as they see fit.

OPPOSED (2): Councillor Coleman and Councillor Gardiner

ABSENT (1): Councillor Hammond

**CARRIED (6 to 2)**

*Councillor Hammond rejoined the meeting at 3:38 pm.*

**D.1.a.b Union of British Columbia Municipalities (UBCM) Community Excellence Awards Submission**

Moved and Seconded:

That Council authorize staff to submit an award for OUR DWTN for the Union of British Columbia Municipalities (UBCM) Community Excellence Awards for excellence in service delivery

**CARRIED UNANIMOUSLY**

**D.1.b Report from the July 18, 2024 COTW Meeting**

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

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 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.

**CARRIED UNANIMOUSLY**

**D.1.b.b Amendment to Patio Regulation Bylaw No. 23-035**

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

**CARRIED UNANIMOUSLY**

**D.1.b.c Amendments to the Short-Term Rental Regulation Bylaw**

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.

**CARRIED UNANIMOUSLY**

Moved and Seconded:

That the following recommendations from the July 18, 2024 Committee of the Whole meeting be approved:

**D.1.b.d Council Member Motion: Union of British Columbia Municipalities (UBCM) Travel Expense Reimbursement**

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.

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

**D.1.b.e Council Member Motion: Union of British Columbia Municipalities Convention (September 16-20, 2024) Expenses**

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

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.

**D.1.b.f Council Member Motion: Union of BC Municipalities 2024 Convention**

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	\$ 3062.50

**CARRIED UNANIMOUSLY**

**E. BYLAWS**

**E.1 Amendment Bylaw for Land Use Procedures Bylaw**

Moved and Seconded:

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

1. Land Use Procedures Bylaw, Amendment Bylaw (No. 21), No. 24-021.

OPPOSED (1): Councillor Gardiner

**CARRIED (8 to 1)**

**E.2 Bylaw for 515 Foul Bay Road: Rezoning Application No. 00807**

Moved and Seconded:

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1340), No. 24-048

**CARRIED UNANIMOUSLY**

**E.3 Bylaw for Development Cost Charges**

Moved and Seconded:

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

1. Development Cost Charges Bylaw, No. 24-053

**CARRIED UNANIMOUSLY**

**E.4 Bylaw for Delegation Bylaw**

Moved and Seconded:

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

1. Delegation Bylaw No. 24-045

**CARRIED UNANIMOUSLY**

Moved and Seconded:

That Council direct the Deputy City Manager to report back to Council within 18 months of adoption of the bylaw with an update on how the bylaw is operating in practice and propose any further modifications if necessary.

**CARRIED UNANIMOUSLY**

**E.5 Bylaws for Temporary Borrowing Bylaws – Transportation, Public Washrooms and Parks Redevelopment; and Motion for Financial Security Issuing Resolutions**

Moved and Seconded:

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

- a. Temporary Borrowing (Transportation Improvements Capital Projects) Bylaw, No. 24-064
- b. Temporary Borrowing (Public Washroom Improvements Capital Projects) Bylaw, No. 24-065
- c. Temporary Borrowing (Parks Redevelopment Capital Projects) Bylaw, No. 24-066

**CARRIED UNANIMOUSLY**

Moved and Seconded:

2. That Council approve borrowing from the Municipal Finance Authority of British Columbia, as part of the 2025 Spring Borrowing Session, \$32 million as authorized through Loan Authorization (Transportation Improvements Capital Projects) Bylaw, No. 24-018 and that the Capital Regional District be requested to consent to our borrowing over a 20 year term and include the borrowing in a Security Issuing Bylaw.
3. That Council approve borrowing from the Municipal Finance Authority of British Columbia, as part of the 2025 Spring Borrowing Session, \$3 million as authorized through Loan Authorization (Public Washroom Improvements Capital Projects) Bylaw, No. 24-019 and that the Capital Regional District be requested to consent to our borrowing over a 20 year term and include the borrowing in a Security Issuing Bylaw.
4. That Council approve borrowing from the Municipal Finance Authority of British Columbia, as part of the 2025 Spring Borrowing Session, \$18 million as authorized through Loan Authorization (Parks Redevelopment Capital Projects) Bylaw, No. 24-020 and that the Capital Regional District be requested to consent to our borrowing over a 20 year term and include the borrowing in a Security Issuing Bylaw.

**CARRIED UNANIMOUSLY**

*Council considered the following recommendation from the July 18, 2024 Committee of the Whole meeting as it was previously missed on the agenda in error:*

**D.1.b.g**

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

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, and other Federal agencies and departments, etc.) to find ways to ameliorate the harm arising from illegal daytime sheltering.

OPPOSED (1): Councillor Kim

**CARRIED (8 to 1)**

**F. NOTICE OF MOTIONS**

*There were no notice of motions.*

**G. CLOSED MEETING**

Moved and Seconded:

**MOTION TO CLOSE THE JULY 18, 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)(f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;*

*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 meeting was closed to the public at 3:49 p.m.*

**H. APPROVAL OF CLOSED AGENDA**

Moved and Seconded:

That the closed agenda be approved

**CARRIED UNANIMOUSLY**

**I. NEW BUSINESS**

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

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

**I.1 Land, Services at the Preliminary Stages, and Intergovernmental Relations - Community Charter Section 90(1)(e), 90(1)(k), and 90(2)(b)**

*Council discussed a land matter, services at the Preliminary Stages, and Intergovernmental Relations. The discussion was recorded and kept confidential.*

**I.3 Law Enforcement & Intergovernmental Relations - Community Charter Section 90(1)(f) and 90(2)(b)**

*Council discussed a law enforcement and intergovernmental relations matter. The discussion was recorded and kept confidential.*

**J. CONSIDERATION TO RISE & REPORT**

*There were no considerations to rise and report.*

**K. ADJOURNMENT**

Moved and Seconded:

That the Council meeting be adjourned at 4:32 p.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR

DRAFT