



## AGENDA - VICTORIA CITY COUNCIL

Thursday, May 2, 2024

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

Pages

**A. TERRITORIAL ACKNOWLEDGEMENT**

**B. INTRODUCTION OF LATE ITEMS**

**C. APPROVAL OF AGENDA**

**D. CONSIDERATION OF MINUTES**

**D.1 Minutes from the Evening Council meeting held April 11, 2024**

1

**E. REPORTS OF COMMITTEE**

**E.1 Committee of the Whole**

**E.1.a Report from the April 18, 2024 COTW Meeting**

4

[Link to the April 18, 2024 COTW Agenda](#)

**E.1.a.a 1212 Vista Heights: Rezoning Application No. 00809 and Development Permit with Variances Application No. 000639 (Hillside/Quadra)**

**E.1.a.b 1011 Fort Street: Rezoning Application No. 00863 (Downtown)**

**E.1.a.c Electric Vehicle Strategy Bylaw Updates**

**E.1.a.d UBCM Disaster Risk Reduction - Climate Adaption Grant Application**

**E.1.a.e Support for Canadian Senior Women's Basketball Team Event**

**E.1.a.f Council Member Motion: Reducing Reliance on Parks Sheltering in Victoria**

**F. BYLAWS**

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

7

[Link to the June 29, 2023 Special COTW Agenda](#)

- **Adoption of:**
  - Zoning Regulation Bylaw, Amendment Bylaw (No. 1326) No. 24-012
- **Approval of:**
  - Development Permit with Variances Application No. 00183

This application proposes to rezone the lands known as 480 & 492 Esquimalt Road to permit a mixed-use building with commercial, industrial and work-live uses on the ground floor and rental residential on the upper storeys.

**F.2      Bylaw for 2848 and 2852 Shelbourne Street: Rezoning Application No. 00768 and Development Permit with Variances Application No. 000595**

12

[Link to the January 19, 2023 COTW Agenda](#)

- **Adoption of:**
  - Zoning Regulation Bylaw, Amendment Bylaw (No. 1315) No. 23-080
- **Approval of:**
  - Development Permit with Variances Application No. 00595

This application proposes to rezone the land known as 2848 and 2852 Shelbourne Street from the R1-B Zone, Single Family Dwelling District, to the RT Zone, Traditional Residential Attached Dwelling District, to permit a seven-unit townhouse development.

**G.      NOTICE OF MOTIONS**

**H.      CLOSED MEETING**

**MOTION TO CLOSE THE MAY 02, 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)(c) labour relations or other employee relations;*

*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.*

**I. APPROVAL OF CLOSED AGENDA**

**J. NEW BUSINESS**

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

J.2 Service at Preliminary Stages - Community Charter Section 90(1)(k)

J.3 Labour Relations and Employee Relations - Community Charter Section 90(1)(c) and Community Charter Section 90(1)(i)

J.4 Intergovernmental Relations - Community Charter Section 90(2)(b)

J.5 Employee Relations - Community Charter Section 90(1)(i)

**K. CONSIDERATION TO RISE & REPORT**

**L. ADJOURNMENT**



## MINUTES - VICTORIA CITY COUNCIL

April 11, 2024, 6:32 P.M.

Council Chambers, City Hall, 1 Centennial Square

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 Gardiner, Councillor Hammond, Councillor Kim, Councillor Loughton, Councillor Thompson

PRESENT ELECTRONICALLY: Councillor Dell

STAFF PRESENT: J. Jenkyns - City Manager, T. Zworski - City Solicitor, C. Kingsley - City Clerk, C. Anderson - Deputy City Clerk, D. Atkinson - Fire Chief, T. Zworski - City Solicitor, D. Newman - Acting Director, Parks, Recreation, and Facilities, A. Bronee - Manager, Communications and Engagement, G. Diamond - Senior Legislative Coordinator, B. Roder - Senior Legislative Coordinator

### A. MUSIC (to begin at 6:15 p.m.)

*Music performance by the Moondog Trio from the Victoria Conservatory of Music.*

### B. 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 reflected on the remarkable opportunity we have to do our business, live our lives, and raise our families on the traditional and contemporary lands of the Lekwungen People, and noted that we cherish the relationship we have with the Esquimalt Nation and the Songhees Nation.

### D. APPROVAL OF AGENDA

Moved and seconded.

That the agenda be approved.

**CARRIED UNANIMOUSLY**

### E. REQUESTS TO ADDRESS COUNCIL

Moved and seconded.

That the following speakers be permitted to address Council.

## **CARRIED UNANIMOUSLY**

### **E.1 Niki Ottosen, The Backpack project Victoria BC: Homelessness, Human Rights and Bylaw (In-person)**

Outlined concerns around a lack of information on the City website regarding services for unhoused people, and a lack of information on how individuals can retrieve belongings from Bylaw, and that there is also little information on extreme weather services. She requested that Council commit to the Federal Housing Advocate's recommendations.

### **E.2 Tammy Cardinal: Bylaw treatment of unhoused people sheltering in parks (In-person)**

Outlined experiences as an unhoused person living in Vic West Park and expressed concerns regarding the treatment of unhoused people by Bylaw, and that her belongings were taken, and items were damaged. Outlined how people could come to her tent to be warm, but Bylaw continues to take her things, and throw them in the garbage.

### **E.3 Helen Smith: The Homeless crisis (In-person)**

Outlined concerns regarding the homelessness crisis and that people are living without the right to adequate housing. She referenced the Memorandum of Understanding and report that was signed by the province and the City, and that the job of politicians is to implement solutions for unhoused neighbours and constituents.

### **E.4 Bernice Kamano: homelessness (In-person)**

Outlined the gesture "to share the air together" and explained that it means to look at where we are today. She outlined her morning experiences on Pandora Avenue and suggested that we need to work together and have the unhoused communities' and people in the tents' voices heard.

### **E.5 Susan Z. Martin: Human Rights and Homelessness (In-person)**

Outlined that the best way to address homelessness is housing, and that BC Housing's recent projects have been a year late in opening, and that the six sites only represent 280 spaces which is inadequate. She suggested that most Victorians want a compassionate and humane solution which could include multiple encampments, and that unhoused people should be included in the selection and operation of the sites.

### **E.6 Diana Smardon, The Committee to End Homelessness: Homelessness (In-person)**

Outlined concerns related to homelessness and suggested that luxury housing needs to stop being approved as it is displacing people. She outlined the situation on Pandora, and suggested that there needs to be a wartime effort in

building housing and that tents could be built as long as they are monitored for safety and cleanliness.

**G. ADJOURNMENT**

Moved and seconded.

That the Council meeting be adjourned at 7:07 p.m.

**CARRIED UNANIMOUSLY**

---

CITY CLERK

---

MAYOR

**COMMITTEE OF THE WHOLE REPORT  
FROM THE MEETING HELD APRIL 18, 2024**

For the Council meeting of May 2, 2024, the Committee recommends the following:

**F.1     1212 Vista Heights: Rezoning Application No. 00809 and Development Permit with Variances Application No. 000639 (Hillside/Quadra)**

**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 1, 2024, for 1212 Vista Heights.
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 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 Application**

That Council consider the following motion:

1. That subject to the adoption of the necessary Zoning Regulation Bylaw amendment, Council authorize the issuance of Development Permit No. 000639 for 1212 Vista Heights, in accordance with plans submitted to the Planning department and date stamped by Planning on February 15, 2024.
2. That the Development Permit, if issued, expires two years from the date of this resolution.

**F.2     1011 Fort Street: Rezoning Application No. 00863 (Downtown)**

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 April 18, 2024 for 1011 Fort 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 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.

**G.1     Electric Vehicle Strategy Bylaw Updates**

1. That Council instruct the Director of Engineering and Public Works (the “**Director**”) to make an application to Measurement Canada for a dispensation for Level 3 Electric Vehicle Supply equipment in order to enable the City to set fees for access to its public DC Fast Chargers on a per kilowatt hour (kWh) basis, and authorize the Director to accept the terms and conditions of doing so in the form attached as Appendix B, and to execute the associated indemnification agreement with Measurement Canada, in the form attached as Appendix C.
2. Subject to the City being granted a dispensation from Measurement Canada pursuant to the above resolution, that Council instruct the City Solicitor to draft an amendment to the City Parkades Electric Vehicle Charging Fees Bylaw to update DC fast charging fees as required to support implementation of the EV and E-Mobility Strategy.
3. That Council instruct the City Solicitor to bring forward the necessary bylaw updates to allow for the following:
  - a) Delegate to the Director the authority to issue licences to owners and occupants of residential property in order to allow such persons to run electric vehicle (“**EV**”) charging cords across the City right of way adjacent to their property for the purpose of charging EVs, with considerations for accessibility concerns addressed to the satisfaction of the Director in partnership with an accessibility-focused organization and/or the city’s accessibility committee;
  - b) Expansion of the delegation to the Director allowing them to set fees for the use of public EV charging stations to also allow them to set fees for the use of car share EV charging stations where such charging stations are owned by the City;
  - c) Increase the fee for Street Occupancy Permits within Electric Vehicle Charging Zones to offset revenue lost from City-owned EV charging stations when the public are unable to utilize the charging stations; and
  - d) To allow the City to enforce the City Parkades Electric Vehicle Charging Fees Bylaw where the City has a licence or lease to operate EV charging stations on private property.

## **G.2 UBCM Disaster Risk Reduction - Climate Adaption Grant Application**

That Council:

1. Support the application of a grant including overall grant management through the Union of British Columbia Municipalities’ (UBCM) Community Emergency Preparedness Fund (CEPF), Disaster Risk Reduction – Climate Adaptation stream for \$350,000 in funding to develop the Gorge Coastal Flood Adaptation Strategy and \$467,500 in funding for Cooling centre infrastructure (HVAC systems and passive cooling awnings for three Community Centres); and
2. Authorize the Chief Financial Officer to enter on behalf of the City of Victoria, into a shared cost agreement with UBCM on the terms acceptable to the Chief Financial Officer, the Director of Engineering and Public Works, and the Fire Chief in a form acceptable to the City Solicitor.

## **G.3 Support for Canadian Senior Women's Basketball Team Event**

That Council:



- A. Approve up to \$25,000 in financial support for a 3-game series featuring the Canadian Senior Women's Basketball Team at Save-On-Foods Memorial Centre, to be funded through the Corporate Contingency budget, and
- B. Authorize the Deputy City Manager to execute any necessary agreements with the proponent, in a form satisfactory to the City Solicitor.

**I.1 Council Member Motion: Reducing Reliance on Parks Sheltering in Victoria**

- 1. That Council direct staff to work with BC Housing, relevant service providers, and the City's sheltering Relocation Coordinator, to offer indoor sheltering or housing to the people sheltering in Irving Park and Vic West Park as of April 18, 2024;
- 2. That, contingent upon the above taking place, Council direct staff to phase out and eventually prohibit overnight sheltering in Irving Park and Vic West Park by 1 August 2024, via an update to the Parks Regulation Bylaw.
- 3. That, to facilitate the relocation of those sheltering in parks, direct staff to identify at least three indoor or outdoor locations, excluding parks, where sheltering could be permitted, and report back to Council before June 15 with the sites.

NO. 24-012

# A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the M2-E Zone, Employment-Residential District, and to rezone land known as 480 & 492 Esquimalt Road from the M-1 Zone, Limited Light Industrial District to the M2-E Zone, Employment-Residential District.

The Council of The Corporation of the City of Victoria in an open meeting enacts the following provisions:

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT BYLAW  
(NO. 1326)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of  
Schedule “B” under the caption PART 7 – Industrial and Service Zones by adding the  
following words:
- “7.68 M2-E, Employment-Residential District”
- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 7.67 the  
provisions contained in Schedule 1 of this Bylaw.
- 4 The following lands, shown hatched on the attached map, are removed from the M-1 Zone,  
Limited Light Industrial District, and placed in the M2-E Zone, Employment-Residential  
District:
- PID: 032-087-861  
Lot A, Section 31, Esquimalt District, Plan EPP132813
- 5 The Zoning Regulation Bylaw is further amended by adding to Schedule N – Residential  
Rental Tenure Properties, the lands described in section 4.

READ A FIRST TIME the **25<sup>th</sup>** day of **April** 2024

READ A SECOND TIME the **25<sup>th</sup>** day of **April** 2024

READ A THIRD TIME the **25<sup>th</sup>** day of **April** 2024

ADOPTED on the \_\_\_\_\_ day of \_\_\_\_\_ 2024

CITY CLERK

MAYOR

**PART 7.68 – M2-E ZONE, EMPLOYMENT-RESIDENTIAL DISTRICT****7.68.1 Definition**

In this Zone, “live-work unit” means a self-contained dwelling unit that is combined with a commercial space which is limited to one of the following commercial uses:

- a. Bakery
- b. Limited light industry, including testing, servicing and repair, but excluding manufacturing, processing, or assembly
- c. Medical office
- d. Office
- e. Personal services
- f. Professional services
- g. Restaurant
- h. Retail
- i. School
- j. Studio

**7.68.2 Permitted Uses in this Zone**

The following uses are the only uses permitted in this Zone:

- a. Bakery
- b. Club
- c. Dry cleaner
- d. High tech
- e. Home occupation subject to the regulations in Schedule “D”
- f. Limited light industries, including testing, servicing and repair, but excluding manufacturing, processing, or assembly
- g. Live-work unit
- h. Mail order business
- i. Medical office
- j. Multiple dwelling
- k. Office
- l. Personal service
- m. Printing and publishing
- n. Professional service
- o. Restaurant
- p. Retail
- q. School
- r. Studio
- s. Veterinary hospital, provided that all runs are totally enclosed within a building

**PART 7.68 – M2-E ZONE, EMPLOYMENT-RESIDENTIAL DISTRICT****7.68.3 Siting of Uses**

- a. Commercial uses, including commercial uses located within a live-work unit, must not be located above the first storey
- b. Residential uses or home occupation must not be located at or below the first storey

**7.68.4 Lot Area**

- a. Lot area (minimum) 2000m<sup>2</sup>
- b. Lot width (minimum) 40m

**7.68.5 Floor Area, Floor Space Ratio**

- a. Total floor area (maximum) 6590m<sup>2</sup>
- b. Floor space ratio (maximum) 3.0:1

**7.68.6 Height, Storeys**

- a. Principal building height (maximum) 23.20m
- b. Storeys (maximum) 6

**7.68.7 Setbacks, Projections**

- a. Front yard setback (minimum) 2.8m
- b. Rear yard setback (minimum) 3.0m
- c. Side yard setback from interior lot lines (minimum) 4.0m
- d. Side yard setback on a flanking street for a corner lot (minimum) 3.8m

**7.68.8 Site Coverage, Open Site Space**

- a. Site Coverage (maximum) 65%
- b. Open site space (minimum) 35%

**PART 7.68 – M2-E ZONE, EMPLOYMENT-RESIDENTIAL DISTRICT**

**7.68.9 Vehicle and Bicycle Parking**

- a. Vehicle and bicycle parking (minimum)

Subject to the regulations in Schedule “C” except as otherwise specified by the regulations in this Part

- b. Live-work unit (minimum)

Subject to the regulations in Schedule “C” except the number of vehicle spaces and bicycle parking spaces shall be calculated as per the multiple dwelling – apartment Class of Use in Schedule “C”



NO. 23-080

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by rezoning the land known as 2848 and 2852 Shelbourne Street from the R1-B Zone, Single Family Dwelling District to the RT Zone, Traditional Residential Attached Dwelling District.

The Council of The Corporation of the City of Victoria in an open meeting enacts the following provisions:

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1315)”.
- 2 The land known as 2848 and 2852 Shelbourne Street, legally described as PID: 008-134-936 Lot 6, Block 12, Section 8A, Victoria District, Plan 959 and PID: 008-134-898 Lot 5, Block 12, Section 8A, Victoria District, Plan 959 and shown hatched on the attached map, is removed from the R1-B Zone, Single Family Dwelling District, and placed in the RT Zone, Traditional Residential Attached Dwelling District.

READ A FIRST TIME the                      **14<sup>th</sup>**      day of                      **September**                      2023

READ A SECOND TIME the                      **14<sup>th</sup>**      day of                      **September**                      2023

Public hearing held on the                      **12<sup>th</sup>**      day of                      **October**                      2023

AMENDED the                      **12<sup>th</sup>**      day of                      **October**                      2023

READ A THIRD TIME the                      **12<sup>th</sup>**      day of                      **October**                      2023

ADOPTED on the                                      day of                                      2023

CITY CLERK

MAYOR

