



MINUTES - COMMITTEE OF THE WHOLE

June 1, 2023, 9:03 A.M.

COUNCIL CHAMBERS, CITY HALL, 1 CENTENNIAL SQUARE

**The City of Victoria is located on the homelands of the Songhees and Esquimalt People
Meeting will recess for a lunch break between 12:00 a.m. and 1:00 p.m.**

PRESENT: Mayor Alto in the Chair, Councillor Caradonna, Councillor Dell, Councillor Gardiner, Councillor Hammond, Councillor Loughton, Councillor Thompson

PRESENT
ELECTRONICALLY: Councillor Kim

ABSENT: Councillor Coleman

STAFF PRESENT: J. Jenkyns - City Manager, 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 - Director of Parks, Recreation & Facilities, K. Hoese - Director of Sustainable Planning and Community Development, A. Meyer - Assistant Director of Development Services, C. Mycroft - Manager of Executive Operations, P. Bellefontaine - Director of Engineering & Public Works, C. Wain - Senior Planner of Urban Design, B. Roder - Committee Secretary

A. APPROVAL OF AGENDA

Moved By Councillor Thompson
Seconded By Councillor Dell

That the agenda be approved.

CARRIED UNANIMOUSLY

B. CONSENT AGENDA

*Councillor Gardiner requested that item I.1 - **Council Member Motion: Disincentives to Attached Homes** be removed from the consent agenda.*

Council, by unanimous consent, considered the following motion:

That the following items be approved without further debate:

CARRIED UNANIMOUSLY

C. READING OF MINUTES

C.1 Minutes from the Special COTW meeting held January 23, 2023

Council, by unanimous consent, considered the following motion:

That the minutes from the Special COTW meeting held January 23, 2023 be adopted.

CARRIED UNANIMOUSLY

C.2 Minutes from the Special COTW meeting held February 6, 2023

Council, by unanimous consent, considered the following motion:

That the minutes from the Special COTW meeting held February 6, 2023 be adopted.

CARRIED UNANIMOUSLY

C.3 Minutes from the Special COTW meeting held February 17, 2023

Council, by unanimous consent, considered the following motion:

That the minutes from the Special COTW meeting held February 17, 2023 be adopted.

CARRIED UNANIMOUSLY

C.4 Minutes from the COTW meeting held February 23, 2023

Council, by unanimous consent, considered the following motion:

That the minutes from the COTW meeting held February 23, 2023 be adopted.

CARRIED UNANIMOUSLY

C.5 Minutes from the COTW meeting held April 6, 2023

Council, by unanimous consent, considered the following motion:

That the minutes from the COTW meeting held April 6, 2023 be adopted.

CARRIED UNANIMOUSLY

C.6 Minutes from the COTW meeting held April 13, 2023

Council, by unanimous consent, considered the following motion:

That the minutes from the COTW meeting held April 13, 2023 be adopted.

CARRIED UNANIMOUSLY

C.7 Minutes from the COTW meeting held April 20, 2023

Council, by unanimous consent, considered the following motion:

That the minutes from the COTW meeting held April 20, 2023 be adopted.

CARRIED UNANIMOUSLY

C.8 Minutes from the COTW meeting held April 27, 2023

Council, by unanimous consent, considered the following motion:

That the minutes from the COTW meeting held April 27, 2023 be adopted.

CARRIED UNANIMOUSLY

F.1 560 Johnson Street: Application for a Liquor Primary Licence Structural Change (Extended Hours) for Artemis, Unit 27 (Downtown)

Committee received a report dated January 9, 2023, from the Director of Sustainable Planning and Community Development, regarding an existing liquor primary licence to extend hours of licenced service by one hour on Thursday, Friday and Saturday.

Council, by unanimous consent, considered the following motion:

That Council direct staff to provide the following response to the Liquor and Cannabis Regulation Branch:

1. That Council, after conducting a review with respect to noise and community impacts, does support the application of Artemis, located at Unit 27 – 560 Johnson Street, to extend hours by one hour on Thursday, Friday and Saturday so hours would be 11 a.m. to 10p.m. Sunday, 11 a.m. to 11 p.m. Monday to Wednesday, 11 a.m. to 12 a.m. Thursday, and 11 a.m. to 1 a.m. Friday and Saturday where the existing occupant load of 110 people is retained. The following comments are provided regarding the prescribed considerations: The impact of noise on the community near the business was considered in relation to the request, and the recommended hours and occupant load are compatible with the area.
 - a. If the application is approved, it is anticipated to have a positive economic impact on the community as the approval supports the viability of the business as a local employer.
 - b. The views of residents were solicited through a mailout to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. In response to the notification that went to 1,440 owners and occupants and the Downtown Residents Association (DRA), the City received four letters

of correspondence related to the notification to extend the hours of the liquor primary license at Unit 27 – 560 Johnson Street. Three letters expressed support, and one expressed opposition, for extended hours. The DRA confirmed they had no objection to the extended hours and would not be providing a letter in response to the notification.

- c. Council recommends to the Province that the liquor primary licence be approved as recommended.

CARRIED UNANIMOUSLY

F.2 1905 Lee Avenue: Update Report for Rezoning Application No. 00710 and Associated Development Permit with Variances Application No. 00563 (South Jubilee)

Committee received a report dated April 27, 2023, from the Director of Sustainable Planning and Community Development, regarding an update on a Rezoning and Development Permit with Variances application for the property at 1905 Lee Avenue.

Council, by unanimous consent, considered the following motion:

Rezoning Application

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 27, 2023, for Rezoning Application No. 00710 for 1905 Lee Avenue and associated Development Permit with Variances Application No. 00563.

1. That first and second reading of the Zoning Regulation Bylaw amendment be considered by Council and a public hearing date be set once the applicant refines the plans to remove the walkway across the City Boulevard, to the satisfaction of the Director of Parks, Recreation and Facilities; and Director of Engineering and Public Works.
2. 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 Variances Application

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the public hearing for Rezoning Application No. 00710, if it is approved, 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. 00563 for 1905 Lee Avenue, to facilitate the small lot subdivision and in accordance with plans submitted to the Planning department and date stamped September 14, 2022, subject to:
 - a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
 - Existing House
 - i. reduce the rear yard setback from 6.0m to 2.01m;

- ii. reduce the side yard setback (north) for a habitable window from 2.40m to 1.65m.

Proposed House

- i. reduce the rear yard setback from 6.0m to 2.40m;
 - ii. reduce the front yard setback from 6.0m to 2.49m.
2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.”

CARRIED UNANIMOUSLY

G.1 Proclamation: ALS Awareness Month

Committee received a report dated May 18, 2023, from the City Clerk, regarding a proclamation for *ALS Awareness Month*, June 2023.

Council, by unanimous consent, considered the following motion:

That the *ALS Awareness Month* Proclamation be forwarded to the June 1st, 2023, Council meeting for Council's consideration.

CARRIED UNANIMOUSLY

G.2 Authorization for Housing Accelerator Fund Application

Committee received a report dated May 18, 2023, from the Director of Sustainable Planning and Community Development, regarding the submission of a funding application to the “CMHC Housing Accelerator Funding Program” to further advance work on a suite of housing actions (Housing Action Plan).

Council, by unanimous consent, considered the following motion:

That Council pass the following motion and bring it forward for ratification at the June 1, 2023 daytime Council meeting:

1. That the Council of the City of Victoria supports the submission of a funding application to the CMHC Housing Accelerator Fund Program to advance the City's Housing Action Plan as described in the report to encourage the development of required housing supply and improve certainty in the building and approvals process:
 - i. Missing Middle Housing initiative
 - ii. Exempt qualifying affordable housing projects from rezoning and provide density bonusing (Rapid Deployment of Affordable Housing)
 - iii. Rental housing incentives
 - iv. One City OCP Update and 10-year review
 - v. Regulatory updates to support housing and climate objectives
 - vi. Process modernization actions
 - vii. Leveraging City lands for affordable housing and community space

CARRIED UNANIMOUSLY

I.3 Council Member Motion: Support for the 2023 Truth and Reconciliation Day Ceremonial Event

Committee received a Council Member Motion dated June 1, 2023, from Mayor Alto, seeking support for the 2023 Truth and Reconciliation Day Ceremonial Event.

Council, by unanimous consent, considered the following motion:

1. That Council approve up to \$50,000 to support an event to mark Truth and Reconciliation Day 2023, including in-kind support and the waiving of fees for use of the Royal Athletic Park on September 30, 2023, to be funded through remaining 2023 contingency funds.
2. That Council request the mayor contact mayors from other south island municipalities to invite other municipal contributions to support this event.
3. That this motion be forwarded to the daytime Council meeting of June 1, 2023.

CARRIED UNANIMOUSLY

D. Presentations

D.1 South Island Prosperity Partnership

E. de Rosenroll, Chief Executive Officer, with South Island Prosperity Partnership, provided a presentation to Council regarding the collaborative economy in the region and the organization's constitutional purpose, strategy and impacts.

Committee discussed the following:

- *Techniques for attracting businesses*
- *Highlighting local industries*
- *Indigenous member engagement*
- *Overview of project funds*
- *Management of differing industries*

F. LAND USE MATTERS

F.3 722 and 726 Discovery Street: Update Report for Rezoning Application No. 00820 and Development Permit with Variances Application No. 00207 (Burnside)

Committee received a report dated May 18, 2023, from the Director of Sustainable Planning and Community Development, regarding a rezoning from the M-1 Zone, Limited Light Industrial District, to a new residential rental tenure zone in order to increase the density and permit an eight-storey, multi-unit residential building consisting of approximately 90 supportive housing dwelling units.

Committee discussed the following:

- *Proposed institutional design*
- *Vehicle and bicycle parking requirements*

- *Potential delays caused by design changes*
- *Quantity of supportive housing units*
- *Transportation options for residents*
- *Onsite staff support*

Moved By Councillor Dell

Seconded By Councillor Caradonna

That Council forward the following motion to the June 1, 2023 daytime meeting of Council for consideration:

Rezoning Application

1. That Council consider first and second readings of Zoning Regulation Bylaw, Amendment Bylaw (No. 1294) No. 23-018 ("Zoning Amendment Bylaw") and a public hearing date beset.
2. That subject to approval in principle at the public hearing, the applicant prepare and execute legal agreements to secure the following with the form and contents to the satisfaction of the Director of Sustainable Planning and Community Development, Director of Engineering and Public Works, and the City Solicitor prior to Council considering final adoption of the bylaws:
 - a. all dwelling units remain below-market rental for 60 years, or the life of the building, whichever is greater;
 - b. all dwelling units are to be operated by a non-profit or government agency for 60years, or the life of the building, whichever is greater, to guarantee that the development will continue to provide non-market housing;
 - c. a minimum of nine accessible and five adaptable dwelling units to be constructed in accordance with CAN/CSA-B651-95, the National Standard of Canada for barrier-free design;
 - d. provide civil design drawings and construct a mid-block crosswalk adjacent to the development, which would include bulb outs, lighting, enhanced street furnishings and landscaping, and coordinate with the mid-block crosswalk requirements associated with the adjacent development proposal on the properties located at 710 Caledonia Ave and 1961 Douglas Street;
 - e. the design, supply and installation of the City's Downtown Public Realm Plan and Streetscape Standards (DPRP), specifically, the 'New Town' District for the Discovery Street development frontage, including furnishings, materials, sidewalk scoring patterns, pedestrian lights as well as soil cells, irrigation and drainage for municipal replacement trees;
 - f. provide five (5) BC Transit's EcoPasses for employees, for a five-year duration; install a level 2 electric charger along the site's Discovery Street frontage for public use; and provide electric charging abilities for a minimum of 20% of the long-term bicycle parking spaces;
 - g. install solar voltaic rooftop panels in accordance with the plans dated August 18, 2022 (as amended to the satisfaction of the Director of Sustainable Planning and Community Development).

3. 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.
4. That Council authorize the discharge of the existing easement (CA6123705 and CA6123706) from the title of 722 Discovery Street 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 and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00820, if it is approved, consider the following motion:

1. That Council authorize the issuance of Development Permit with Variances Application No. 00207 for 722 and 726 Discovery Street in accordance with:
 - a. Plan revisions to the satisfaction of the Director of Sustainable Planning and Community Development and the Director of Parks, Recreation and Facilities, with the overall intent of encouraging a greater sense of community wellbeing and belonging for the proposed residents as well as minimising potential impacts to the retained specimen trees, which at a minimum shall include but is not limited to the following:
 - i. revisions to the architectural finishes and fenestration patterns more consistent with the previously submitted plans of August 19, 2023, as well as exploring opportunities to mitigate the privacy impacts on the north elevation
 - ii. improvements to the front entrance to create a more welcoming and residential expression through the introduction of soft landscaping
 - iii. reduction in height of the street facing retaining wall and fence height and revisions to the fencing material to increase the transparency into the residential amenity space
 - iv. revisions to the landscaping on the west property boundary to include taller species that provides greater screening between the proposal and the building to the west
 - v. minimizing the proposed grading changes within the amenity space and reducing the number of landscape rock seating walls or implementing a design or construction method which requires less extensive regrading
 - vi. incorporating recommendations from the Arborist Report (dated April 24, 2023), specifically, screw piles and grade beams for the seating walls within the relevant design drawings, details, and specifications. Should the arborist recommendations not be achievable, then staff may consider alternative solutions at the discretion of the Director of Sustainable Planning and Community Development
 - vii. provision of further detail on the designed planting areas to clarify the soil volume available with the overall aim to increase the size

- class of Replacement Tree being proposed, and reduce the total required Cash-in-lieu compensation.
- b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the required rear yard setback for the principle building from 8m to 4m;
 - ii. reduce the required number of residential parking spaces from 18 to nil;
 - iii. reduce the required number of commercial parking spaces from one to nil;
 - iv. reduce the required number of visitor parking spaces from nine to nil;
 - v. reduce the required number of long-term bicycle parking spaces from 90 to 30;
 2. That the Development Permit, if issued, lapses in two years from the date of this resolution.

CARRIED UNANIMOUSLY

Committee recessed at 10:32 a.m. and reconvened at 10:42 a.m.

I. NEW BUSINESS

I.1 Council Member Motion: Disincentives to Attached Homes

Committee received a Council Member Motion dated May 17, 2023, from Councillor Thompson and Councillor Kim, regarding disincentives faced by new attached homes compared to new singled detached homes.

Moved By Councillor Thompson
Seconded By Councillor Dell

That Council direct staff, as staff conduct their normal course of work in coming months, to:

1. Accumulate a list of the various requirements, fees, guidelines, processes and other policy disincentives faced by new attached homes compared to new single detached houses; and,
2. Bring the list to Committee of the Whole for discussion a date to be determined upon staff advice.

CARRIED UNANIMOUSLY

I.2 Council Member Motion: Council Procedure Bylaw Amendments

Committee received a Council Member Motion dated May 25, 2023, from Mayor Alto, regarding the proposed changes to the Council Procedures Bylaw No. 16-011 that help simplify, clarify and make more transparent rules and procedures on which Council relies to guide its decision-making.

Moved By Mayor Alto
Seconded By Councillor Thompson

That Council direct Staff to prepare necessary bylaws to amend the Council Procedures Bylaw as outlined in Attachment A and the necessary public notice requirements.

Amendment:

Moved By Councillor Gardiner
Seconded by unanimous consent

Bylaw Section 12(2):

If a quorum of Council is present but the mayor **and/or the acting mayor** does not attend within 15 minutes of the scheduled time for a Council meeting.

CARRIED UNANIMOUSLY

Amendment:

Moved By Mayor Alto
Seconded by unanimous consent

Bylaw Section 16(2):

~~Each address under subsection (1) must be limited to 5 minutes unless a longer period is agreed to by unanimous vote of those members present.~~

CARRIED UNANIMOUSLY

Amendment:

Moved By Mayor Alto
Seconded by unanimous consent

Bylaw Section 16(6):

“a candidate for ~~local~~ election, or in support of a candidate for ~~local~~ election.”

CARRIED UNANIMOUSLY

Amendment:

Moved By Mayor Alto
Seconded By Councillor Thompson

Bylaw Section 18(6):

Establish a new subsection (d) “may not refer to another member’s ~~comments~~” and, make the previous subsection (d) subsection (e).

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Gardiner

Seconded By Councillor Dell

Bylaw Section 18(6):

Establish a new subsection (d) “may not refer to another member’s ~~comments~~ **at Committee of the Whole and Council**” and, make the previous subsection (d) subsection (e).

FOR (5): Mayor Alto, Councillor Dell, Councillor Gardiner, Councillor Loughton, and Councillor Thompson

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

Absent (1): Councillor Coleman

CARRIED (5 to 3)

Amendment:

Moved By Mayor Alto

Seconded by unanimous consent

Bylaw Section TBD:

~~Establish a provision that notes the mayor may, after a mover and seconder to a motion have spoken, immediately ask: “does any member of Council wish to speak in opposition to the motion?”~~

~~If no member indicates they wish to speak against the motion, the mayor may immediately call the question.~~

~~If a member wishes to speak against the motion, the mayor must allow debate on the motion from any member of Council.~~

CARRIED UNANIMOUSLY

Committee recessed for lunch at 12:00 p.m. and reconvened at 1:03 p.m.

Amendment:

Moved By Mayor Alto

Seconded by unanimous consent

Bylaw Section 23(1):

A Council member who has voted **on the prevailing side in the affirmative** for a matter may, at the next Council meeting,

CARRIED UNANIMOUSLY

Amendment:

Moved By Mayor Alto

Seconded by unanimous consent

That Bylaw Section 27(2) be removed from Attachment A.

CARRIED UNANIMOUSLY

Amendment:

Moved By Mayor Alto

Seconded By Councillor Loughton

That the section *Part 6 - Other Committees* be removed from Attachment A.

CARRIED UNANIMOUSLY

On the main motion as amended:

That Council direct Staff to prepare necessary bylaws to amend the Council Procedures Bylaw as outlined in Attachment A, as amended, and the necessary public notice requirements.

CARRIED UNANIMOUSLY

I.4 Council Member Motion: Community Safety and Wellbeing Initiative

Committee received a Council Member Motion from Mayor Alto, regarding the development of a Community Safety and Wellbeing Initiative.

Committee discussed the following:

- *Diversity of steering committee*
- *Need to address unhoused community*
- *Collaboration and cooperation with Capital Regional District*

Moved By Mayor Alto

Seconded By Councillor Caradonna

That Council endorse the creation of a Community Safety and Wellbeing Plan to identify achievable ways in which the City of Victoria can take a leadership role in making our community safer and realizing community wellbeing; and identify opportunities and recommendations for the City of Victoria, and its multi-sectoral partners, to take actions in support of local, enhanced, and integrated systems, processes, and initiatives with a specific focus on increasing community safety and wellbeing.

CARRIED UNANIMOUSLY

J. ADJOURNMENT OF COMMITTEE OF THE WHOLE

Moved By Councillor Thompson
Seconded By Councillor Hammond

That the Committee of the Whole Meeting be adjourned at 1:45 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR