



MINUTES - COMMITTEE OF THE WHOLE

June 30, 2022, 9:00 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 12:30 p.m. and 1:30 p.m.**

PRESENT: Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow,
Councillor Potts, Councillor Thornton-Joe, Councillor Young

PRESENT
ELECTRONICALLY: Councillor Loveday

ABSENT: Councillor Isitt

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager /
Chief Financial Officer, C. Kingsley - City Clerk, C. Anderson -
Deputy City Clerk, T. Zworski - City Solicitor, K. Hoese - Director of
Sustainable Planning and Community Development, C. Mycroft -
Manager of Executive Operations, K. Moore - Head of Business
and Community Relations, K. House - Manager of Real Estate
Operations; P. Carroll - Senior Planner, C. Medd - Planner, D.
Atkinson - Acting Fire Chief, D. Newman - Assistant Director of
Parks and Open Spaces; J. Handy - Manager of Planning and
Regulatory Services, P. Rantucci - Head of Strategic Real Estate,
M. Angrove - Senior Planner of Development Agreements, D.
Taylor - Supervisor of Sidewalks and Concrete, B. Roder -
Committee Secretary

A. APPROVAL OF AGENDA

Moved By Councillor Potts
Seconded By Councillor Alto

That the agenda be approved.

CARRIED UNANIMOUSLY

B. CONSENT AGENDA

Moved By Mayor Helps
Seconded By Unanimous Consent

That the following items be approved without further debate.

CARRIED UNANIMOUSLY

F. STAFF REPORTS

F.1 Artwork Donation

Committee received a report dated June 17, 2022 from the Head of Business and Community Relations regarding the copyright to and lending of the donated artwork entitled *The Ent, Eden Grove* into the civic art collection.

Moved By Mayor Helps
Seconded By Unanimous Consent

1. That Council approve the artwork donation and authorize the City entering into a copyright licence and lending agreement, in the form satisfactory to the City Solicitor, for the artwork *The Ent, Eden Grove* (the "Artwork") with Jeremy Herndl (the "Artist"), including the following terms and conditions:
 - a. Term: Effective April 25, 2021, until the date the City de-accessions the Artwork.
 - b. Licence Fee: no fee is payable
 - c. Use: the Artist grants the City the right to display the Artwork in public and private areas on City property; and the non-exclusive, perpetual, worldwide right to reproduce the artwork for non-commercial purposes an unlimited number of times and in any dimensions in the City's promotional material, website, social media, and any and all other media.
 - d. Use: The City will not loan the Artwork to anyone other than the Artist. The City may, at its discretion, choose to loan the Artwork to the Artist for the purposes of exhibition on a time-limited basis, and subject to:
 - a. receiving advance written request,
 - b. the Artist bearing complete responsibility for all transit costs;
 - c. the Artist holding insurance for the time period when borrowing the Artwork and
 - d. the Artist being responsible for replacement value of the Artwork if destroyed or lost while in the Artist's possession or in transit during the loan.
 - e. Renewal Option: The agreement provides the City with a perpetual copyright licence, which does not need to be renewed.
 - f. Cancellation: The agreement expires on the date that the City de-accessions the Artwork.
2. This authorization is subject to the publication of the statutory notices required by the Community Charter and no legal right or obligation will be created and none shall arise until the licence document is fully executed by the City.

CARRIED UNANIMOUSLY

H. NEW BUSINESS

H.1 Council Member Motion: Advocacy for Inclusion of Sexualized Violence Prevention as part of the Serving It Right curriculum

Committee received a Council Member Motion from Councillor Loveday and Councillor Potts advocating for the inclusion of 'sexualized violence prevention training' within the Serving It Right curriculum.

Moved By Mayor Helps
Seconded By Unanimous Consent

That council request the mayor write to Minister Farnworth and Parliamentary Secretary Lore advocating for the inclusion of 'sexualized violence prevention training' within the Serving It Right curriculum to provide foundational education to people with the front-line opportunity to take action to prevent sexualized violence and respond appropriately and with care when incidents occur.

CARRIED UNANIMOUSLY

E. LAND USE MATTERS

E.1 3198 Quadra Street - Rezoning Application No. 00808 (Hillside/Quadra)

Committee received a report dated June 16, 2022 from the Director of Sustainable Planning and Community Development regarding an application to rezone an existing building from the C1-S Zone, Limited Commercial Service Station District, to a site-specific zone in order to permit a storefront cannabis retailer.

Councillor Andrew joined the meeting at 9:08 am.

Committee discussed:

- *Notification to the neighbouring municipality and residents.*

Moved By Councillor Andrew
Seconded By Councillor Potts

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00808 for 3198 Quadra Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a public hearing date be set, subject to the preparation of legal agreements executed by the applicant to secure a Statutory Right-of-Way (SRW) of 3.20m on Quadra Street and of 0.86m on Tolmie Avenue, with the form and contents to the satisfaction of the Director of Engineering and Public Works and the City Solicitor.

CARRIED UNANIMOUSLY

E.2 515 Rithet Street - Development Permit with Variance(s) No. 00187 (James Bay)

Committee received a report dated June 14, 2022 from the Director of Sustainable Planning and Community Development regarding an application to construct a multi-unit, strata residential building. The variances are related to increasing the site coverage and reducing the setbacks and open site space.

Committee discussed the following:

- *Walkability and drivability of street*
- *Width of street and future improvements, including boulevard additions and greenery*
- *Encouraging movement of heritage houses*
- *Visibility of proposed development from heritage houses*

Moved By Councillor Andrew

Seconded By Councillor Potts

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

1. That Council authorize the issuance of Development Permit Application No. 00187 for 515 and 519 Rithet Street, in accordance with:
 - a. Plans date stamped March 17, 2022.
 - b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the east side yard setback from 8.07m to 3.11m;
 - ii. reduce the west side yard setback from 8.07m to 5.76m;
 - iii. reduce the rear yard setback from 8.07m to 4.5m;
 - iv. reduce the front yard setback from 12m to 2.41m for the patio and 4.27m for the building;
 - v. increase the site coverage from 32% to 44.21%;
 - vi. reduce the open site space from 60% to 42.99%.
2. That the Development Permit, if issued, lapses in two years from the date of this resolution.

CARRIED UNANIMOUSLY

E.3 557 Simcoe Street - Rezoning Application No. 00759 and Development Permit with Variances No. 00200 (James Bay)

Committee received a report dated June 16, 2022 from the Director of Sustainable Planning and Community Development regarding an application to rezone from the R-2 Zone, Two Family Dwelling District, to a new site-specific zone in order to increase the density from 0.50:1 to 0.64:1 floor space ratio (FSR), increase the combined floor areas, increase the floor areas for the first and second stories, and to allow two buildings each with a two-family dwelling for a total of four dwelling units.

Committee discussed the following:

- *Combining building footprints of Block A and B*
- *Parking availability on the street*
- *Reasonable proposed height of development*
- *Provides needed housing to the area*
- *Concern of proposed development setting precedence*
- *Importance of frontage appearance*
- *Input from James Bay Neighbourhood Association*

Moved By Councillor Andrew
Seconded By Councillor Alto

Rezoning Application

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00710 for 557 Simcoe Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation and execution of legal agreements, in a form satisfactory to the City Solicitor, to secure:
 - a. a 2.0m wide Statutory Right-of-Way along the Simcoe Street frontage, with the terms to the satisfaction of the Director of Engineering and Public Works
 - b. future strata cannot restrict the rental of units to non-owners, with terms to the satisfaction of the Director of Sustainable Planning and Community Development.

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. 00759, if it is approved, consider the following motion:

1. That Council authorize the issuance of Development Permit with Variances Application No. 00200 for 557 Simcoe Street, in accordance with:
 - a. Plans date stamped January 20, 2022
 - b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Reduce the front yard setback from 7.5m to 7.28m;
 - ii. reduce the rear yard setback from 17.13m to 7.50m;
 - iii. reduce the side yard setback (east) from 1.83m to 1.68m;
 - iv. increase the height of Building A from 7.60m to 8.02m;
 - v. increase the height of Building B from 7.60m to 7.84m;
 - vi. increase the number of stories from 1.5 with a basement to 2 with a basement;
 - vii. increase the open site space (minimum) from 30% to 27%.
2. That the Development Permit, if issued, lapses in two years from the date of this resolution.

CARRIED UNANIMOUSLY

I. ADJOURNMENT OF COMMITTEE OF THE WHOLE

Moved By Councillor Andrew
Seconded By Councillor Potts

That the Committee of the Whole Meeting be adjourned at 9:51 a.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR

DRAFT