



MINUTES - VICTORIA CITY COUNCIL

October 8, 2020, 6:30 P.M.

Council Chambers, City Hall, 1 Centennial Square

The City of Victoria is located on the homelands of the Songhees and Esquimalt People
Due to the COVID-19 Pandemic, public access to City Hall is not permitted. This meeting
may be viewed on the City's webcast at www.victoria.ca.

PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Dubow, Councillor Thornton-Joe, Councillor Young

PRESENT ELECTRONICALLY: Councillor Loveday, Councillor Potts

PRESENT ELECTRONICALLY FOR A PORTION OF THE MEETING: Councillor Isitt

STAFF PRESENT: J. Jenkyns - City Manager, C. Coates - City Clerk, T. Soulliere - Director of Parks, Recreation & Facilities, T. Zworski - City Solicitor, K. Hoese - Director of Sustainable Planning and Community Development, C. Havelka - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, P. Bellefontaine - Director of Engineering & Public Works, P. Martin - Council Secretary

A. APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the agenda be approved as amended.

CARRIED UNANIMOUSLY

B. Poetry Reading

The City's Poet Laureate, John Barton read a poem titled "Folded on the steps of the museum of broken relationships".

Councillor Isitt joined the meeting electronically at 6:36 p.m.

D. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Alto
Seconded By Councillor Dubow

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

- D.1 Mehdi Najari: Homeless Encampments**
Outlined for Council concerns relating to the homeless encampments.
- D.2 Sean Kahil: Camping**
Outlined for Council concerns relating to the camping in Central Park.
- D.3 William Armstrong: Unaffordable Moorage Rate and User Fee Increases During a Pandemic**
Outlined for Council concerns with the increasing moorage rates for live aboard vessels in the Victoria Inner Harbour.
- D.4 Alison Dunatov: Presentation of Petition Requesting No 24/7 Camping**
Outlined why Council should add Pemberton Park to the list of parks in which overnight sheltering is not permitted.

F. PUBLIC AND STATUTORY HEARINGS

- F.1 2920 Prior Street: Rezoning Application No. 00708, Development Permit with Variances Applications No. 00147 and No. 00151, and Development Variance Permit Application No. 00245**

Zoning Regulation Bylaw, Amendment Bylaw (No. 1232) No. 20-086:

To rezone a portion the land known as 2920 Prior Street from the R1-B Zone, Single Family Dwelling District, to a new R1-B-GS6 Zone, Single Family Dwelling with Garden Suite (Prior Street) District, to permit an existing single family dwelling and a garden suite, and to rezone a portion from the R1-B Zone, Single Family Dwelling District, to the R1-S2 Zone, Restricted Small Lot (Two Storey) District to permit a small lot house.

Development Permit with Variance Application (DPV No. 00147)

The Council of the City of Victoria will also consider issuing a development permit for the land known as 2920 Prior Street, in Development Permit Area 15A: Intensive Residential Small Lot, for the purposes of establishment of objectives for the form and character of intensive residential development, as well as landscaping.

Development Permit with Variance Application (DPV No. 00151)

The Council of the City of Victoria will also consider issuing a development permit for the land known as 2920 Prior Street, in Development Permit Area 15E: Intensive Residential Garden Suites for the purposes of approving a garden suite as well as landscaping.

Development Variance Permit Application (DVP No. 00245)

The Council of the City of Victoria will also consider issuing a development permit for the land known as 2920 Prior Street, for the purpose of varying certain requirements of the Zoning Regulation Bylaw for the existing dwelling in the new zone R1-B-GS6 Zone, Single Family Dwelling, with Garden Suite (Prior Street) District.

F.1.a Public Hearing & Consideration of Approval

Michael Angrove (Senior Planner): *Advised that the application is to retain the existing house and permit a garden suite, and to subdivide the property for a new small lot.*

Mayor Helps opened the public hearing at 7:03 p.m.

Rick Humphries, Peter Johannknecht, and Bianca Bodley (Applicants): Provided information regarding the application.

Laurence Coogan (Prior Street): Expressed concerns with the application due to the over densification of the lot as well as potential parking issues.

Joanne Newell (Resident): Expressed concerns with the application due to the proposed setbacks, increased densification, and potential parking issues.

Marion Harper (Prior Street): Expressed concerns with the application due to potential parking issues and the over densification.

Council recessed from 7:31 p.m. until 7:36 p.m. to provide an opportunity for members of the public to call to speak live.

No additional persons called in to speak to the proposed application.

Councillor Isitt joined the meeting in person at 7:36 p.m.

Mayor Helps closed the public hearing at 7:43 p.m.

Moved By Mayor Helps
Seconded By Councillor Alto

That the following bylaw **be given third reading**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1232) No. 20-086

Council discussed the following:

- *Whether the covenant should be finalized prior to adoption of the bylaw.*
- *Whether densification is appropriate in this space.*

Motion to refer:

Moved By Councillor Isitt
Seconded By Councillor Young

That the matter be referred to staff to work with the applicant to address concerns raised by the neighbours and report back to Committee of the Whole.

FOR (3): Councillor Isitt, Councillor Thornton-Joe, and Councillor Young
OPPOSED (5): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Loveday, and Councillor Potts

DEFEATED (3 to 5)

On the motion to give 3rd reading:

FOR (5): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Loveday, and Councillor Potts
OPPOSED (3): Councillor Isitt, Councillor Thornton-Joe, and Councillor Young

CARRIED (5 to 3)

Moved By Mayor Helps
Seconded By Councillor Alto

That subject to the rezoning bylaw being adopted, that Council authorize the issuance of Development Permit with Variance Application No. 00147 for 2920 Prior Street, in accordance with:

1. Plans date stamped June 1, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance to R1-S2, Restricted Small Lot (Two Storey) Dwelling:
 - i. Decrease the side yard setback for habitable room window from 2.40m to 1.5m.
3. The Development Permit lapsing two years from the date of this resolution.

FOR (5): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Loveday, and Councillor Potts
OPPOSED (3): Councillor Isitt, Councillor Thornton-Joe, and Councillor Young

CARRIED (5 to 3)

Moved By Councillor Alto
Seconded By Mayor Helps

That subject to the rezoning bylaw being adopted, that Council authorize the issuance of Development Variance Permit Application No. 00245 for 2920 Prior Street, in accordance with:

1. Plans date stamped June 1, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances for the existing house:
 - i. Decrease the minimum side yard setback (south) from 2.40m to 0.92m (for the deck only)
 - ii. Decrease the minimum side yard setback for a habitable room window (north) from 2.40m to 1.88m.
3. The Development Permit lapsing two years from the date of this resolution.

FOR (5): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Loveday, and Councillor Potts

OPPOSED (3): Councillor Isitt, Councillor Thornton-Joe, and Councillor Young

CARRIED (5 to 3)

Moved By Councillor Alto
Seconded By Mayor Helps

That subject to the rezoning bylaw being adopted, that Council authorize the issuance of Development Permit with Variance Application No. 00151 for 2920 Prior Street, in accordance with:

1. Plans date stamped June 1, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance to Schedule M – Garden Suite
 - i. Increase the maximum height from 3.50m to 4.15m.
3. The Development Permit lapsing two years from the date of this resolution.

FOR (5): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Loveday, and Councillor Potts

OPPOSED (3): Councillor Isitt, Councillor Thornton-Joe, and Councillor Young

CARRIED (5 to 3)

Approval of the bylaw to occur at a future meeting, pending receipt of the executed covenants.

Councillor Dubow withdrew from the meeting at 8:16 p.m. due to a non-pecuniary conflict of interest with the following item, as he knows the owner of the neighbouring business that is facing an eviction.

F.2 1881 Fort Street: Rezoning Application No. 00713

Zoning Regulation Bylaw, Amendment Bylaw (No. 1213) No. 20-009:

To rezone the land known as 1881 Fort Street from the C-1 Zone, Limited Commercial District, to the C1-4 Zone, Fort Street Commercial (Cannabis) District, to permit a storefront cannabis retailer.

F.2.a Public Hearing & Consideration of Approval:

Michael Angrove (Senior Planner): *Advised that the application is to permit the use of a Storefront Cannabis Retailer.*

Mayor Helps opened the public hearing at 8:18 p.m.

Peter and Darren Saunders (Applicants): Provided information regarding the application.

Mohamed Aziz (Resident): Expressed concerns with the application as it will have a negative impact on their neighbouring business.

Council recessed from 8:24 p.m. until 8:29 p.m. to provide an opportunity for members of the public to call to speak live.

No additional persons called in to speak to the proposed application.

Council discussed the following:

- *That the application is a site specific rezoning.*

Motion to adjourn:

Moved By Mayor Helps
Seconded By Councillor Isitt

That this hearing be adjourned to the evening council meeting of November 12, 2020 to request that staff get more information from the land owner with respect to any negative implications on the Wrap and Roll restaurant for Council's consideration of the rezoning application for the cannabis dispensary.

Amendment:

Moved By Councillor Isitt
Seconded By Mayor Helps

That the motion to adjourn be amended as follows:

That this hearing be adjourned to the evening council meeting of November 12, 2020 to request that staff ~~get more information from the land owner with respect to any negative implications on the Wrap and Roll restaurant for Council's consideration of the rezoning application for the cannabis dispensary~~ seek information from the land owner on potential implications of this rezoning on other lease holders at this location.

FOR (6): Mayor Helps, Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe
OPPOSED (1): Councillor Young

CARRIED (6 to 1)

On the motion to adjourn as amended:

That this hearing be adjourned to the evening council meeting of November 12, 2020 to request that staff seek information from the land owner on potential implications of this rezoning on other lease holders at this location.

FOR (4): Mayor Helps, Councillor Isitt, Councillor Loveday, and Councillor Potts
OPPOSED (3): Councillor Alto, Councillor Thornton-Joe, and Councillor Young

CARRIED (4 to 3)

Councillor Dubow returned to the meeting at 8:48 p.m.

F.3 2615-2629 Douglas Street: Heritage Designation Application No. 00187

Heritage Designation Bylaw No. 20-052

Under the provisions of the *Local Government Act*, the City of Victoria intends to designate the 1971 exterior of the building located at 2615, 2621, 2623, 2625, 2627 and 2629 Douglas Street, legally described as: PID: 003-149-021, Lot 2, Section 4, Victoria District, Plan 23740, as protected heritage property, under Heritage Designation Bylaw No. 20-052 (2615-2629 Douglas Street).

F.3.a Public Hearing & Consideration of Approval

Michael Angrove (Senior Planner): *Advised that the application is to designate the property located at 2615-2629 Douglas Street as a Municipal Heritage Site.*

Mayor Helps opened the public hearing at 8:49 p.m.

Council recessed from 8:50 p.m. until 8:56 p.m. to provide an opportunity for members of the public to call to speak live.

No persons called in to speak to the proposed bylaw.

Mayor Helps closed the public hearing at 8:56 p.m.

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That the following bylaw **be given third reading:**

1. *Heritage Designation (2615-2629 Douglas Street) Bylaw No. 20-052*

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That the following bylaw **be adopted:**

1. *Heritage Designation (2615-2629 Douglas Street) Bylaw No. 20-052*

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That the following bylaw **be adopted:**

1. *Tax Exemption (2615, 2621, 2623, 2625, 2627, and 2629 Douglas Street) Bylaw No. 20-079*

CARRIED UNANIMOUSLY

O. ADJOURNMENT

Moved By Councillor Alto

Seconded By Councillor Dubow

That the Council meeting adjourn.

TIME: 8:58 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR