



MINUTES - VICTORIA CITY COUNCIL

February 11, 2021, 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 (joined the meeting at 10:09 p.m.), Councillor Andrew, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young

PRESENT
ELECTRONICALLY: Councillor Dubow, Councillor Isitt

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Director of Finance, P. Bruce - Fire Chief, C. Coates - City Clerk , T. Soulliere - Director of Parks, Recreation & Facilities, T. Zworski - City Solicitor, B. Eisenhauer - Head of Engagement, P. Bellefontaine - Director of Engineering & Public Works, K. Hoese - Director of Sustainable Planning and Community Development, A. Meyer - Assistant Director of Development Services, C. Havelka - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, M. Angrove - Planner, AK Ferguson - Committee Secretary

B. APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Moved By Councillor Loveday

Seconded By Councillor Andrew

That the agenda be approved as amended.

CARRIED UNANIMOUSLY

C. Music Performance

Councillor Thornton-Joe provided a video and outlined for Council the Lunar New Year Lion Dance.

E. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Andrew

Seconded By Councillor Thornton-Joe

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

E.1 Mark Cosgrove: Mr. Dubow must resign

Outlined concerns that Councillor Dubow has yet to resign from Victoria City Council.

E.2 Lavina Rojas: Horse Carriages

Outlined why Council should ban the horse carriages industry.

E.3 Gina Mowatt: Regarding treatment of Councillor Dubow

Outlined why Council should denounce the racist harassment targeted toward Councillor Dubow.

E.4 Andrew Kerr: Call of Support for Councillor Dubow

Outlined why the Chair should rule any addresses to Council calling Councillor Dubow to resign out of order.

E.5 Craig Turney: Statement of Support for Councillor Dubow

Outlined why Council should issues a statement of condemnation against the racist backlash faced by Councillor Dubow.

E.6 Stacie Swain: Request for Councillor Dubow to remain in office

Outlined why Council should support Councillor Dubow.

G. PUBLIC AND STATUTORY HEARINGS

The Mayor advised that the hearing is being convened under the Local Government Act and as a result of the COVID-19 Related Measures Act and Ministerial Order M192 from the Minister of Public Safety and Solicitor General.

G.1 2700 Avebury Avenue: Rezoning Application No. 000700, Development Permit Application No. 000583, Development Variance Permit Application No. 00230, Development Variance Permit No. 000229

To rezone the western portion of the land known as 2700 Avebury Avenue from the R1-B Zone, Single Family Dwelling District, to the R1-S2 Zone, Restricted Small Lot (Two Storey) District, to permit a new single family dwelling to the west of the existing dwelling.

Planner (Michael Angrove): *Advised that the application is to rezone a portion of the property in order to allow for a small lot subdivision and the construction of a new small lot house.*

Mayor Helps opened the public hearing at 7:19 p.m.

Kim Colpman (Applicant): Provided information regarding the application.

Bill Moffatt (Kings Road): Expressed concern and opposition with the proposed development and how it will affect the neighbourhood.

Jennifer Rebner (Avebury Avenue): Expressed her opposition with the proposed development and how it will affect the neighbourhood.

Travis Koivula (Ryan Street): Expressed his opposition with the proposed development and how it will affect the neighbourhood.

Jean-anne Wightman (Avebury Avenue): Expressed her opposition with the proposed development and how it will affect the neighbourhood.

Susan Kerschbaum (Avebury Avenue): Expressed her opposition with the proposed development and how it will affect the neighbourhood.

Connie Mitchell (Mt Steven Avenue): Expressed support for the proposed development.

Angela Allan (Kings Road): Expressed support for the proposed development.

Beth Kope (Roseberry Avenue): Expressed support for the proposed development.

Bill Adair (Roseberry Avenue): Expressed support for the proposed development.

Lilia Cebeko (Needle in a haystack): Expressed support for the proposed development.

Casey Rider (Avebury Avenue): Expressed support for the proposed development.

Dave Campbell (Roseberry Avenue): Expressed support for the proposed development.

Georgia Alexander (May Street): Expressed support for the proposed development.

Greg Doyle (Bay Street): Expressed support for the proposed development.

Joe Calenda (Shelbourne Valley): Expressed support for the proposed development.

Luke Stern (Avebury Ave): Expressed opposition for the proposed development.

John O'Brien (Mt Steven Avenue): Expressed support for the proposed development.

Lesia Kuzyk (Roseberry Avenue): Expressed opposition for the proposed development.

Kymbralee Bennet (Mrytle Avenue): Expressed support for the proposed development.

Madeline Bakker (Mt. Steven Avenue): Expressed support for the proposed development.

Mark Grey-Dreaper (Victoria Resident): Expressed support for the proposed development.

Nancy Ring (St. Charles Street): Expressed support for the proposed development.

Ross Borlind (Brook Street): Expressed support for the proposed development.

Shawn Fahr (Lurline Avenue): Expressed support for the proposed development.

Terry Church (Roseberry Avenue): Expressed support for the proposed development.

Todd Warren (Haultain Street): Expressed support for the proposed development.

Trevor Dickie (Hyland Road): Expressed support for the proposed development.

Wendy Littlefield (Fernwood): Expressed support for the proposed development.

Kirsten Martin (Langford): Expressed support for the proposed development.

John Player (none provided): Expressed support for the proposed development.

Janice Jefferson (Kinds Road): Expressed support for the proposed development.

Leisha Morrison-Hardy (Scott Street): Expressed support for the proposed development.

Paul Spriggs (Rudlin Street): Expressed support for the proposed development.

Anita Loudon (Avebury Street): Expressed opposition for the proposed development.

Brendan Heinecke (Denman Street): Expressed support for the proposed development.

Darryl Keck (Hamilton Road): Expressed support for the proposed development.

John Monkhouse (Forbes Street): Expressed support for the proposed development.

Samile Basi (Kings Road): Expressed support for the proposed development.

Mia Barkasy (Ryan Street): Expressed support for the proposed development.

Andrew Broadly (Howard Street): Expressed support for the proposed development.

Mave Faugherty (Pandora Avenue): Expressed support for the proposed development.

Nathan Cottle (Pembroke Avenue): Expressed support for the proposed development.

Jean Medland (Roseberry Avenue): Expressed support for the proposed development.

Jeremy Schmidt (Vic West): Expressed support for the proposed development.

Gillian Fair (Roseberry): Expressed support for the proposed development.

Rosemary Smedley (Roseberry): Expressed opposition for the proposed development.

Council recessed from 8:54 p.m. until 8:58 p.m. to provide an opportunity for members of the public to call to speak live.

Council discussed:

- *What the public hearing policy for submissions is*
- *Whether Lesia Kuzyk is able to address Council as she spoke earlier about the process and not the development directly.*

Lesia Kuzyk (Roseberry Avenue): Expressed opposition for the proposed development.

No additional persons called in to speak to the proposed application

Mayor Helps closed the public hearing at 9:20 p.m.

Council discussed:

- *What the value of the proposed house may be.*
- *Whether privacy will be an issue for the neighbours.*
- *Whether the property will be sold or rented.*
- *What happens if blasting damages a home in the area.*

Moved By Mayor Helps

Seconded By Councillor Andrew

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

- Zoning Regulation Bylaw, Amendment Bylaw (No. 1245) No. 21-016

FOR (5): Mayor Helps, Councillor Andrew, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe

OPPOSED (3): Councillor Dubow, Councillor Isitt, and Councillor Young

CARRIED (5 to 3)

Moved By Councillor Andrew

Seconded By Councillor Potts

That the following bylaw **be adopted:**

- Zoning Regulation Bylaw, Amendment Bylaw (No. 1245) No. 21-016

FOR (5): Mayor Helps, Councillor Andrew, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe

OPPOSED (3): Councillor Dubow, Councillor Isitt, and Councillor Young

CARRIED (5 to 3)

Moved By Councillor Andrew

Seconded By Councillor Potts

That Council authorize the issuance of Development Permit Application No. 000583 for 2700 Avebury Avenue, in accordance with:

1. Plans date stamped August 8, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements.
3. The Development Permit lapsing two years from the date of this resolution.

FOR (5): Mayor Helps, Councillor Andrew, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe

OPPOSED (3): Councillor Dubow, Councillor Isitt, and Councillor Young

CARRIED (5 to 3)

Moved By Councillor Andrew

Seconded By Councillor Potts

That Council authorize the issuance of Development Variance Permit Application No. 000229 for 2700 Avebury Avenue, in accordance with:

1. Plans date stamped August 8, 2019.
2. Development meeting all Victoria Subdivision and Development Servicing Bylaw requirements, except for the following variances:
 - i. Remove the requirement to construct frontage improvements as described within the Victoria Subdivision and Development Servicing Bylaw.
3. Provision of a non-refundable \$30,120.00 payment equivalent to the costs of installing frontage improvements to be used toward the implementation of future public realm improvements on Kings Road to the satisfaction of the Director of Engineering and Public Works.
4. The Development Permit lapsing two years from the date of this resolution.

FOR (5): Mayor Helps, Councillor Andrew, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe

OPPOSED (3): Councillor Dubow, Councillor Isitt, and Councillor Young

CARRIED (5 to 3)

Moved By Councillor Andrew

Seconded By Councillor Potts

That Council authorize the issuance of Development Variance Permit Application No. 00230 for 2700 Avebury Avenue, in accordance with:

1. Plans date stamped August 8, 2019
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - i. reduce the rear yard setback from 7.5m to 6.81m.
3. The Development Permit lapsing two years from the date of this resolution.

FOR (5): Mayor Helps, Councillor Andrew, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe

OPPOSED (3): Councillor Dubow, Councillor Isitt, and Councillor Young

CARRIED (5 to 3)

G.2 131 - 137 Skinner and 730 - 736 Tyee Road: Rezoning Application No. 00747

To rezone the land known as 730-736 Tyee Road & 131-137 Skinner Street from the M2-S Zone, Songhees Light Industrial District, to the M2-SC Zone, Songhees (Cannabis) District, to permit a storefront cannabis retailer.

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 10:02 p.m.

Jas Basi (Applicant): Provided information regarding the application.

Council recessed from 10:07 p.m. until 10:12 p.m. 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 10:12 p.m.

Council discussed:

- whether the applicant has their provincial licence
- whether there are any cannabis retailers in the vicinity

Councillor Alto joined the meeting at 10:09 pm.

Moved By Councillor Andrew

Seconded By Councillor Alto

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

- Zoning Regulation Bylaw, Amendment Bylaw (No. 1247) No. 21-022

CARRIED UNANIMOUSLY

Moved By Councillor Andrew

Seconded By Councillor Alto

That the following bylaw **be adopted**:

- Zoning Regulation Bylaw, Amendment Bylaw (No. 1247) No. 21-022

CARRIED UNANIMOUSLY

G.3 1171 Rockland Ave: Development Variance Permit Application No. 00253

To consider the issuance of a Development Variance Permit for the land known as 1171 Rockland Avenue for the purpose of varying certain requirements of the Zoning Regulation Bylaw namely: to reduce the minimum unit size in the converted dwelling to legalize eight existing self-contained units.

Michael Angrove (Senior Planner): *Advised that the application is to legalize the existing eight self-contained units in an existing Heritage Designated house.*

John Keay (Applicant): Provided information regarding the application.

Mayor Helps opened the opportunity for public comment at 10:21 p.m.

Monica Lee (Rockland Ave): Expressed opposition for the application.

Council recessed from 10:25 p.m. until 10:30 p.m. to provide an opportunity for members of the public to call to speak live.

Lois Harbour (Linden Ave): Expressed opposition for the application.

Mayor Helps closed the opportunity for public comment at 10:36 p.m.

Council discussed the following:

- *Concerns with the electrical shed and it affecting the heritage qualities of the house.*
- *Concerns with overlook onto the next-door neighbour.*
- *Concerns with the outbuilding on the property.*

Moved By Councillor Young

Seconded By Councillor Potts

That Council refer this matter back to staff to work with the developer on the points raised by Council.

FOR (8): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Isitt, Councillor Potts, Councillor Thornton-Joe, and Councillor Young

OPPOSED (1): Councillor Loveday

CARRIED (8 to 1)

Moved By Councillor Andrew

Seconded By Councillor Alto

That the meeting be extended until 11:30 p.m.

CARRIED UNANIMOUSLY

G.4 2536 Richmond Road: Heritage Designation Application No. 00193

Under the provisions of the *Local Government Act*, the City of Victoria intends to designate the building located at 2536 Richmond Road as protected heritage property.

Michael Angrove (Senior Planner): *Advised that the application is to Heritage Designate the exterior of the heritage-registered building.*

Mayor Helps opened the public hearing at 11:00 p.m.

The applicant did not wish to speak at the hearing.

Council recessed from 11:01 p.m. until 11:06 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 11:06 p.m.

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

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

- Heritage Designation (2536 Richmond Road) Bylaw - No. 21-017

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That the following bylaw **be adopted:**

- Heritage Designation (2536 Richmond Road) Bylaw - No. 21-017

CARRIED UNANIMOUSLY

H. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Andrew

Seconded By Councillor Thornton-Joe

That the following speakers be permitted to address Council.

H.1 Joshua Kube: The Proposal at Clover Point

Outlined why Council should consult with the kiting community regarding the proposal for Clover Point.

CARRIED UNANIMOUSLY

P. ADJOURNMENT

Moved By Councillor Alto

Seconded By Councillor Andrew

That the Council meeting adjourn.

TIME: 11:13 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR