



## **MINUTES - VICTORIA CITY COUNCIL**

**May 27, 2021, 6:30 P.M.**

**6TH FLOOR BOARDROOM, CAPITAL REGIONAL DISTRICT,  
625 FISGARD STREET, VICTORIA, B.C.**

**The City of Victoria is located on the homelands of the Songhees and Esquimalt People**

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

**PRESENT ELECTRONICALLY:** Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts

**STAFF PRESENT:** J. Jenkyns - City Manager, T. Soulliere - Director of Parks, Recreation & Facilities, T. Zworski - City Solicitor, P. Bellefontaine - Director of Engineering & Public Works, K. Hoese - Director of Sustainable Planning and Community Development, C. Havelka - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, C. Kingsley - City Clerk, G. Milne – Head of Strategic Operations, M. Betanzo – Senior Planner, M. Heiser - Committee Secretary

### **A. APPROVAL OF AGENDA**

The City Clerk outlined amendments to the agenda.

**Moved By** Councillor Alto  
**Seconded By** Councillor Loveday

That the agenda be approved as amended.

**CARRIED UNANIMOUSLY**

### **B. POETRY**

The Poet Laureate, John Barton, read a poem.

### **D. REQUESTS TO ADDRESS COUNCIL**

**Moved By** Councillor Andrew  
**Seconded By** Councillor Alto

That the following speakers be permitted to address Council.

**CARRIED UNANIMOUSLY**

**D.1 Jayda Lynn: Helping Victoria's Youth**

Outlined for Council the severity of mental health and addiction related problems youth are experiencing in the City of Victoria.

**D.2 Todd Litman: Bikeway Benefits**

Outlined for Council highlights of a study, "Evaluating Bikeway Criticism", which examines claims that bikeways are inefficient and unfair.

**F. PUBLIC AND STATUTORY HEARINGS**

**F.1 HEARING CANCELLED: 580-582 Niagara Street; Rezoning Application No. 00721**

The public hearing for 580-582 Niagara Street was cancelled.

**F.2 1244 Wharf Street: Rezoning Application No. 00739**

Zoning Regulation Bylaw Amendment Bylaw (No. 1243) - No. 21-012:

To rezone the land known as 1244, 1250 and 1252 Wharf Street to permit Hotel use and to permit residential uses to be located below the ground floor.

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

Miko Betanzo (Planner): Advised that the application is to allow for hotel use and for residential use to be permitted below the ground floor.

*Mayor Helps opened the public hearing at 6:47 p.m.*

Greg Damant (Applicant): Provided information regarding the application.

Ken Johnson (Victoria): Expressed support for the application due to the sensible use and design.

*Council recessed from 7:00 p.m. until 7:06 p.m. to provide an opportunity for members of the public to call to speak live.*

*No further persons called in to speak to the proposed bylaw.*

*Mayor Helps closed the public hearing at 7:07 p.m.*

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Andrew

That the following bylaw be given third reading:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1243) No. 21-012

*Council discussed:*

- *The restriction of short term rentals*
- *Contribution to the Downtown core*

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Thornton-Joe  
**Seconded By** Councillor Alto

That the following bylaw be adopted:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1243) No. 21-012

**CARRIED UNANIMOUSLY**

**F.3     123/125 Government Street: Development Variance Permit Application No. 00252**

Development Variance Permit Application No. 00252

The City of Victoria will be considering the issuance of a Development Variance Permit for the land known as 123 / 125 Government Street for the purpose of varying certain requirements of the *Zoning Regulation Bylaw* namely: to facilitate the strata-subdivision of the subject property by allowing a one stall parking variance and setback variance for an existing lower storey window on the side elevation (south) from 3.0 m to 2.4 m.

**F.3.a   Opportunity for Public Comment & Consideration of Approval:**

Miko Betanzo (Planner): Advised that the application is to allow for a one stall parking variance for the existing two family dwelling to allow strata subdivision of the existing two family dwelling and for a side yard setback variance (south) for an existing window.

*Mayor Helps opened the opportunity for public comment at 7:11 p.m.*

Ryan Wyllie (Applicant): Provided information regarding the application.

*Council recessed from 7:16 p.m. until 7:21 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 application.*

*Mayor Helps closed the opportunity for public comment at 7:21 p.m.*

**Moved By** Councillor Thornton-Joe  
**Seconded By** Councillor Young

That Council authorize the issuance of Development Variance Permit Application No. 00252 for 123/125 Government Street in accordance with:

1. Plans date stamped October 2, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. Reduce the required parking from two stalls to one stall;
  - ii. Reduce the setback requirement for a lower storey window on the side elevation (south) from 3.0 m to 2.4 m.

3. The Development Variance Permit lapsing two years from the date of this resolution.

**CARRIED UNANIMOUSLY**

**F.4 1250 Dallas Road: Development Variance Permit Application No. 00254**

Development Variance Permit Application No. 00254

The City of Victoria will be considering the issuance of a Development Variance Permit for the land known as 1250 Dallas Road for the purpose of varying certain requirements of the *Zoning Regulation Bylaw*, Dallas Road Restricted Conversion District, R1-41 Zone, namely:

1. increase the height of the accessory building from 3.5m to 4.73m
2. increase the floor area of an accessory building from 37m<sup>2</sup> to 55.2 m<sup>2</sup>
3. reduce the required vehicle parking from 7 stalls to 4 stalls.

The proposal is to allow additional floor area (in the loft) in the existing accessory building (garage).

**F.4.a Opportunity for Public Comment & Consideration of Approval**

Miko Betanzo (Planner): Advised that the application is to add dormers to the existing garage with variances for height of accessory building and size of accessory building and reduction of one parking stall.

*Mayor Helps opened the opportunity for public comment at 7:23 p.m.*

Michael Moody (Applicant): Provided information regarding the application.

Brandi Roth (Howe Street): Expressed concerns for the application due to the parking restraints.

*Council recessed from 7:30 p.m. until 7:35 p.m. to provide an opportunity for members of the public to call to speak live.*

*No further persons called in to speak to the proposed application.*

*Council discussed:*

- *Window placement and the proposed additions*
- *Location of stone wall and property line*
- *Neighbouring properties concerns with parking limitations*
- *Parking stall width*

*Mayor Helps closed the opportunity for public comment at 7:46 p.m.*

**Moved By** Mayor Helps  
**Seconded By** Councillor Loveday

That Council authorize the issuance of Development Variance Permit Application No. 00254 for 1250 Dallas Road, in accordance with:

1. Plans date stamped January 25, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. increase the height of the accessory building from 3.5m to 4.73m
  - ii. increase the floor area of an accessory building from 37m<sup>2</sup> to 55.2 m<sup>2</sup>
  - iii. reduce the required vehicle parking from 7 stalls to 4 stalls.
3. One six space bicycle rack to be installed in the rear yard.
4. The Development Variance Permit lapsing two years from the date of this resolution.

*Council discussed:*

- *Positioning of dormers*
- *Construction occurring before permitted*

**Motion to speak:**

**Moved By** Councillor Alto  
**Seconded By** Councillor Loveday

That Councillor Thornton-Joe be permitted to speak again on this matter.

**CARRIED UNANIMOUSLY**

**On the motion:**

FOR (4): Mayor Helps, Councillor Alto, Councillor Loveday, Councillor Potts  
OPPOSED (5): Councillor Andrew, Councillor Dubow, Councillor Isitt, Councillor Thornton-Joe, Councillor Young

**DEFEATED (4 to 5)**

## **H. UNFINISHED BUSINESS**

### **H.1 Bylaw for 1475 Fort Street: Development Permit with Variances Application No. 00120**

The Director of Sustainable Planning and Community Development delivered an update regarding next steps should the vote on this application be defeated.

**Moved By** Councillor Alto  
**Seconded By** Councillor Thornton-Joe

That the following bylaw **be given first, second and third readings:**

1. Housing Agreement (1475 Fort Street) Bylaw (2021) No. 21-057

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Andrew

**Seconded By** Councillor Young

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

"That Council authorize the issuance of Development Permit with Variance Application No. 00120 for 1475 Fort Street in accordance with:

1. Plans date stamped April 30, 2021
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. reduce the vehicle parking from 45 stalls to 26 stalls;
  - ii. reduce the visitor parking from 3 stalls to 2 stalls;
  - iii. increase the building height from 12 metres to 12.92 metres;
  - iv. reduce the front setback from 10.5 metres to 1.81 metres (entrance canopy) and 3.53 metres (building);
  - v. reduce the rear setback from 6.46 metres to 3.96 metres;
  - vi. reduce the east side yard setback from 6.46 metres to 3.05 metres (balconies and entrance canopy) and 4.93 metres (building);
  - vii. reduce the west side yard setback from 6.46 metres to 3.86 metres (balconies) and 5.75 metres (building);
  - viii. increase the site coverage from 40 percent to 47 percent;
  - ix. allow for an accessory structure to be located in the front yard rather than the rear yard.
3. Final plans generally in accordance with the plans date stamped April 30, 2021 with the following revisions:
  - i. changes to the panhandle driveway to comply with the Highway Access Bylaw and BC Building Code requirements, to the satisfaction of the Director of Engineering and Public Works
  - ii. Relabel the proposed bylaw replacement trees to ensure replacement trees are provided on site, to the satisfaction of the Director of Parks, Recreation and Facilities
4. The Development Permit lapsing two years from the date of this resolution."

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

OPPOSED (1): Councillor Isitt

**CARRIED (8 to 1)**

**O. ADJOURNMENT**

**Moved By** Councillor Andrew

**Seconded By** Councillor Alto

That the Council meeting adjourn.  
TIME: 8:14 p.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR