



MINUTES - VICTORIA CITY COUNCIL

December 9, 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

PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young

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, L. Baryluk – Planner, Miko Betanzo – Senior Planner, C. Moffat – Assistant City Solicitor, M. Heiser - Council Secretary

A. APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Moved By Councillor Potts
Seconded By Councillor Alto

That the agenda be approved as amended.

CARRIED UNANIMOUSLY

B. Poetry Reading

The Poet Laureate, John Barton, read a poem titled *Long-Range Forecast*.

The Youth Poet Laureate, James Summer, read a poem titled *Empty Promises*.

D. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Alto
Seconded By Councillor Loveday

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

D.1 Joe A. Kunzler: Gratitude for Canada & SIPP on their Conference
Expressed gratitude for Canada and South Island Prosperity Partnership (SIPP) on their conference.

D.2 Britt Small: Centennial Square Light Installation

Outlined why Council should consider engaging with local artists and community cultural organizations as it relates to the Centennial Square light display.

D.3 Alex Robb: Cannabis Related Business Bylaw in Conflict with Provincial

Outlined why Council should amend the Storefront Cannabis Retailer Regulation Bylaw as it relates to windows on street frontage to bring it into harmony with provincial similar elements.

F. PUBLIC AND STATUTORY HEARINGS

F.1 45 Boyd Street: Development Variance Permit Application No. 00250

Development Variance Permit Application No. 00250

The Council of the City of Victoria will be considering the issuance of a Development Variance Permit for the land known as 45 Boyd Street for the purpose of varying certain requirements of the Zoning Regulation Bylaw, namely: to reduce the vehicle parking requirements from 87 stalls to 58 stalls and reduce the number of required visitor parking stalls from 7 to 3 stalls. This application is required to maintain an additional 8 units within the existing building.

F.1.a Opportunity for Public Comment & Consideration of Approval

Lucina Baryluk (Planner): Advised that the application is for a vehicle parking variance resulting from the addition of eight units in the existing rental building (Albion Court).

Mayor Helps opened the opportunity for public comment at 6:58 p.m.

Eddie Williams (Applicant): Provided information regarding the application.

Council recessed from 7:06 p.m. until 7:11 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 7:15 p.m.

Council discussed the following:

- *Parking regulations for the site*

Moved By Councillor Loveday
Seconded By Councillor Young

Development Variance Permit No. 00250

That Council authorize the issuance of Development Variance Permit No. 00250 for 45 Boyd Street in accordance with:

1. Plans date stamped May 21, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - a. off-street parking reduced from 87 stalls to 58 stalls;
 - b. visitor parking reduced from 7 stalls to 3 stalls.
3. Installation of one short term bicycle rack (7 spaces) near the main building entrance on Boyd Street prior to the issuance of any building permits.
4. The two accessory buildings identified as long-term bicycle parking be retained for that purpose.
5. The visitor parking stalls to be clearly identified with pavement markings.
6. One accessible parking stall to be clearly identified with pavement markings and signage.
7. The garbage and recycling area to be clearly identified with pavement markings.
8. Final plans to be in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.
9. The Development Variance Permit lapsing two years from the date of this resolution.

Council discussed the following:

- *Work without permit or compliance*
- *Safety of occupants*

On the motion:

CARRIED UNANIMOUSLY

F.2 941 Fullerton Avenue: Rezoning Application No. 00769

Zoning Regulation Bylaw, Amendment Bylaw (No. 1266) - No. 21-110:

Council will consider an application to rezone the land known as 941 Fullerton Avenue from the R1-S2 Zone to the R1-S31 Zone, Restricted Small Lot with Secondary Suite (Fullerton Street) District, to permit a secondary suite within the existing small lot house.

F.2.a Public Hearing & Consideration of Approval

Lucina Baryluk (Planner): Advised that the application is to rezone from the R1-S2 Zone, Restricted Small Lot (Two Storey) District, to a site-specific zone to legalize the existing secondary suite.

Mayor Helps opened the public hearing at 7:20 p.m.

Helen Rogers (Applicant): Provided information regarding the application.

Council recessed from 7:24 p.m. until 7:29 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 public hearing at 7:29 p.m.

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1266) No. 21-110

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That the following bylaw **be adopted:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1266) No. 21-110

CARRIED UNANIMOUSLY

F.3 749-767 Douglas Street: Rezoning Application No. 00746, Development Permit with Variances Application No. 000155 and associated Official Community Plan Amendment

Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 38) - No. 21-106:
Council will consider an amendment to the OCP bylaw to include all of the land known as 749-767 Douglas Street in the Core Business Urban Place Designation and to remove View Five: Olympic Mountains from Douglas Street from the Downtown Core Area Plan (2011) referenced in the OCP under Development Permit Area (DPA) 9 (Heritage Conservation): Inner Harbour, section 6.1-6.6.

Zoning Regulation Bylaw, Amendment Bylaw (No. 1264) - No. 21-105:
Council will consider an application to rezone the land known as 749-767 Douglas Street from the CA-4 Zone, Central Area Commercial District, to the CA-OV Zone, Olympic View District, to permit a density of 5.2 Floor Space Ratio.

Development Permit with Variances Application No. 00155

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 749-767 Douglas Street, in Development Permit Area 9 (Heritage Conservation) for the purposes of approving the exterior design and finishes for the office use as well as landscaping.

F.3.a Public Hearing & Consideration of Approval

Miko Betanzo (Planner): Advised that the application is to rezone from the CA-4 Zone, Central Area Commercial Office District to a site-specific zone to increase the density from 3:1 to 5.2:1 floor space ratio (FSR) for an office building with ground floor commercial uses.

Mayor Helps opened the public hearing at 7:32 p.m.

Luke Mari (Applicant): Provided information regarding the application.

Christine Corbett (Humboldt Street): Expressed concerns for the application due to the proposed size and overwhelming mass.

Mark Wyatt (Hillside Avenue): Expressed support for the application due to the thoughtful design and relative consistency with surrounding buildings.

Andy Wachtel (Humboldt Street): Expressed concerns for the application due to the design and scale of the building.

Jeff Sutherland (Burdett Avenue): Expressed concerns for the application due to the impact on his unit's view and the proposed variances.

Ruth Annis (Humboldt Street): Expressed concerns for the application due to the size and changes to the Humboldt Valley.

Meryll Cunnin (Fernwood): Expressed support for the application due to the increase in tech sector employment opportunities.

Cliff Leachman (Humboldt): Expressed concerns for the application due to the lack of proposed parking.

Georgia Wiggins (Saanich): Expressed concerns for the application due to the overpowering design and lack of parking.

Jean McRae (Douglas Street): Expressed support for the application due to proposed community space and indigenous art.

Jim Mayer (Tyee Road): Expressed support for the application due to architecture and street interaction.

Brandon Williams (View Street): Expressed support for the application due to the economic benefits.

Philip Pretorius (Esquimalt): Expressed support for the application due to the building technology and design.

Robert Newton (Burdett Ave): Expressed concerns for the application due to proposed size and lack of parking for public.

Shane Ryan (Fort Street): Expressed concerns for the application due to the increased height and decreased setbacks.

Nancy Sherwood (Burdett Avenue): Expressed concerns for the application due to the proposed density and use of space.

Peter Bonyun (Downtown Victoria): Expressed concerns for the application due to the scale and aversion from the Official Community Plan.

Colin Perry (Old Spaghetti Factory): Expressed support for the application due to the increase in jobs downtown and foot traffic.

Bob June (Victoria): Expressed concerns for the application due to excessive height and awkward background to the Empress Hotel.

Council recessed at 9:00 p.m. and reconvened at 9:08 p.m.

Tim Wiggins (Saanich): Expressed concerns for the application due to building size and lack of parking.

Robin Bayley (Linden Avenue): Expressed concerns for the application due to accessible parking standards.

Karen Elves (Humboldt Street): Expressed concerns for the application due to the obstructed views from current residence.

Andrew Elves (Victoria): Expressed concerns for the application due to the mass and scale of the proposed building.

PK (Burdett): Expressed concerns for the application due to the proposed height and skyline.

Ian Frazer (Johnson Street): Expressed concerns for the application due to the increase of traffic and glass design.

JC Scott (Fantan Alley): Expressed concerns for the application due to the proposed architecture.

Kase Chesney (Victoria): Expressed support for the application due to the sustainable elements of the proposal.

Rob Wittman (Linden Avenue): Expressed concerns for the application due to extreme variances from the City's planning documents.

Marshall Brooks (Bay Street): Expressed support for the application due to the increase in commercial office space and sustainable aspects of the proposal.

Eva Long (Burdett Avenue): Expressed concerns for the application due to the large building size and lack of charm.

Jason Leslie (Fairfield Road): Expressed support for the application due to the increase in office space.

Jennifer Cavanday (Humboldt Street): Expressed support for the application due to improvement to the street.

Sandy Groot (Humboldt Street): Expressed concerns for the application due to the size, height and density.

Reed Kipp (Humboldt Street): Expressed support for the application due to the proposed design.

Pat McGuire (James Bay): Expressed concerns for the application due to potential distraction on a busy corridor and additional density.

Mark Stephenson (Fernwood): Expressed support for the application due to the potential large influx of tech jobs downtown.

Ann Lohner (Douglas Street): Expressed concerns for the application due to the large mass and setbacks.

Ian Sutherland (Downtown Victoria Residents Association): Expressed concerns for the application due to the diversion from the Downtown Core Area Plan and Official Community Plan.

Tim Chmiliar (Burdett Avenue): Expressed support for the application due to the economic benefits and increase in property value.

Adam Carlson (HSM Insurance): Expressed support for the application due to increase in large business development project.

Bruce Gillespie (Little Jumbo): Expressed support for the application due to the increase in vibrancy in the area.

Claire Flewelling (Belmont Ave): Expressed support for the application due to potential increase in foot traffic.

Emma Parston (Victoria): Expressed support for the application due to the increase in public space and rentable space.

Erin Boggs (Robinsons Outdoor Store): Expressed support for the application due to increase in jobs and foot traffic in the area.

Harley Shim (Liberty Cafe): Expressed support for the application due to the creation of jobs and increase in people in the area.

Jeff Bray (DVBA): Expressed support for the application due to increase in tech sector jobs downtown Victoria.

Council recessed at 10:35 p.m. and reconvened at 10:46 p.m.

Jonathan Mactinger (endūr): Expressed support for the application due to the increase in tech talent in the area.

Justin Love (Limbic Media): Expressed support for the application due to the increase in tech employment opportunities.

Jordan Stout (Downtown Victoria): Expressed support for the application due to the support for existing tech groups in the area as well as attracting new groups.

Curtis Stockton (Vancouver Street): Expressed support for the application due to the thoughtful design of the proposal.

Miriam Raeder (Victoria): Expressed support for the application due to the shown support for tech employment and startups.

Rob Ketner (Hey Happy): Expressed support for the application due to the increase in foot traffic downtown.

Rowan Damant (Beachwood Ave): Expressed support for the application due to economic benefits and employment opportunities.

Scott Piercy (Engel & Volkers): Expressed support for the application due to the increase in office space.

Sean Battisoni (Barnacle Systems Inc): Expressed support for the application due to the increase in tech jobs in the City.

Shellie Gudgeon (Il Terrazzo): Expressed support for the application due to the increase in foot traffic downtown.

Melissa Fullichuk (Humboldt Street): Expressed concerns for the application due to the aversion from City planning documents.

Sid Monzer (Capital City Tuxedo): Expressed support for the application due to the increase in businesses downtown.

Solomon Siegeo (Pagliaccis): Expressed support for the application due to the increase in density and development downtown.

Bruce Williams (The Chamber): Expressed support for the application due to the available community space and a creation of a new landmark downtown Victoria.

Kane Wyatt (Belmont Ave): Expressed support for the application due to increase in tech sector jobs in Victoria.

Nathan Groenewold (Land Street): Expressed support for the application due to the increase in tech job opportunities in Victoria and room for startup companies to grow.

Motion to Extend:

Moved By Councillor Alto

Seconded By Councillor Potts

That the Council meeting be extended to 11:30 p.m.

CARRIED UNANIMOUSLY

Dan Gunn (VIATEC): Expressed support for the application due to the increase in tech employment.

Dan Pontefract (Victoria): Expressed support for the application due to the sustainability of the proposed design.

Frank Naccarato (Frankie's Modern Diner): Expressed support for the application due to the increase in business downtown.

Greg White (Victoria): Expressed support for the application due to the creation of jobs and sustainability aspects of the design.

Kim Knudsen (Linden Ave): Expressed support for the application due to the economy support.

Kirsten Stein (Fairfield Rd): Expressed support for the application due to the increase in tech sector jobs in Victoria.

Nanyak Dala (Service St): Expressed support for the application due to the increased economy in Victoria and growth within the City.

Owen Madrick (Cern): Expressed support for the application due to the increase in office space.

Riley (Victoria): Expressed support for the application due to the provided jobs and growth in the tech sector market.

Daniella Newberry (Belmont Ave): Expressed support for the application due to the increase in job opportunities downtown.

Richard Egli (Alacrity): Expressed support for the application due to the construction of incubation space for young company use.

Jim Hayhurst (Innovation Centre): Expressed support for the application due to the addition of office space in Victoria.

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

Mayor Helps closed the public hearing at 11:25 p.m.

Consideration of the application will be continued at the Special Council Meeting on December 16, 2021.

O. **ADJOURNMENT**

Moved By Councillor Andrew
Seconded By Councillor Dubow

That the Council meeting adjourn.
TIME: 11:27 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR