



MINUTES - VICTORIA CITY COUNCIL

September 8, 2022, 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. Anderson - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, L. Taylor - Senior Planner, C. Kingsley - City Clerk, D. Atkinson - Acting Fire Chief, M. Heiser - Council Secretary

A. MUSIC

The Victoria Conservatory of Music presents the Young Artists Collegium Program End of Year Chamber Music Showcase 2021, featuring the VCM's Preparatory and Intermediate Orchestras, under the direction of Tatiana Kostour.

B. APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Councillor Isitt joined the meeting at 6:31 p.m.

Councillor Potts joined the meeting at 6:32 p.m.

Moved By Councillor Andrew

Seconded By Councillor Alto

That the agenda be approved as amended.

CARRIED UNANIMOUSLY

D. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Andrew

Seconded By Councillor Thornton-Joe

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

D.2 Jon Stovell, Franc D'Ambrosio and Juan Pereira: Arts and Innovation District

Outlined to Council specifics relating to the Arts and Innovation District.

D.4 Lyall Atkinson: Conflict of Interest by Council

Outlined reasons Council should remove the request for donations to the Truth and Reconciliation Fund from property tax notices.

F. PUBLIC AND STATUTORY HEARINGS

F.1 2120 Quadra Street: Development Permit with Variances Application No. 00178

Development Permit with Variances Application No. 00178

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 2120 Quadra Street, in Development Permit Area 16: General Form and Character, for purposes of constructing a four-storey, mixed-use warehouse building consisting of self-storage, a cafe and manufacturing space (i.e., artisan studios).

The Development Permit will vary the following requirements of the Zoning Regulation Bylaw:

- reduce the required number of parking spaces from 65 to 1
- increase the side yard setback along the south property line adjacent to the property located at 2100 Quadra Street from 0m to 0.408m.

F.1.a Public Hearing & Consideration of Approval

Leanne Taylor (Planner): Advised that the application is to construct a four-storey, mixed-use warehouse building consisting of self-storage, a cafe and manufacturing space (i.e., artisan studios).

Mayor Helps opened the opportunity for public comment at 6:44 p.m.

Glen Wilson (Applicant): Provided information regarding the application.

Jackie Robson (Princess Ave): Expressed concerns for the application due to the lack of proposed parking.

Jeremy Brinton (No address provided): Expressed support for the application due to the dedicated space for artists and crafters.

Council recessed from 7:01 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 application.

Mayor Helps closed the opportunity for public comment at 7:06 p.m.

Council discussed the following:

- *Required parking for the subject site*
- *Relevant parking studies*
- *Nearby residential and time limited parking spaces*

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

1. That Council authorize the issuance of Development Permit with Variance Application No. 00178 for 2120 Quadra Street, in accordance with:
 - a. Plans date stamped March 14, 2022.
 - b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - i. reduce the required number of parking spaces from 65 to 13
 - ii. increase the side yard setback along the south property line adjacent to the property located at 2100 Quadra Street from 0m to 0.408m.
 - c. That the following items are secured in legal agreements and registered on title to the satisfaction of the Director of Engineering and Public Works and Director of Sustainable Planning and Community Development:
 - i. construction of a curb bulb on the southwest corner of Quadra Street and Princess Avenue in accordance with the plans dated September 29, 2021 and prepared by Westbrook Consulting Ltd.
 - ii. 206m² of ground floor area fronting Quadra Street and Princess Avenue is occupied by uses other than storage and warehouse uses.
 - d. That the applicant provide 3m road dedication along the Quadra Street frontage.
 - e. The Development Permit lapsing two years from the date of this resolution.
2. Council authorize the street-level projecting canopies over the City Right-of-Way on 2120 Quadra Street, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.

CARRIED UNANIMOUSLY

Councillor Thornton-Joe recused herself from the meeting at 7:15 p.m. due to a non-pecuniary conflict of interest with the following item, as she is friends with neighbouring residents.

F.2 1120-1126 Hillside Avenue: Rezoning Application No. 00757

Zoning Regulation Bylaw, Amendment Bylaw (No. 1282) - No. 22-069:

To rezone the land known as 1120 and 1126 Hillside Avenue from the R-2 Zone, Two Family Dwelling District, to the C1-HC Zone, Hillside Commercial District, to permit business offices, professional businesses and retail stores.

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

Leanne Taylor (Planner): Advised that the application is to allow for business offices, professional business, and retail stores within the existing commercial building. The property and building were previously used for commercial purposes through legal non-conforming status and subsequently through a Temporary Use Permit.

Mayor Helps opened the public hearing at 7:16 p.m.

Evan Peterson (Applicant): Provided information regarding the application.

Council recessed from 7:25 p.m. until 7:30 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 7:30 p.m.

Moved By Councillor Potts
Seconded By Councillor Alto

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1282) No. 22-069

CARRIED UNANIMOUSLY

Moved By Councillor Potts
Seconded By Councillor Alto

That the following bylaw **be adopted:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1282) No. 22-069

CARRIED UNANIMOUSLY

Councillor Thornton-Joe returned to the meeting at 7:31 p.m.

F.3 1125 Fort Street: Rezoning Application No. 00712, Development Permit with Variances Application No. 00142, and Heritage Designation Application No. 000192

Zoning Regulation Bylaw, Amendment Bylaw (No. 1273) - No. 22-031

To rezone the land known as 1125 Fort Street from the R3-1 Zone, Multiple Dwelling District, to the R-105 Zone, Multiple Dwelling (1125 Fort Street) District,

to increase the density from 1.2:1 floor space ratio to 1.92:1 floor space ratio and allow multiple dwellings as a permitted use.

Heritage Designation Bylaw No. 22-029

The Council of the City of Victoria will also consider approving the heritage designation of portions of the exterior of the existing building at 1125 Fort Street.

Development Permit with Variance Application No. 00142

The Council of the City of Victoria will also consider issuing a Development Permit with Variance for the land known as 1125 Fort Street, in Development Permit Area 7B (HC) – Corridors Heritage for the purposes of approving the exterior design and finishes for an addition to the rear of the existing building as well as landscaping.

The Development Permit will vary the following requirements of the Zoning Regulation Bylaw:

- reduce the vehicle parking from eight to four stalls, including a reduction of the visitor parking from one stall to zero stalls.

F.3.a Public Hearing & Consideration of Approval

Miko Betanzo Planner): Advised that the application is to convert the existing building into multiple dwelling units and add dwelling units in a new addition at the rear, fronting Meares Street.

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

Nicole Showers (Applicant): Provided information regarding the application.

Council recessed from 7:40 p.m. until 7:45 p.m. to provide an opportunity for members of the public to call to speak live.

Susan Smith (Linden Ave): Expressed concerns with the application due to the proposed changes to the heritage business-block aspect of the neighbourhood.

*No further persons called in to speak to the proposed bylaw.
Mayor Helps closed the public hearing at 7:52 p.m.*

Council discussed the following:

- *Heritage buildings in the neighbourhood*
- *Heritage Advisory Panel recommendations*

Moved By Councillor Andrew

Seconded By Councillor Thornton-Joe

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1273) No. 22-031
2. Heritage Designation (1125 Fort Street) Bylaw No. 22-029

CARRIED UNANIMOUSLY

Moved By Councillor Andrew

Seconded By Councillor Thornton-Joe

That the following bylaws **be adopted**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1273) No. 22-031
2. Heritage Designation (1125 Fort Street) Bylaw No. 22-029
3. Housing Agreement (1125 Fort Street) Bylaw (2022) No. 22-030

CARRIED UNANIMOUSLY

Moved By Councillor Andrew

Seconded By Councillor Thornton-Joe

Development Permit with Variances Application No. 00142

That Council authorize the issuance of Development Permit with Variance Application No. 00142 for 1125 Fort Street, in accordance with:

1. Plans date stamped September 9, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - i. reduce the vehicle parking from eight to four stalls, including a reduction of the visitor parking from one stall to zero stalls.
3. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

F.4 515 and 519 Rithet Street: Development Permit with Variances Application No. 00187

Development Permit with Variances Application No. 00187

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 515 and 519 Rithet Street, in Development Permit Area 16, General Form and Character, for purposes of constructing a multiple-dwelling building.

The Development Permit will vary the following requirements of the Zoning Regulation Bylaw:

- reduce east side-yard setback from 8.07m to 3.11m
- reduce west side-yard setback from 8.07m to 5.76m
- reduce rear yard setback from 8.07m to 4.5m
- reduce front yard setback from 12m to 2.41m for the patio and 4.27m for the building
- reduce open site space from 60% to 42.99%
- increase site coverage from 32% to 44.21%

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

Miko Betanzo (Planner): Advised that the application is to construct a multi-unit, strata residential building.

Mayor Helps opened the opportunity for public comment at 7:54 p.m.

Margie Shenduk, Sorin Birliga, Scott Murdoch (Applicant): Provided information regarding the application.

Dave Nonen (Chapman St): Expressed concerns for the application due to the removal of heritage homes in the surrounding area and proposed height.

Thomas Williams (Menzies St): Expressed concerns for the application due to visual impact the proposal will have on Menzies Street.

Eva Svensson (Menzies St): Expressed concerns for the application due to loss of sunlight, potential wind tunnel, and removal of bushes/trees.

Mackenzie Williams (Rithet St): Expressed concerns for the application due to the increase in traffic and size of the development.

Council recessed from 8:30 p.m. until 8:35 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.

Mayor Helps closed the opportunity for public comment at 8:35 p.m.

Council discussed the following:

- *Privacy impacts on neighbouring properties*
- *Distances between the subject property and the adjacent heritage home*
- *Relevant shadow studies*
- *Existing zone and density permitted in this area*

Moved By Councillor Young

Seconded By Mayor Helps

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.

Council discussed the following:

- *Development in James Bay*
- *Setbacks between buildings*

On the motion:

CARRIED UNANIMOUSLY

O. ADJOURNMENT

Moved By Councillor Andrew

Seconded By Councillor Dubow

That the Council meeting be adjourned at 9:03 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR