



## MINUTES - VICTORIA CITY COUNCIL

**April 12, 2018, 6:30 P.M.**

**Council Chambers, City Hall, 1 Centennial Square**

**Located on the traditional territory of the Esquimalt and Songhees People**

**PRESENT:** Mayor Helps in the Chair, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, Councillor Young

**ABSENT FOR A PORTION OF THE MEETING:** Councillor Alto

**STAFF PRESENT:** J. Jenkyns - Acting City Manager, C. Coates - City Clerk, S. Thompson - Director of Finance, J. Tinney - Director of Sustainable Planning & Community Development, F. Work - Director of Engineering & Public Works, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhauer - Head of Engagement, C. Havelka - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, T. Zworski - City Solicitor, A. Johnston - Planner, P. Martin - Council Secretary

**A. APPROVAL OF AGENDA**

The City Clerk outlined amendments to the agenda.

*Councillor Alto withdrew from the meeting at 6:30 pm.*

**Moved By** Councillor Coleman

**Seconded By** Councillor Loveday

That the agenda be approved as amended.

**CARRIED UNANIMOUSLY**

**B. READING OF MINUTES**

**Moved By** Councillor Coleman

**Seconded By** Councillor Loveday

That the following minutes be adopted:

1. Minutes from the evening meeting held February 22, 2018
2. Minutes from the evening meeting held March 8, 2018
3. Minutes from the evening meeting held March 22, 2018

**CARRIED UNANIMOUSLY**

**C. REQUESTS TO ADDRESS COUNCIL**

**Moved By** Councillor Coleman

**Seconded By** Councillor Thornton-Joe

That the following speakers be permitted to address Council.

**CARRIED UNANIMOUSLY**

**C.1 Marg Gardiner: James Bay - Sharing Our Streets Project**

Outlined why Council should adopt the recommendations included in the James Bay - Sharing Our Streets Project report.

**C.2 Darrel Wood: James Bay - Sharing Our Streets Project**

Outlined why Council should adopt the recommendations included in the James Bay - Sharing Our Streets Project report.

**C.3 Emillie Parrish: James Bay - Sharing Our Streets Project**

Outlined why Council should adopt the recommendations included in the James Bay - Sharing Our Streets Project report.

**C.4 Tom Berkhout: James Bay - Sharing Our Streets Project**

Outlined why Council should adopt the recommendations included in the James Bay - Sharing Our Streets Project report.

**C.5 Douglas Curran: Realistic CAC Formula**

Outlined why Council should revise the Community Amenity Contribution (CAC) policy.

**C.6 Chris Zmuda: Negligent of City Management**

Outlined why Council should review the allowance of cannabis dispensaries in the City.

**D. PROCLAMATIONS**

**D.1 "St. George Day" - April 23, 2018**

**Moved By** Councillor Coleman

**Seconded By** Councillor Lucas

That the following proclamation be endorsed:

1. "St. George Day" – April 23, 2018

**CARRIED UNANIMOUSLY**

**D.2 "Human Values Day" - April 24, 2018**

**Moved By** Councillor Coleman

**Seconded By** Councillor Lucas

That the following proclamation be endorsed:  
1. "Human Values Day" – April 24, 2018

**CARRIED UNANIMOUSLY**

**E. PUBLIC AND STATUTORY HEARINGS**

**E.1 777 Herald Street: Development Permit with Variances Application No. 00045**

Development Permit with Variances Application No. 00045:

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 777 Herald Street, in Development Permit Area 2, for purposes of constructing a 26 storey mixed-use building.

Alec Johnson (Planner): *Advised that the application is to construct a 26 storey mixed-use building facing Herald Street.*

**E.1.a Opportunity for Public Comment & Consideration of Approval:**

*Mayor Helps opened the opportunity for public comment at 7:04 p.m.*

Justin Filuk (Applicant): Provided information regarding the application.

Council discussed the following:

- That the application will create 176 stratified units.

*There were no persons present to speak to the proposed application.*

*Mayor Helps closed the opportunity for public comment at 7:28 p.m.*

Council discussed the following:

- That the application allows for people to live, work, and play in the Downtown neighbourhood.
- The supportability of the sky garden.
- Whether the change to the setback is appropriate for the City's skyline.
- The importance of the creation of additional parking spaces.

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Lucas

That Council authorize the issuance of Development Permit with Variance Application No. 00045 for 777 Herald Street, in accordance with:

1. Plans date stamped January 24, 2018
2. Ensuring the ongoing provision and maintenance of the sky garden
3. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. increase the height from 72 metres to 75 metres
  - ii. reduce the massing step back from 13.2m to 2.1m, measured at the upper most storey of the building

- iii. reduce the minimum site area from 4480m<sup>2</sup> to 2100m<sup>2</sup>
4. The Development Permit lapsing two years from the date of this resolution.

FOR (5): Mayor Helps, Councillor Coleman, Councillor Lucas, Councillor Thornton-Joe, and Councillor Young

OPPOSED (3): Councillor Isitt, Councillor Loveday, and Councillor Madoff

**CARRIED (5 to 3)**

**E.2 1928 Oak Bay Avenue: Development Permit with Variances Application No. 00069**

Development Permit with Variances Application No. 00069:

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 1928 Oak Bay Avenue, in Development Permit Area 6A: Small Urban Villages, for purposes of constructing a two-story addition to the existing building to add seven dwelling units.

Alec Johnson (Senior Planner): *Advised that the application is to allow for a two-storey addition to the existing building, and to add seven dwelling units.*

**E.2.a Opportunity for Public Comment & Consideration of Approval**

*Mayor Helps opened the opportunity for public comment at 7:48 p.m.*

Wayne Hopkins (Applicant): Provided information regarding the application.

Nick Atkins (Oak Bay Avenue): Expressed concerns relating to the setbacks of the proposed application.

Council discussed the following:

- That the balconies will not be facing the neighbouring property.

*Mayor Helps closed the opportunity for public comment at 7:52 p.m.*

*Council recessed at 7:56 p.m. and returned at 8:15 pm.*

*Councillor Alto returned at 8:15 p.m.*

**Moved By** Councillor Coleman  
**Seconded By** Councillor Loveday

That Council authorize the issuance of Development Permit with Variances Application No. 00069 for 1928 Oak Bay Avenue, in accordance with:

1. Plans date stamped February 7, 2018.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. reduce the interior (east) setback from 2.40m to 0.00m;

- ii. reduce the flanking street (west) setback from 2.40m to 0.87m;
- iii. reduce the required number of parking stalls from 14 to 10.
- 3. The Development Permit lapsing two years from the date of this resolution.

### **CARRIED UNANIMOUSLY**

#### **E.3 1201 Fort Street and 1050 Pentrelew Place: Rezoning Application No. 00525, Development Permit with Variances Application No. 00035, and Associated Official Community Plan Amendment**

##### Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 23) No. 18-014:

To change the urban place designation for 1050 Pentrelew Place and the south portion of 1201 Fort Street from Traditional Residential to Urban Residential, and to change the boundary of Development Permit Area 7B (HC) – Corridors Heritage to include the south portion of 1201 Fort Street.

##### Zoning Regulation Bylaw, Amendment Bylaw (No. 1140) No. 18-015:

To rezone land known as 1201 Fort Street and 1050 Pentrelew Place from the R1-B Zone, Single Family Dwelling District and the R3-AM-2 Zone, Mid-Rise Multiple Dwelling District, to the R3-AM-5 Zone, Mid-Rise Multiple Dwelling (Fort) District, to permit a six-storey multi-unit residential building, a four-storey multi-unit residential building and nine townhouse units.

##### Development Permit Application:

The Council of the City of Victoria will also consider issuing a Development Permit for the land known as 1201 Fort Street and 1050 Pentrelew Place, in Development Permit Area 7B (HC) – Corridors Heritage, for the purposes of approving the form, character, exterior materials and landscaping of the proposed multi-unit residential and townhouse development.

Alec Johnson (Senior Planner): *Advised that the application is to construct a six-storey residential building, a four-storey residential building, and nine townhouse units.*

#### **E.3. a. Public Hearing & Consideration of Approval**

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

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

Mike Miller (Applicant): Provided further information regarding the application.

Buck Perrin (Oak Bay Avenue): Expressed support for the application, in relation to the developer's positive history as a developer, and how the development will be a good fit for the area.

Lynne Barber (Oak Bay Avenue): Expressed support for the application, in relation to the developer's positive history as a developer, and how the development will be a good fit for the area.

Don Biberdorf (Oak Bay Avenue): Expressed support for the application, in relation to the public park pathway and architecture style.

Carola Kanaya (The Rise): Expressed support for the application, in relation to the added density that the development would create.

Nancy Poole (Oak Bay Avenue): Expressed support for the application, in relation to the developer's positive history as a developer, and the need for density in the area.

Ryan Campbell (Rockland Avenue): Expressed support for the application, in relation to the developer's positive history as a developer, and how the development will be a good addition to the area.

Ed McLain (Rocky Point Road): Expressed his neutrality for the application, and commented that any development will require the removal of trees.

Keyvan Shgania (Fairfield Road): Expressed support for the application, in relation to the added density that the development would create.

Brad Martin (Albert Avenue): Expressed support for the application, as it will be a positive addition to the area.

Lora-Beth Trail (Fort Street): Expressed concerns relating to the application, in relation to the size, density, and removal of heritage trees.

Lisa Aurora (Olive Street): Expressed concerns relating to the community consultation and land use application process, but expressed support for the application, in relation to development that will be created for future residents.

Deb Tilley (Linden Avenue): Expressed support for the application, in relation to the community consultation and resulting changes that occurred, and due to the need for increased density in the area.

Kate Vallana (Linden Avenue): Expressed concerns relating to the removal of the green space, but expressed support for the community consultation that was undertaken, and resulting changes, including the addition of new trees.

Anna Cal (Pentrelew Place): Expressed concerns relating to the application, in relation to the size and density of the proposed development.

Lindsay Brookes (Monterey Avenue): Expressed support for the application, as new housing in the area is needed.

Grant McNeill (Goldstone Heights): Expressed support for the application, in relation to the added density that the development would create.

Bindon Kinghorn (Manner Road): Expressed concerns relating to the application, in relation to the size and density of the proposed development, and lack of affordable housing in the current proposed application.

Daniel Hughes (St. Charles Street): Expressed support for the application, in relation to the developer's positive history as a developer, the architectural style, and how the development will be a good addition to the area.

David Wilkinson (Monterey Avenue): Expressed support for the application, as the development will be a positive addition to the area.

Karen Burgess (Linden Avenue): Expressed concerns relating to the application, due to the size, increased density, and removal of trees.

Jenny Marshall (Richardson Street): Expressed support for the application, due to the changes made to the development in relation to community consultation.

Miranda Worthy (Pentrelew Place): Expressed support for the application, due to the changes made to the development as a result of personal consultation with the developer.

Gary Barsalou (St. Charles Street): Expressed support for the application, in relation to the developer's positive history as a developer, and the need for densification.

Nicole Chaland (Chapman Street): Expressed support for the application, as densification is needed in the City.

Ron Dumonceau (Fort Street): Expressed support for the application, as the proposed development is more desirable than what the current zoning would allow.

Lloyd Ollila (Resident): Expressed concerns relating to the application, due to the size and density of the proposed development.

Tania Wegwitz (Camosun Street): Expressed support for the application, due to the increased densification and diversity of housing.

Bev Highton (Respite Close): Expressed support for application, in relation to the developer's positive history as a developer, and as it will be a good fit for the area.

Luke Mills (Ashton): Expressed support for the application, as increased density is needed in the City and as the development will be a good fit for the area.

Ross Van Patter (Brookside Road): Expressed support for the application, as it will be a positive addition to the City and the business community.

Rov Dosanjh (Fairfield Road): Expressed support for the application, due to the changes made to the development as a result of the community consultation.

Bill Aylesworth (Merle Avenue): Expressed support for the application, as it will be a good fit for the area.

Brett Hayward (McKenzie Street): Expressed support for the application, as it will be a good fit for the area.

Russ Lazaruk (Green Oaks Terrace): Expressed support for the application, as the development includes green space, and due to the community consultation that has been undertaken.

Eric Bramble (Ebert Street): Expressed support for the application, as the proposed development is more desirable than what the current zoning would allow, and the developer's positive history in the community.

Jamie Hammond (Representative of the Rockland Neighbourhood Association): Expressed concerns relating to the application, as they find that it is incompatible with the vision for the City and neighbourhood, and due to the massing and scale of the proposed development, and the lack of affordable housing on this site.

*Council recessed at 10:27 p.m. and returned at 10:35 p.m.*

Anthony Danda (Pentrelew Place): Expressed concerns relating to the application, due to it is not a good transition between the areas of the neighbourhood, and the lack of affordable housing on this site.

Brad Atchison (Fairfield Place): Expressed concerns relating to the application, due to the increased density, massing, and scale.

John Riopka (Academy Close): Expressed support for the application, as it will be a positive addition to the area.

Ted Hancock (Belmont Avenue): Expressed support for the application, in relation to his business relationship with Abstract Development.

Jack Petrie (Gonzales Avenue): Expressed support for the application, due to the increased density, and as it will be a good fit for the area.

**Moved By** Councillor Isitt

**Seconded By** Councillor Loveday

**Motion to extend:**

That the meeting be extended to 12:00 a.m.

**CARRIED UNANIMOUSLY**

Jaime Tiamer (Monterey Avenue): Expressed support for the application, as increased density and housing is needed in this area.

Resident (View Road): Expressed support for the application, as the development will help to complete this area, and provides a good transition between types of housing.

Paul Pallan (Songhees Road): Expressed support for the application, as the changes made as a result of the community consultation.

*Council recessed at 11:07 p.m. and returned at 11:37 p.m.*



**Moved By** Councillor Isitt  
**Seconded By** Councillor Coleman

**Motion to adjourn hearing:**

That the Public Hearing be adjourned to the April 26, 2018 Council Meeting.

**CARRIED UNANIMOUSLY**

**J. BYLAWS**

**J.1 Bylaws for Rezoning Application for 1122 Collinson Street**

**Moved By** Councillor Coleman  
**Seconded By** Councillor Lucas

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1131) No. 18-032

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Coleman  
**Seconded By** Councillor Alto

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

1. Housing Agreement (1122 Collinson Street) Bylaw (2018) No. 18-033

**CARRIED UNANIMOUSLY**

**J.2 Bylaws for Rezoning Application for 71-75 Montreal Street**

**Moved By** Councillor Lucas  
**Seconded By** Councillor Coleman

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1133) No. 18-001.

FOR (6): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Loveday, Councillor Lucas, and Councillor Thornton-Joe

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

**CARRIED (6 to 3)**

**Moved By** Councillor Coleman  
**Seconded By** Councillor Alto

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

1. Housing Agreement (71 and 75 Montreal Street) Bylaw (2018) No. 18-002

FOR (6): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Loveday, Councillor Lucas, and Councillor Thornton-Joe  
OPPOSED (3): Councillor Isitt, Councillor Madoff, and Councillor Young

**CARRIED (6 to 3)**

***Due to a medical emergency, all remaining items on the April 12, 2018 Council Agenda were referred to future meetings.***

**M. QUESTION PERIOD**

**N. ADJOURNMENT**

**Moved By** Councillor Alto  
**Seconded By** Councillor Coleman

That the Council meeting adjourn.  
TIME: 11:43 p.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR