



## MINUTES - VICTORIA CITY COUNCIL

December 10, 2020, 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](http://www.victoria.ca).

PRESENT: Mayor Helps in the Chair, Councillor Alto, and Councillor Young

PRESENT ELECTRONICALLY: Councillor Isitt, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe,

ABSENT: Councillor Dubow

STAFF PRESENT: J. Jenkyns - City Manager, C. Coates - City Clerk, T. Soulliere - Director of Parks, Recreation & Facilities, T. Zworski - City Solicitor, K. Hoese - Director of Sustainable Planning and Community Development, C. Havelka - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, P. Bellefontaine - Director of Engineering & Public Works, R. Bateman - Senior Planner, L. Taylor - Senior Planner, P. Martin - Council Secretary

### A. APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

**Moved By** Councillor Alto  
**Seconded By** Councillor Young

That the agenda be approved as amended.

**CARRIED UNANIMOUSLY**

### B. Poetry Reading

The Poet Laureate, John Barton, read a poem titled "HIV: A History".

The Youth Poet Laureate, Neko Smart, read a poem titled "Photographs on my wall are disappearing".

### 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 Bridget Piller: Gonzales Community Development Plans**

Outlined why Council should reconsider the needs noted in the Gonzales Neighbourhood Plan.

**D.2 Josh McStravick: Proposed Changes to the Gonzales Neighbourhood**

Outlined why Council should reconsider the needs noted in the Gonzales Neighbourhood Plan.

**D.3 Deborah Scott: Saving the Vic High Track**

Outlined why Council should not allow the Victoria High School track and facility to be downsized due to the development of housing.

**D.5 Kimberley Colpman: 2700 Avebury Small Lot Rezoning and DP Applications**

Outlined why Council should move the application for 2700 Avebury Street forward to a Public Hearing.

**D.6 Nigel Deacon: Pigeon Feeding**

Outlined why Council should adjust the Animal Control bylaw to include multiple family dwellings in VicWest so that bylaw officers can fine those who feed pigeons.

**F. PUBLIC AND STATUTORY HEARINGS**

**F.1 2800 Bridge Street: Development Permit with Variance Application No. 00139**

Development Permit with Variances Application:

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 2800 Bridge Street, in Development Permit Area 16: General Form and Character, for purposes of approving the exterior design and finishes of a proposed a raw materials receiving and storage facility (silo).

*Councillor Isitt left the meeting at 7:01 p.m.*

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

Leanne Taylor (Senior Planner): *Advised that the application is to construct a new raw-material receiving and storage facility.*

*Mayor Helps opened the opportunity for public comment at 7:03 p.m.*

Sage Berryman and Stephen Hay (Applicants): Provided information regarding the application.

John Alexander (Solicitor for Pt. Ellice properties Ltd.): Expressed concerns with the application due to the need for further consultation as the height variance requested is too much.

*Council recessed from 7:23 p.m. until 7:28 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 the following:*

- *The reason for the height variance request.*

*Mayor Helps closed the opportunity for public comment at 7:35 p.m.*

**Moved By** Mayor Helps  
**Seconded By** Councillor Young

That Council authorize the issuance of Development Permit with Variance Application No. 00139 for 2800 Bridge Street, in accordance with:

1. Plans date stamped June 18, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
  - a. increase the height of a raw materials receiving and storage facility (silo) from 15m to 31.83m.
3. Registration of a legal agreement on the property's title to restrict the illumination levels and hours of operation (to midnight) of the light installation on the north elevation of the raw materials receiving and storage facility (silo), to the satisfaction of the Director of Community Planning and Sustainable Development.
4. The Development Permit lapsing two years from the date of this resolution.

**CARRIED UNANIMOUSLY**

**F.2 1050-1058 Pandora Avenue and 1508-1518 Cook Street (Wellburn's Site): Rezoning Application No. 00695, Heritage Designation Application No. 000188, and Heritage Alteration Permit Application No. 00016**

Zoning Regulation Bylaw, Amendment Bylaw (No. 1220) No. 20-041:

To rezone the land known as 1050-1058 Pandora Avenue, 1508, 1514 and 1516 Cook Street and 1518 Cook Street from the CA-1 Zone, Pandora Avenue Special Commercial District, and R-2 Zone, Two Family Dwelling District, to the CR-P2 Zone, Parkway District, to increase the density and construct a new four- and six-storey mixed-use addition consisting of ground floor commercial uses and residential above.

Heritage Alteration Permit:

The Council of the City of Victoria will also consider issuing a Heritage Alteration Permit for the land known as 1050-1058 Pandora Avenue, 1508, 1514 and 1516 Cook Street and 1518 Cook Street, in Development Permit Area 3 (HC) – Core

Mixed-Use Residential (HC), for the purposes of approving the exterior design and finishes for the mixed-use building as well as landscaping.

Heritage Designation Bylaw:

The Council of the City of Victoria will also consider approving the designation of the exterior of the building at 1050-1058 Pandora Avenue and 1508, 1514 and 1516 Cook Street.

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

Leanne Taylor (Senior Planner): *Advised that the application proposes for a six-storey, mixed-use development consisting of commercial and residential uses.*

*Mayor Helps opened the public hearing at 7:40 p.m.*

Michael Nygren and Michael Green (Applicants): Provided information regarding the application.

Christian Trotter (North Park): Expressed concerns with the application due to the inclusion of a facade on the face of a modern building.

Alan (Johnson Street): Expressed support for the application as it will provide much needed rental housing.

*Council recessed from 8:05 p.m. until 8:10 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.*

*Council discussed the following:*

- *The breakdown of unit sizes in the proposed building.*
- *How the facade will be kept in connection with the new building.*

*Mayor Helps closed the public hearing at 8:26 p.m.*

**Moved By** Mayor Helps

**Seconded By** Councillor Alto

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1220) No. 20-041
2. Heritage Designation (1050-1058 Pandora Avenue and 1508, 1514 and 1516 Cook Street and 1518 Cook Street) Bylaw No. 20-007

*Council discussed the following:*

- *The importance of keeping the façade of the building as heritage property.*
- *The lack of affordability included in the project.*

FOR (5): Mayor Helps, Councillor Alto, Councillor Loveday, Councillor Thornton-Joe, and Councillor Young  
OPPOSED (1): Councillor Potts

**CARRIED (5 to 1)**

**Moved By** Councillor Alto  
**Seconded By** Councillor Young

That the following bylaws **be adopted**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1220) No. 20-041
2. Heritage Designation (1050-1058 Pandora Avenue and 1508, 1514 and 1516 Cook Street and 1518 Cook Street) Bylaw No. 20-007
3. Housing Agreement (1050-1058 Pandora Avenue and 1508, 1514 and 1516 Cook Street and 1518 Cook Street) Bylaw (2020) No. 20-042

FOR (5): Mayor Helps, Councillor Alto, Councillor Loveday, Councillor Thornton-Joe, and Councillor Young  
OPPOSED (1): Councillor Potts

**CARRIED (5 to 1)**

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

1. That Council authorize the issuance of Heritage Alteration Permit Application No. 00016 for 1050-1058 Pandora Avenue and 1508-1518 Cook Street, in accordance with:
  - a. Plans, date stamped November 16, 2020;
  - b. The Conservation Plan for the Parkway Apartments, date stamped July 16, 2019;
  - c. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development; and
  - d. Heritage Alteration Permit lapsing two years from the date of this resolution.
2. That Council approve the designation of the heritage-registered property located at 1050-1058 Pandora Avenue and 1508-1516 Cook Street, pursuant to Section 611 of the Local Government Act, as a Municipal Heritage Site, consistent with the plans dated July 15, 2020."

FOR (5): Mayor Helps, Councillor Alto, Councillor Loveday, Councillor Thornton-Joe, and Councillor Young  
OPPOSED (1): Councillor Potts

**CARRIED (5 to 1)**

**F.3 43, 45, and 55 Gorge Road East and 2827, 2829, and 2831 Irma Street: Rezoning Application No. 00720 and Development Permit with Variances Application No. 00135**

Zoning Regulation Bylaw, Amendment Bylaw (No. 1236) No. 20-094:

To rezone the land known as 43, 45 and 55 Gorge Road East and 2827, 2829 and 2831 Irma Street from the R1-B Zone, Single Family Dwelling District, to the CR-GI Zone, Gorge and Irma District, to increase the density and permit an approximately six-storey, mixed-use building consisting of ground floor commercial uses and approximately 153 rental dwelling units.

Development Permit Application:

The Council of the City of Victoria will also consider issuing a development permit for the land known as 43, 45 and 55 Gorge Road East and 2827, 2829 and 2831 Irma Street, in Development Permit Area 5: Large Urban Villages – Gorge at Irma and Development Permit Area 7A: Corridors – Gorge Road East for the purposes of approving the exterior design and finishes for the mixed-use building as well as landscaping.

*Councillor Isitt returned to the meeting at 8:43 pm.*

**F.3.a Public Hearing & Consideration of Approval:**

Leanne Taylor (Senior Planner): *Advised that the application proposes to increase the density and construct a five-storey, mixed-use building consisting of ground floor commercial and residential uses above.*

*Mayor Helps opened the public hearing at 8:45 p.m.*

Chris Karu, Robert Cadez, Brent Sawchyn, and Neil Banich (Applicant): Provided information regarding the application.

Doug Brown (Gorge Road East): Expressed support for the application due to the need for new housing in this area and as the proposed development will revitalize the corridor.

Brendan Selina (Resident): Expressed support for the application due to the need for mixed demographics and mixed housing in the area.

Kevin Wade (Irma Street): Expressed support for the application as it will help create a walkable and usable neighbourhood.

Jaideep Pannu (Resident): Expressed support for the application as it will be a benefit to the area.

Marnie Denham-Claire (Oliphant Avenue): Expressed support for the application due to the need for rental accommodation in the City.

Paul Hanson (Elford Street): Expressed support for the application due to the need for rental accommodation in the City.

Tasha Henry (Kipling Street): Expressed support for the application due to the need for rental accommodation in the City.

Jaideep Pannu (Resident): Expressed support for the application as it will be a benefit to the area.

Marnie Denham-Claire (Oliphant Avenue): Expressed support for the application due to the need for rental accommodation in the City.

Paul Hanson (Elford Street): Expressed support for the application due to the need for rental accommodation in the City.

Tasha Henry (Kipling Street): Expressed support for the application due to the need for rental accommodation in the City.

Kira Star (Cecil Road): Expressed support for the application due to the need for rental accommodation in the City.

Mario Gedicke (Oscar Street): Expressed support for the application due to the need for rental accommodation in the City.

Julia Chenowith (Johnson Street): Expressed support for the application due to the need for rental accommodation in the City.

Kate Gray (Resident): Expressed support for the application due to the need for rental accommodation in the City.

Kaytee Davis (Johnson Street): Expressed support for the application due to the need for rental accommodation in the City.

Kelly Kurta (North Saanich Resident): Expressed support for the application due to the need for rental accommodation in the City.

Gordon Kerr (Howe Road): Expressed support for the application due to the need for rental accommodation in the City.

Haida Gucci (Haultain Street): Expressed support for the application due to the need for rental accommodation in the City.

Ella Marshall (Gordon Head Resident): Expressed support for the application due to the need for rental accommodation in the City.

Brad Norris-Jones (Saghalie Road): Expressed support for the application due to the need for rental accommodation in the City.

Brandy Sistili (Empire Street): Expressed support for the application due to the need for rental accommodation in the City.

Danica Jeffrey (Collinson Street): Expressed support for the application due to the need for rental accommodation in the City.

Adam Kostanuick (Vancouver Street): Expressed support for the application due to the need for rental accommodation in the City.

Allan Lingwood (Richmond Road): Expressed support for the application due to the need for rental accommodation in the City.

Zoe Breen (Rockland Avenue): Expressed support for the application due to the need for rental accommodation in the City.

*Council recessed from 9:18 p.m. until 9:24 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.*

*Council discussed the following:*

- *The community consultation that was undertaken and how that affected the design of the proposed building.*

*Mayor Helps closed the public hearing at 9:29 p.m.*

**Moved By** Councillor Loveday

**Seconded By** Councillor Alto

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1236) No. 20-094

*Council discussed the following:*

- *The importance of the inclusion of rental housing in the Burnside/Gorge neighbourhood.*

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Alto

**Seconded By** Councillor Young

That the following bylaws **be adopted:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1236) No. 20-094
2. Housing Agreement (43 Gorge Road East) Bylaw (2020) No. 20-095
3. Housing Agreement (45 Gorge Road East) Bylaw (2020) No. 20-096
4. Housing Agreement (55 Gorge Road East) Bylaw (2020) No. 20-097
5. Housing Agreement (2827 Irma Street) Bylaw (2020) No. 20-098
6. Housing Agreement (2829 Irma Street) Bylaw (2020) No. 20-099
7. Housing Agreement (2831 Irma Street) Bylaw (2020) No. 20-100

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Alto

**Seconded By** Councillor Young



That Council authorize the issuance of Development Permit with Variances Application No. 00135 for 43, 45 and 55 Gorge Road East and 2827, 2829 and 2831 Irma Street, in accordance with:

1. Plans date stamped May 22, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. reduce the required number of residential parking spaces from 141 to 106
  - ii. reduce the required number of visitor parking spaces from 15 to 7 parking spaces
  - iii. reduce the rear yard setback from 6m to 2.93m.
3. The applicant provide the details of the proposed public art to be installed on the brick facade on the west elevation drawing to the satisfaction of the Director of Community Planning and Sustainable Development.
4. The Development Permit lapsing two years from the date of this resolution.

**CARRIED UNANIMOUSLY**

**F.4 1908, 1916, and 1920 Oak Bay Avenue: Rezoning Application No. 00694 and Development Permit with Variances Application No. 000551**

Zoning Regulation Bylaw, Amendment Bylaw (No. 1237) - No. 20-103

To rezone the land known as 1908, 1916, 1920 Oak Bay Avenue from the CR-3 Zone, Commercial Residential Apartment District, to the CR-OR Zone, Oak Bay and Redfern District, to permit an increased density for a building with ground floor commercial uses and multi-unit residential dwellings above.

Development Permit with Variances Application:

The Council of the City of Victoria will also consider issuing a development permit for the land known as 1908, 1916, and 1920 Oak Bay Avenue in Development Permit Area 6A: Small Urban Villages, for the purposes of approving the exterior design and finishes for the mixed-use building as well as landscaping.

**F.4.a Public Hearing & Consideration of Approval**

Rob Bateman (Senior Planner): *Advised that the application is to increase the density of an approximately four-storey, mixed-use building with ground-floor commercial and residential above.*

*Mayor Helps opened the public hearing at 9:38 p.m.*

Greg Damant, Peter Jawl, and Scott Murdoch (Applicants): Provided information regarding the application.

Gail Anthony (Davies Street): Expressed concerns with the application due to the proposed height and density of the building.

Christine Fearing (Redfern Street): Expressed concerns with the application due to the lack of a village plan and the potential increase of traffic.

Peter Emmings (Davies Street): Expressed concerns with the application

Rebecca Kristein-Rush (Redfern Street): Expressed support for the application due to the attention to detail and community amenities.

Heather Cochran (Resident): Expressed concerns with the application due to the loss of the Garden Works business.

Shayne Jessop (Cardiff Place): Expressed support for the application due to the need for new homes in the village.

Lister Fair (Resident): Expressed support for the application as it will add life to the area.

Victoria Courtnall (Oak Bay Avenue): Expressed support for the application as it will provide support for neighbouring businesses.

Eli Mavrikos (Oak Bay Avenue): Expressed support for the application as it will be a good fit for the City and the area.

Scott Travers (Oak Bay Avenue): Expressed support for the application as it will be helpful to the City and area to add new residential and commercial spaces.

Ty Whittaker (St. Charles Street): Expressed support for the application as the design will be a good fit for the neighbourhood.

Tim Petropolous (Oak Bay Avenue): Expressed support for the application balances the concerns of the neighbourhood while supporting it's needs.

Logan Gray (Oak Bay Avenue): Expressed support for the application as it will enhance the neighbourhood.

Marc Foucher (View Street): Expressed support for the application due to the need for new residential housing in the City.

Craig Young (Brighton Avenue): Expressed support for the application as it will be a good fit for the neighbourhood.

Julia Bump (Resident): Expressed support for the application due to the positive work of the development for the neighbourhood.

Daniel Warnock & Debra Willis (Resident): Expressed support for the application as it will help with the walk-ability of the neighbourhood.

Ed Adam (Johnson Street): Expressed support for the application as it will help provide some vibrancy to the neighbourhood.

Jayne Bradbury (Broughton Street): Expressed support for the application as it will help create a vibrant village.

*Council recessed from 10:30 p.m. until 10:40 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.*

*Council discussed the following:*

- *The affordability provisions included in the project through the community amenity contributions.*
- *Sound mitigation structures between the proposed development and the properties to the North.*
- *The impact of the City requested statutory right-of-way on the design of the building.*

*Mayor Helps closed the public hearing at 10:54 p.m.*

**Moved By** Mayor Helps

**Seconded By** Councillor Potts

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1237) No. 20-103

*Council discussed the following:*

- *How the applicant worked with the current business to find a new location.*
- *The importance of the creation of new housing in this area.*
- *The concerns outlined by the most immediate neighbours to the North of the proposed building.*

**Motion to extend:**

**Moved By** Councillor Alto

**Seconded By** Councillor Young

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

**CARRIED UNANIMOUSLY**

*Council discussed the following:*

- *The lack of rental and affordable housing.*
- *The support received by neighbouring businesses.*

FOR (6): Mayor Helps, Councillor Alto, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, and Councillor Young

OPPOSED (1): Councillor Isitt

**CARRIED (6 to 1)**

**Moved By** Councillor Alto

**Seconded By** Councillor Young

That the following bylaws **be adopted**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1237) No. 20-103
2. Housing Agreement (1908, 1916, and 1920 Oak Bay Avenue) Bylaw (2020) No. 20-119

*Councillor Isitt requested that the motion be split.*

That the following bylaw **be adopted**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1237) No. 20-103

FOR (6): Mayor Helps, Councillor Alto, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, and Councillor Young

OPPOSED (1): Councillor Isitt

**CARRIED (6 to 1)**

That the following bylaw **be adopted**:

1. Housing Agreement (1908, 1916, and 1920 Oak Bay Avenue) Bylaw (2020) No. 20-119

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Young

**Seconded By** Councillor Alto

That Council authorize the issuance of Development Permit with Variances Application No. 000551 for 1908, 1916, and 1920 Oak Bay Avenue, in accordance with:

1. Plans date stamped September 29, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. reduce the front setback (south) for the upper storeys from 6.00m to 2.30m;
  - ii. reduce the rear setback (north) from 6.00m to 5.30m;
  - iii. reduce the interior lot line setback (west) for the second and third storeys from 2.40m to 1.00m;
  - iv. reduce the interior lot line setback (west) for the second storeys from 2.40m to 0.15m for planter boxes;
  - v. reduce the flanking street setback (east) from 2.40 m to 0.35m;
  - vi. reduce the number of commercial vehicle parking spaces from 26 to 10;
  - vii. reduce the number of residential vehicle parking spaces from 44 to 43;

- viii. increase the distance between entrances and the short term bicycle parking from 15m to 48.1m;
  - ix. increase the number of storeys from 4 to 5;
  - x. increase the height from 15m to 17.68m.
3. The Development Permit lapsing two years from the date of this resolution.

FOR (6): Mayor Helps, Councillor Alto, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, and Councillor Young  
OPPOSED (1): Councillor Isitt

**CARRIED (6 to 1)**

**F.5 1023 Tolmie Avenue: Rezoning Application No. 00672 and Development Permit with Variances Application No. 00097**

Zoning Regulation Bylaw, Amendment Bylaw (No. 1227) No. 20-064:

To rezone the land known as 1023 Tolmie Avenue from the R1-B Zone, Single Family Dwelling District, to the R1-S1 Zone, Restricted Small Lot (One Storey) District, to subdivide the property and construct a new single family dwelling to the south of the existing building.

Development Permit with Variances Application:

The Council of the City of Victoria will also consider issuing a development permit for the land known as 1023 Tolmie Avenue, in Development Permit Area 15A: Intensive Residential – Small Lot for the purposes of approving the exterior design and finishes for the small lot house as well as landscaping.

**F.5.a Public Hearing & Consideration of Approval**

Rob Bateman (Senior Planner): *Advised that the application proposes to subdivide the lot into two small lots and construct a new small lot house on the southern portion of the lot.*

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

Vincent Portal (Applicant): Provided information regarding the application.

Matt Garvey (Resident): *Expressed concerns with the application due to the and noted the lack of support by the immediate neighbours.*

*Council recessed from 11:25 p.m. until 11:30 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 11:30 p.m.*

**Moved By** Councillor Young  
**Seconded By** Councillor Alto

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1227) No. 20-064

*Council discussed the following:*

- *The lack of support by the immediately affected neighbours.*
- *That the application is a reasonable use of the small lot.*

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Young

**Seconded By** Councillor Alto

That the following bylaw **be adopted:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1227) No. 20-064

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Young

**Seconded By** Councillor Alto

That Council authorize the issuance of Development Permit with Variance Application No. 00097 for 1023 Tolmie Avenue, in accordance with:

1. Plans date stamped July 20, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. reduce the front yard setback on the south lot from 6.00m to 4.30m to the building and 3.40m to the deck;
  - ii. reduce the rear yard setback on the south lot from 6.00m to 4.60m to the stairs and 5.40m to the building;
  - iii. reduce the south side yard setback on the north lot from 2.40m to 1.73m for any portion of a dwelling used for habitable space and which has a habitable window.
3. The Development Permit lapsing two years from the date of this resolution.

**CARRIED UNANIMOUSLY**

**G. REQUESTS TO ADDRESS COUNCIL**

**Moved By** Councillor Alto

**Seconded By** Councillor Young

That the following speakers be permitted to address Council.

**CARRIED UNANIMOUSLY**

**G.1 Robert Tornack: New Build on Kings Rd at 2700 Avebury: Pls Grant a Public Hearing**

Outlined why Council should allow the application for 2700 Avebury Road to proceed to a Public Hearing.

**G.2 John O'Brien: Public Hearing in Relation to a Proposed Development (2700 Avebury)**

Outlined why Council should allow the application for 2700 Avebury Road to proceed to a Public Hearing.

**G.3 Dave Campbell: Lot Subdivisions in My Neighbourhood**

Outlined why Council should allow the application for 2700 Avebury Road to proceed to a Public Hearing.

**G.4 Elle Satok: Application for 2700 Avebury Avenue**

Caroline Picard read the statement on Elle Satok's behalf, which outlined why Council should allow the application for 2700 Avebury Road to proceed to a Public Hearing.

**H. UNFINISHED BUSINESS**

**H.1 2700 Avebury Avenue: Rezoning Application No. 0700, Development Permit Application No. 000583, Development Variance Permit Application No. 00230, Development Variance Permit No. 000229**

*This item was introduced at the November 26, 2020 COTW meeting. Consideration of this item was postponed at the December 3, 2020 Daytime Council Meeting.*

**Moved By** Councillor Young  
**Seconded By** Councillor Isitt

Rezoning Application No. 00700 for 2700 Avebury Avenue:

That Council decline Application No. 00700 for the property located at 2700 Avebury Avenue.

Development Permit Application No. 000583 for 2700 Avebury Avenue:

That Council decline Development Permit Application No. 000583 for the property located at 2700 Avebury Avenue.

Development Variance Permit No. 000229 - 2700 Avebury Avenue:

That Council decline application No. DVP000229 for the property located at 2700 Avebury Avenue.

Development Variance Permit No. 00230 for 2700 Avebury Avenue:

That Council decline Development Variance Permit Application No. 00230 for the property located at 2700 Avebury Avenue.

*Council discussed the following:*

- *That the neighbours who object the proposal are the ones who will be most affected by the development.*
- *That the proposal is inconsistent with City policy that requires 75% of neighbour support.*
- *The support received by the wider neighbourhood residents.*

- *How a Public Hearing will allow for community feedback from all those who would be affected by the subject property.*

FOR (2): Councillor Isitt, and Councillor Young

OPPOSED (5): Mayor Helps, Councillor Alto, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe

**DEFEATED (2 to 5)**

**Motion to extend:**

**Moved By** Councillor Alto

**Seconded By** Councillor Potts

That the meeting be extended to 12:15 a.m.

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Alto

**Seconded By** Councillor Loveday

Rezoning Application No. 00700 for 2700 Avebury Avenue:

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No.700 for 2700 Avebury Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Development Permit Application No. 000583 for 2700 Avebury Avenue:

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00700, if it is approved, consider the following motion:

“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.”

Development Variance Permit No. 000229 - 2700 Avebury Avenue:

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 2700 Avebury Avenue if it is approved, consider the following motion:

“That Council authorize the issuance of Development Variance Permit Application No. 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.”

Development Variance Permit No. 00230 for 2700 Avebury Avenue:

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00700, if it is approved, consider the following motion:

“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.”

**Amendment:**

**Moved By** Councillor Isitt

That the matter be referred to staff to work with the applicant to address concerns raised by the most immediate neighbours.

**Failed to proceed due to no seconder**

**On the motion:**

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

OPPOSED (2): Councillor Isitt, and Councillor Young

**CARRIED (5 to 2)**

**O. ADJOURNMENT**

**Moved By** Councillor Alto

**Seconded By** Councillor Young

That the Council meeting adjourn.

TIME: 12:03 a.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR