



## MINUTES - VICTORIA CITY COUNCIL

January 28, 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 Andrew, Councillor Loveday, Councillor Thornton-Joe, Councillor Young

PRESENT ELECTRONICALLY: Councillor Alto, Councillor Dubow, Councillor Isitt, 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, A. Johnston - Planner, P. Rantucci – Head of Strategic Real Estate, M. Sandhu - Head, Service Innovation & Improvement, M. Heiser - Committee Secretary

### A. APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

**Moved By** Councillor Thornton-Joe

**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 "Bird Watching".

The Youth Poet Laureate, James Summer, read a poem titled "Aestophobia".

### D. REQUESTS TO ADDRESS COUNCIL

**Moved By** Councillor Loveday

**Seconded By** Councillor Thornton-Joe

That the following speakers be permitted to address Council.

## **CARRIED UNANIMOUSLY**

### **D.2 Brenda Dean: Telus Zoning Application**

Outlined why Council should decline the TELUS Ocean Development and rezoning application as it is currently proposed.

### **D.3 Andy Wachtel: TELUS Ocean Development/Rezoning Application**

Outlined why Council should decline the the TELUS Ocean Development as it is proposed.

## **F. PUBLIC AND STATUTORY HEARINGS**

### **F.1 1224 Richardson Street: Rezoning Application No. 00705 and Development Permit with Variance Application No. 00149**

#### Zoning Regulation Bylaw, Amendment Bylaw (No. 1244) - No. 21-013:

To rezone the land known as 1224 Richardson Street from the R1-B Zone, Single Family Dwelling District, to the R-99 Zone, Multiple Dwelling Richardson District, to permit three buildings with ground-oriented multiple dwellings.

#### Development Permit Application

The Council of the City of Victoria will also consider issuing a development permit for the land known as 1224 Richardson Street, in Development Permit Area 16: General Form and Character for the purposes of approving the exterior design and finishes for the three buildings with ground-oriented multiple dwellings as well as landscaping.

#### **F.1.a Public Hearing & Consideration of Approval**

Alec Johnston (Planner): Advised that the application is to allow for an increase in density and three multiple dwelling buildings

*Mayor Helps opened the public hearing at 6:54 p.m.*

Tim Stemp (Applicant): Provided information regarding the application.

Dennis Jones (Richardson Street): Expressed concerns with the application due to the lack of proposed parking spaces.

Bob June (Rockland Neighbourhood Association): Expressed concerns with the application due to the lack of parking spaces and the fact that no three-bedroom units are proposed.

Julian West (Central Spur Road): Expressed support for the application due to the bike accessibility and gentle density proponents.

Donna Mears (Linden Avenue): Expressed concerns for the application due to the height of the proposal and potential traffic congestion.

Douglas Curran (Burdett Avenue): Expressed support for the development due to the high quality of the proposal's designs.

*Council recessed from 7:28 p.m. until 7:33 p.m. to provide an opportunity for members of the public to call to speak live.*

Carl Scowl (Harbinger Avenue): Expressed concerns with the application due to the lack of proposed parking spaces and increased density.

*No further persons called in to speak to the proposed bylaws and Development Permit with Variances Application.*

*Council discussed the following:*

- *The addition of three-bedroom units*
- *Average size of proposed units*
- *Designated parking space uses*
- *Potential shading in neighbouring properties.*

*Mayor Helps closed the public hearing at 7:50 p.m.*

**Moved By** Mayor Helps

**Seconded By** Councillor Loveday

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1244) No. 21-013

*Council discussed the following:*

- *Neighbourhood feedback and email submissions*
- *Sensitive infill housing proponents*
- *Use of the nearby laneway*
- *Parking requirements and impacts*

**On the motion:**

FOR (7): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts

OPPOSED (2): Councillor Thornton-Joe, and Councillor Young

**CARRIED (7 to 2)**

**Moved By** Councillor Alto

**Seconded By** Councillor Loveday

That the following bylaws **be adopted:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1244) No. 21-013
2. Housing Agreement (1224 Richardson Street) Bylaw (2021) No. 21-014

FOR (7): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts

OPPOSED (2): Councillor Thornton-Joe, and Councillor Young

**CARRIED (7 to 2)**

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

That Council authorize the issuance of Development Permit with Variances Application No. 00149 for 1224 Richardson Street, in accordance with:

1. Plans date stamped June 8, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. reduce the vehicle parking from 23 stalls to 10 stalls;
  - ii. increase the height from 7.6 metres to 10.08 metres;
  - iii. increase the number of storeys from 2.5 to 3;
  - iv. allow for roof decks.
3. The Development Permit lapsing two years from the date of this resolution.

FOR (7): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts  
OPPOSED (2): Councillor Thornton-Joe, and Councillor Young

**CARRIED (7 to 2)**

**F.2 956 Heywood Avenue: Development Permit with Variances Application No. 00126**

Development Permit with Variances Application No. 00126

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 956 Heywood Avenue, in Development Permit Area 16, for purposes of constructing a 4-storey multiple dwelling building with variances.

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

Alec Johnston (Planner): Advised that the application is to construct a 4-storey multiple dwelling building with variances

*Mayor Helps opened the opportunity for public comment at 8:15 p.m.*

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

Alison Boston (Heywood Avenue): Expressed concern for the application due to the displacement of tenants and lack of affordability.

Brain (Brentwood Bay): Expressed support for the application as it relates to the surrounding neighbourhood.

Carter Laird (Quadra Street): Expressed support for the application.

Cheng Lim (Quadra Street): Expressed support for the application.

Dave Coopersmith (Hollywood Crescent): Expressed support for the application due to the opportunity for downsizing.

Daisy Orser (Root Cellar, Cook Street): Expressed support for the application due to increased vibrancy in the neighbourhood

Josh Kalef (Cook Street Village): Expressed support for the application.

Teresa Allen (Cook Street): Expressed support for the application as it will be a suitable addition to community.

Val Coopersmith (Hollywood Crescent): Expressed support for the application due to the opportunity to relocate and stay in the area.

Vernon Andres (Pendergast Street): Expressed support for the application and approval of the proposed plans.

Vittorio Chelli (May Street): Expressed support for the application due to the sensitive infill housing proposed.

David Talbot (Heywood Avenue): Expressed concerns with the proposal due to the increase in the densification.

Dave Brownell (Heywood Avenue): Expressed concerns with the proposal due to the number of variances requested.

*Council recessed from 8:43 p.m. p.m. until 8:48 p.m. to provide an opportunity for members of the public to call to speak live.*

Laurie (Heywood Avenue): Expressed concerns for the application due to the effects on neighbouring properties as it relates to lighting and privacy.

Lori Laquiox (Pendergast Street): Expressed concerns for the application due to the impacts the design will have on existing neighbours and privacy concerns.

Ron Mahoney (Pendergast Street): Expressed concerns for the application.

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

*Council discussed the following:*

- *Recommendations from the design panel*
- *Parking variances proposed*
- *Shadow study as it relates to neighbours' concerns*
- *Side yard setbacks of the subject parcel and adjacent buildings*

*Mayor Helps closed the opportunity for public comment at 9:20 p.m.*

**Moved By Mayor Helps**

That Council authorize the issuance of Development Permit with Variances Application No. 00126 for 956 Heywood Avenue, in accordance with:

1. Plans date stamped May 26, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. reduce the vehicle parking from 9 stalls to 6 stalls and visitor parking from 1stall to zero stalls;
  - ii. increase the height from 12m to 12.98m (main roof) and 14.81m (roof access);
  - iii. reduce the front setback from 10.50 metres to 6.63 metres;
  - iv. reduce the rear setback from 7.71 metres to 1.52 metres;
  - v. reduce the side setbacks from 7.71 metres to 1.37 metres (building) and 0.93m(window screens);
  - vi. increase the site coverage from 30 percent to 64 percent.
3. Registration of legal agreements on the property's title to secure the car share memberships, to the satisfaction of the Director of Engineering and Public Works.
4. Final plans to be generally in accordance with plans date stamped May 26, 2020.
5. The Development Permit lapsing two years from the date of this resolution.

**Failed to proceed due to no seconder**

**Moved By** Councillor Isitt

**Seconded By** Councillor Thornton-Joe

Refer the application to staff to work with the applicant to:

1. Revise the design to address concerns relating to shading and setbacks.
2. Consider reducing parking and/or unit size, to reduce the building footprint and/or height.

*Council discussed the following:*

- *Concerns raised by adjacent neighbours*
- *Potential shadowing*

**Amendment:**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Young

2. Consider reducing parking and/or unit size **or number of units**, to reduce the building footprint and/or height.

FOR (5): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Thornton-Joe, and Councillor Young

OPPOSED (3): Councillor Isitt, Councillor Loveday, Councillor Potts

**CARRIED (5 to 3)**

**On the motion as amended:**

Refer the application to staff to work with the applicant to:

1. Revise the design to address concerns relating to shading and setbacks.
2. Consider reducing parking and/or unit size or number of units, to reduce the building footprint and/or height.

*Council discussed the following:*

- *Proposed front and back setbacks*
- *Decrease in site size*

**On the motion as amended:**

**CARRIED UNANIMOUSLY**

**F.3 429 and 431 Parry Street: Development Variance Permit Application No. 00234 and Development Variance Permit Application No. 00235**

Development Variance Permit Application No. 00234

The City of Victoria will be considering the issuance of a Development Variance Permit for the land known as 429 Parry Street, for the purpose of varying certain requirements of the *Zoning Regulation Bylaw*, namely: reduced front, rear and side yard building setbacks in order to construct a new single-family dwelling with secondary suite on one of two lots that are currently being used as surface parking lots along Parry Street.

Development Variance Permit Application No. 00235

The City of Victoria will be considering the issuance of a Development Variance Permit for the land known as 431 Parry Street for the purpose of varying certain requirements of the *Zoning Regulation Bylaw* namely: reduced front, rear and side yard building setbacks in order to construct a new single-family dwelling with secondary suite on one of two lots that are currently being used as surface parking lots along Parry Street.

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

Alec Johnston (Planner): Advised that the application is to build two single family dwellings with secondary suites, one on each lot.

*Mayor Helps opened the opportunity for public comment at 9:35 p.m.*

Conrad Nyren (Applicant): Provided information regarding the application.

*Council recessed from 9:41 p.m. until 9:46 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 9:46 p.m.*

**Moved By** Councillor Alto

**Seconded By** Councillor Andrew

That Council authorize the issuance of Development Variance Permit Applications No.00234 for 429 Parry Street and No.00235 for 431 Parry Street in accordance with:

1. Plans date stamped December 19, 2019 (429 Parry Street) and December 23, 2019 (431 Parry Street)
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances: For Development Variance Permit No. 00234 at 429 Parry Street:
  - a. reduce the front yard setback from 7.5m to 3.79m;
  - b. reduce the rear yard setback from 8.28m to 4.71m for the rear stairs and 5.61m for the building;
  - c. reduce the north side yard setback from 1.5m to 1.2m;
  - d. reduce the south side yard setback from 3m to 2m; and
  - e. reduce the combined side yard setback from 4.5m to 3.2m.For Development Variance Permit No. 00235 at 431 Parry Street:
  - a. reduce the front yard setback from 7.5m to 4.41m;
  - b. reduce the rear yard setback from 8.28m to 4.42m for the rear stairs and 4.95m for the building;
  - c. reduce the north side yard setback from 1.5m to 1.2m;
  - d. reduce the south side yard setback from 3m to 2m; and
  - e. reduce the combined side yard setback from 4.5m to 3.2m.
3. Registration of legal agreements on both property titles to secure a Statutory Right-of-Way, to the satisfaction of the Director of Engineering.
4. The Development Permits lapsing two years from the date of this resolution.

**CARRIED UNANIMOUSLY**

**O. ADJOURNMENT**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Young

That the Council meeting adjourn.

TIME: 9:49 p.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR