



MINUTES - VICTORIA CITY COUNCIL

March 25, 2021, 6:30 P.M.

6TH FLOOR BOARDROOM, CAPITAL REGIONAL DISTRICT,
625 FISGARD STREET, VICTORIA, B.C.

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 Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young
- PRESENT ELECTRONICALLY: Councillor Dubow, Councillor Isitt
- STAFF PRESENT: J. Jenkyns - City Manager, C. Coates - City Clerk, T. Zworski - City Solicitor, B. Eisenhauer - Head of Engagement, 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, L. Taylor - Senior Planner, C. Kingsley - City Clerk, N. Sidhu - Assistant Director of Parks, D. Newman - Assistant Director of Construction and Facilities Management, M. Heiser - Council Secretary

A. APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Moved By Councillor Loveday

Seconded By Councillor Thornton-Joe

That the agenda be approved as amended.

CARRIED UNANIMOUSLY

B. POETRY READING

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

Committee recessed at 6:39 p.m. and reconvened at 6:42 p.m.

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

D. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Andrew

Seconded By Councillor Loveday

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

D.1 Jade Baird, Ashley Yaredic, Sicily Fox, and Rachel Dufort: Decolonization and Removing Trutch's Name from Trutch Street

Outlined why Council should remove Joseph Trutch's name from Trutch Street.

D.3 Shea Smith: Current state of housing and bylaw actions against the unhoused

Outlined why Council should not reinstate the 7 p.m. to 7 a.m. sheltering bylaw provisions.

F. PUBLIC AND STATUTORY HEARINGS

Councillor Alto withdrew from the meeting at 7:06 p.m. due to a potential pecuniary conflict of interest with the following item, as she owns property in close proximity to the property.

Councillor Andrew withdrew from the meeting at 7:06 p.m. due to a potential pecuniary conflict of interest with the following item, as he owns property in close proximity to the property.

F.1 3080, 3082, 3090 Washington Avenue: Rezoning Application No. 00714, Associated Official Community Plan Amendment and Development Permit Application No. 000566

Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 37) - No. 21-008:
To include all of the land known as 3080, 3082 and 3090 Washington Avenue in the Urban Residential Urban Place Designation.

Zoning Regulation Bylaw Amendment Bylaw (No. 1242) - No. 21-006:
To rezone the land known as 3080, 3082 and 3090 Washington Avenue from the R1-B Zone, Single Family Dwelling District, to the R2-61 Zone, Washington Townhouse District, to permit nine attached dwelling buildings (townhouses) with several units in each and one duplex, totaling 34 dwelling units.

Termination of the Land Use Contract

The Council of the City of Victoria will consider adoption of Bylaw No. 21-019 directing discharge of the Land Use Contract at the following properties located in the City of Victoria:

3080, 3082 and 3090 Washington Avenue

The termination of the Land Use Contract will be effective immediately after adoption of the bylaw directing discharge of it.

Development Permit Application

The Council of the City of Victoria will also consider issuing a development permit for the land known as 3080, 3082 and 3090 Washington Avenue, in Development Permit Area 16: General Form and Character for the purposes of approving the exterior design and finishes for the duplex and attached dwelling buildings as well as landscaping.

F.1.a Public Hearing & Consideration of Approval

Leanne Taylor (Planner): Advised that the application is to construct townhouses and an amendment to the Official Community Plan.

Mayor Helps opened the public hearing at 7:10 p.m.

Sam Ganong (Applicant): Provided information regarding the application.

Cameron Burton (Washington Avenue): Expressed concerns for the application due to height, changes to the heritage character of the neighbourhood, and parking variances.

Todd Buchanan (Washington Avenue): Expressed concerns for the application due to building height and lack of heritage preservation.

Lexi Lulianella (Speed Avenue): Expressed support for the application due to the proposed location and layout of the townhomes.

Sean Farrell (Victoria): Expressed support for the application due to the increase in family homes and bike access.

Jeff Shaw (Prospect Avenue): Expressed support for the application due to the 3 and 4 bedroom townhouses proposed.

Connor Braid (Herald Street): Expressed support for the application due to it being a great option for first time home buyers.

Yuca Bailey (Washington Avenue): Expressed concerns for the application due to the height, density, and parking requirements.

Neil Blainey (Tillicum Gorge Area): Expressed support for the application due to the younger family orientation.

Ross Wilde (Styles Street): Expressed support for the application due to the balance of good changes for the neighbourhood and increase in housing.

Tony Zarasadias (Kings Road): Expressed support for the application due to the increase in housing stock.

John Hircock (Langford): Expressed support for the application due the increase in safety for the neighbourhood.

Carson Farmer (Gladstone Avenue): Expressed support for the application due the focus on family friendly housing.

Stacey Fitzsimmons (Washington Avenue): Expressed support for the application due to the location and increase of missing middle housing.

Edward (Gorge Tillicum Area): Expressed support for the application due to the location.

Dennis Carson (Bay Street): Expressed support for the application due to the increase in townhouse options for families.

Neil Schuler (View Street): Expressed support for the application due to greenspace and proximity to transport.

Danielle Buchanan (Washington Avenue): Expressed concerns for the application due to the increase in height of the buildings that border the boundaries of the proposal and removal of trees.

Haden Campbell (Johnson Street): Expressed support for the application due to the increase of family homes in the neighbourhood.

Jeremy (Wilson Street): Expressed support for the application due to increase in family housing.

Joel Schwab (Washington Avenue): Expressed support for the application due to design layout of the greenspaces and considerations to the scale of size.

Joel Schwab (Washington Avenue): Expressed support for the application due to design layout of the greenspaces and considerations to the scale of size.

Lesley Valour (Washington Avenue): Expressed concerns for the application due to the loss of green space and trees and proposed height.

Council recessed from 8:26 p.m. until 8:31 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:

- *Change from traditional residential to urban residential zoning*
- *Heritage merit to the existing houses*
- *Transportation on Washington and street scape improvements*
- *Rationale for trees proposed to be removed*
- *Supportable height variances*
- *Proposed design treatment of multiuse trail*
- *Recycled materials from existing buildings*

Mayor Helps closed the public hearing at 9:03 p.m.

Moved By Mayor Helps
Seconded By Councillor Young

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1220) No. 21-006
2. Official Community Plan, Amendment Bylaw (No. 37) No. 21-008

Council discussed the following:

- Compact land use
- Exceeding heights of proposal
- Tree loss concerns

Motion to postpone:

Moved By Councillor Isitt
Seconded By Councillor Dubow

That 3rd reading of the bylaws be postponed until after consideration of the following motion.

CARRIED UNANIMOUSLY

Moved By Councillor Isitt
Seconded By Councillor Dubow

That Council direct staff to work with the applicant to endeavor to include the installation of a crosswalk on Washington Avenue with a portion of the costs to be borne by the applicant.

CARRIED UNANIMOUSLY

Motion to lift the matter from the table:

Moved By Councillor Isitt
Seconded By Councillor Dubow

That this matter be lifted to the table.

CARRIED UNANIMOUSLY

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1220) No. 21-006
2. Official Community Plan, Amendment Bylaw (No. 37) No. 21-008

FOR (8): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Young
OPPOSED (1): Councillor Thornton-Joe

CARRIED (8 to 1)

Moved By Councillor Loveday
Seconded By Councillor Potts

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

1. Land Use Contract Discharge (3080, 3082 and 3090 Washington Avenue) Bylaw No. 21-019

FOR (8): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Young
OPPOSED (1): Councillor Thornton-Joe

CARRIED (8 to 1)

Adoption of bylaws and approval of the Development Permit withheld pending the registration of legal documents.

Mayor Helps withdrew from the meeting at 9:33 p.m. due to a potential pecuniary conflict of interest with the following item, as she owns property in close proximity to the property. Councillor Thornton-Joe assumed the Chair in her absence.

Council recessed at 9:33 p.m. and reconvened at 9:38 p.m.

Councillor Alto and Councillor Andrew returned to the meeting at 9:38 p.m.

F.2 1260 Grant Street and 1289 Gladstone Avenue: Development Variance Permit Application No. 00249

Development Variance Permit Application No. 00249

The City of Victoria will be considering the issuance of a Development Variance Permit for the land known as 1260 Grant Street and 1289 Gladstone Avenue for the purpose of varying certain requirements of the *Zoning Regulation Bylaw* resulting from proposed building additions, seismic renovations and a daycare, namely:

- relaxation to all of the impacted lots for setbacks, site coverage, height, number of storeys and open site space requirements
- relaxation to permit building over property lines and a street
- relaxation to permit parking spaces on separate lots
- relaxation of required parking from 283 spaces to 149 spaces
- allowing a roof deck.

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

Leanne Taylor (Planner): Advised that the application is for a new addition to Victoria High School, which requires variances to the placement of the addition and to parking.

Acting Mayor Thornton-Joe opened the opportunity for public comment at 9:43 p.m.

Jim Mann and Diana Struder (Applicants): Provided information regarding the application.

Deborah Scott (Ferguson Street): Expressed concerns for the application due to the loss of the memorial stand revitalization and green space.

Paloma Callo (Vining Street): Expressed concerns for the application due to changes to the memorial stadium.

Esther Callo (Vining Street): Expressed concerns for the application due to changes proposed for the track lanes and stadium.

Gemma Tarling (Fernwood Road): Expressed concerns for the application due to the aspects proposed for the track and lack of consultation.

David Maxwell (Fernwood): Expressed concerns for the application due to the lack of site planning and proposed parking variances.

Gus Mcitus (Chapman Street): Expressed concerns for the application due to design proposals for the track.

Soli Callo (Vining Street): Expressed concerns for the application due to lack of student consultation and changes to the memorial stadium.

Council recessed from 10:28 p.m. until 10:34 p.m. to provide an opportunity for members of the public to call to speak live.

Motion to extend:

Moved By Councillor Andrew

Seconded By Councillor Dubow

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

CARRIED UNANIMOUSLY

M. Kowal (Grant Street): Expressed concerns for the application due to the variance in parking and restricting the land use for athleticism.

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

Council discussed the following:

- *Potential reduction in parking*
- *Track lane accommodation*
- *Lack of funding from ministry for exterior upgrades*
- *Seismic upgrade funding*
- *Permits previously issued for this address*
- *Traffic calming precautions and outcomes*

Acting Mayor Thornton-Joe closed the opportunity for public comment at 11:25 p.m.

Moved By Councillor Loveday
Seconded By Councillor Alto

That Council authorize the issuance of Development Variance Permit Application No. 00249 for 1260 Grant Street and 1289 Gladstone Avenue, in accordance with:

1. Plans date stamped December 24, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. relaxation to all of the impacted lots for setbacks, site coverage, height, number of storeys and open site space requirements;
 - ii. relaxation to permit building over property lines and a street
 - iii. relaxation to permit parking spaces on separate lots
 - iv. relaxation of required parking from 283 spaces to 149
 - v. allow a roof deck.
3. Registration of Statutory Right of Ways on the property's title, on terms and in a form to the satisfaction of the Director of Engineering and Public Works and City Solicitor, to allow pedestrian network improvements in the following areas:
 - i. a 6.1m section along the property frontage on Gladstone Avenue
 - ii. a 3.9m section along the property frontage on Grant Street
 - iii. a 2.9m section on the property frontage on Fernwood Road, north of Vining Street, reducing to 0.9m in the section between the existing transit stop and the Belfry Theatre
 - iv. a 0.5m section along the property frontage on Fernwood Road, south of Vining Street.
4. Submission of a revised Arborist Report and landscape plans, to the satisfaction of the Director of Parks, Recreation and Facilities, in order to assess the impact of the proposals upon trees and specifically including the following information:
 - i. the applicant must confirm the proposed relocation area of the Pad Mounted Transformer (PMT) and have the project arborist review its impact on trees. The PMT shall be located on school land and the information provided should include the location of any new conduits required, including in the City's Right-of-Way;
 - ii. the landscape plan shall identify two replacement trees for the proposed removal of each bylaw protected tree. Large canopy replacement trees are preferred;
 - iii. include a plant list showing the quantity of new trees proposed, species and size. Clearly identify proposed new trees on the Landscape Plan.
5. Revised plans illustrating proposed pedestrian improvements and driveway crossing designs that are consistent with the Highway Access Bylaw and Subdivision and Development Servicing Bylaw, to the satisfaction of the Director of Engineering and Public Works.
6. The Development Permit lapsing two years from the date of this resolution.

Council discussed the following:

- *Supportable variances*
- *Reduction in parking spaces*

CARRIED UNANIMOUSLY

Motion arising:

Moved By Councillor Isitt

Seconded By Councillor Andrew

That Council expresses support in principle for the installation of a 400-metre running track at Victoria High School, and requests that School District 61 work with the City of Victoria on a revised parking plan and landscape plan to accommodate this amenity for the school community and the broader community.

CARRIED UNANIMOUSLY

Council recessed at 11:50 p.m. and reconvened at 11:55 p.m.

Mayor Helps returned to the meeting at 11:55 p.m. and assumed the chair

F.3 1114 Rockland Avenue: Rezoning Application No. 00711 and Development Permit with Variances Application No. 00140

Motion to extend:

Moved By Councillor Alto

Seconded By Councillor Loveday

That the Council meeting be extended to 1:00 a.m.

CARRIED UNANIMOUSLY

Zoning Regulation Bylaw, Amendment Bylaw (No. 1249) - No. 21-025:

To rezone the land known as 1114 Rockland Avenue from the R3-A1 Zone, Low Profile Multiple Dwelling District, to the CA-93 Zone, Central Area (1114 Rockland) District, to permit a five-storey residential building with multiple dwellings.

Development Permit Application

The Council of the City of Victoria will also consider issuing a development permit for the land known as 1114 Rockland Avenue, in Development Permit Area 16, General Form and Character for the purposes of approving the exterior design and finishes for the five-storey building as well as landscaping.

F.3.a Public Hearing & Consideration of Approval

Alec Johnston (Planner): Advised that the application is for or a five-storey multi-unit residential building.

Mayor Helps opened the public hearing at 11:57 p.m.

Conrad Nyren, Heather Spinney, and Stephanie Hartwig (Applicants): Provided information regarding the application.

Steven Ogram (Meares Street): Expressed support for the application due to the developer's effort to engage with the community and affordable home ownership.

Brandi Wasyluk (Cook Street): Expressed concerns for the application due to the proposed reduction of the west side set back.

John Agar (Cook Street): Expressed concerns for the application due to the proposed height and setbacks.

Wayne Kelly (Victoria): Expressed support for the application due to the proposed affordable housing entry in the real estate market.

Steward Adamson (Meares Street): Expressed support for the application due to engagement and consultation with the developers.

Heather McWhinney (Cook Street): Expressed concerns for the application due to the proposed height on the narrow lot.

Sandra Kendall (Cook Street): Expressed concerns for the application due to the height of the proposed building.

Michael Atkinson (Cook Street): Expressed concerns for the application due to the height of the proposed building.

March Foucher (Meares Street): Expressed support for the application due to the developer's engagement with the neighbours and affordable home ownership.

Peter Wood (Cook Street): Expressed support for the application due to the proposed plans and streetscape view.

Colleen Rode (Cook Street): Expressed concerns for the application due to the reduction in sun exposure, proposed setbacks, and ineffective engagement with neighbours.

Council recessed from 12:47 a.m. until 12:51 a.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:

- *Mitigation measures to reduce impact on surrounding trees*
- *Nearby developments approved by Council*

Mayor Helps closed the public hearing at 12:58 a.m.

Moved By Councillor Potts
Seconded By Councillor Loveday

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1249) No. 21-025

Council discussed the following:

- *Thoughtful design aspects*
- *Proposed height*
- *Neighbour concerns*
- *Opportunity for community-making*

Motion to extend:

Moved By Councillor Alto
Seconded By Councillor Loveday

That the Council meeting be extended to 1:15 a.m.

CARRIED UNANIMOUSLY

On the motion:

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1249) No. 21-025

FOR (8): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe
OPPOSED (1): Councillor Young

CARRIED (8 to 1)

Moved By Councillor Alto
Seconded By Councillor Loveday

That the following bylaws **be adopted:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1249) No. 21-025
2. Housing Agreement (1114 Rockland Avenue) Bylaw (2021) No. 21-026

FOR (8): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe
OPPOSED (1): Councillor Young

CARRIED (8 to 1)

Moved By Councillor Loveday
Seconded By Councillor Alto

Development Permit with Variances Application No. 00140

That Council authorize the issuance of Development Permit with Variance Application No. 00140 for 1114 Rockland Avenue, in accordance with:

1. Plans date stamped June 29, 2020.
2. Revisions to the plans to shift the location of the sidewalk to the property line and adjust the landscaping along the street frontage to the satisfaction of the Director of Sustainable Planning and Community Development.
3. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the vehicle parking from 17 stalls to 12 stalls;
 - ii. reduce the west side setback from 3 metres to 2 metres;
 - iii. reduce the east side setback from 3 metres to 2.6 metres (building face) and 0.35 metres (lobby only)
 - iv. reduce the front setback from 4 metres to 3.6 metres
 - v. reduce the rear setback from 5 metres to 3.33 metres
4. The Development Permit lapsing two years from the date of this resolution.

FOR (8): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe
OPPOSED (1): Councillor Young

CARRIED (8 to 1)

O. ADJOURNMENT

Moved By Councillor Andrew
Seconded By Councillor Alto

That the Council meeting adjourn.
TIME: 1:08 a.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR