



## MINUTES - VICTORIA CITY COUNCIL

April 22, 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 Andrew, Councillor Thornton-Joe

PRESENT  
ELECTRONICALLY: Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Young

PRESENT  
ELECTRONICALLY  
FOR A PORTION OF  
THE MEETING: Councillor Dubow (in person at 7:23 p.m.)

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Director of Finance, C. Kingsley - City Clerk, T. Soulliere - Director of Parks, Recreation & Facilities, T. Zworski - City Solicitor, B. Eisenhower - 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, S. Webb - Manager of Transportation, M. Heiser - Council Secretary

### A. APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

**Moved By** Councillor Andrew

**Seconded By** Councillor Thornton-Joe

That the agenda be approved as amended.

#### **Amendment:**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Andrew

That the following speakers be added to the agenda:

### G.1 Steve Smith – Richardson Street Bike Lanes

**G.2 Brian Kendrick - Richardson Street Bike Lanes**

**G.3 Janice Williams – Richardson Street Bike Lanes**

**CARRIED UNANIMOUSLY**

**Amendment:**

**Moved By** Councillor Loveday

**Seconded By** Councillor Potts

That the following speakers be added to the agenda:

**G.4 Corey Burger – Richardson Street Bike Lanes**

**CARRIED UNANIMOUSLY**

**On the main motion as amended:**

**CARRIED UNANIMOUSLY**

**B. POETRY READING**

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

**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.1 Jade Baird, Sicily Fox , Ashley Yaredic, Rachel Dufort: The Delivery of the Petition to Remove Trutch's Name**

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

**D.2 Reuben Rose-Redwood: Renaming Trutch Street**

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

**D.4 Angela Plasterer, German/Canadian Cultural Association of Victoria: Non-profit Cultural Facilities Eligible for Permissive Tax Exemptions**

Outlined why Council should change policy to allow permissive tax exemptions for the following organization: German/Canadian Cultural Association of Victoria.

**D.5 Linda Murray, Eidsvold No. 53, Sons of Norway: Permissive Tax Exemption 2022 for Non-profit Societies**

Outlined why Council should change policy to allow permissive tax exemptions for the following non-profit society: Eidsvold No. 53, Sons of Norway.

**D.6 Raj Singh Toor: Komagata Maru Recognition**

Outlined why Council should consider naming a park, street or some civic asset in memory of the Komagata Maru passengers.

**F. PUBLIC AND STATUTORY HEARINGS**

**F.1 1913 and 1915 Fernwood Road: Rezoning Application No. 00626 and Development Permit with Variances Application No. 00073**

Zoning Regulation Bylaw, Amendment Bylaw (No. 1241) - No. 20-001:

To rezone the land known as 1913 and 1915 Fernwood Road from the R-2 Zone, Two Family Dwelling District, to the R1-49 Zone, Fernwood Conversion District, to permit a multi-unit residential building consisting of approximately four ground-oriented dwelling units.

Development Permit Application

The Council of the City of Victoria will also consider issuing a development permit for the land known as 1913 and 1915 Fernwood Road, in Development Permit Area 16 (DPA 16): General Form and Character, for the purposes of approving the exterior design and finishes for the multi-unit residential building as well as landscaping.

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

Leanne Taylor (Planner): Advised that the application is to convert the existing duplex to a multi-unit residential building.

*Mayor Helps opened the public hearing at 7:04 p.m.*

Karl Veldkamp (Applicant): Provided information regarding the application.

*Council recessed from 7:18 p.m. until 7:24 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.*

*Council discussed the following:*

- *Proposed sidewalk and statutory right-of-way*
- *Standards for boulevards*
- *Rental conversion policies*
- *Proposed housing agreement considerations*

*Mayor Helps closed the public hearing at 7:28 p.m.*

**Moved By** Councillor Andrew

**Seconded By** Councillor Thornton-Joe

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1241) No. 21-001

*Council discussed the following:*

- *History of rental units*
- *Rental assistance for relocation*
- *Housing affordability and modest densification*
- The loss of existing affordable housing

**Motion to speak:**

**Moved By** Councillor Dubow

**Seconded By** Councillor Alto

That Councillor Isitt be permitted to speak again on this matter.

**CARRIED UNANIMOUSLY**

**Motion to speak:**

**Moved By** Councillor Dubow

**Seconded By** Councillor Loveday

That Councillor Potts be permitted to speak again on this matter.

**CARRIED UNANIMOUSLY**

**On third reading of the bylaw:**

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

**CARRIED (8 to 1)**

**Moved By** Councillor Andrew

**Seconded By** Councillor Thornton-Joe

That the following bylaw **be adopted:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1241) No. 21-001

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

**CARRIED (8 to 1)**

**Moved By** Councillor Alto

**Seconded By** Councillor Andrew

That the following bylaws **be adopted**:

1. Housing Agreement (1913 and 1915 Fernwood) Bylaw (2021) No. 21-002

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Andrew

**Seconded By** Councillor Alto

That Council authorize the issuance of Development Permit with Variances Application No. 00073 for 1913 and 1915 Fernwood Road, in accordance with:

1. Plans date stamped October 31, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. reduce the required number of parking spaces from 5 to 4;
  - ii. reduce the continuous landscaping screen between a surface vehicle parking area and an adjacent lot primarily for residential uses from 1 m to 0.60m;
3. reduce the side yard setback for an accessory building from 0.60m to 0.17m.
4. The Development Permit lapsing two years from the date of this resolution.

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

**CARRIED (8 to 1)**

*Councillor Alto withdrew from the meeting at 7:48 p.m. due to a pecuniary conflict of interest as they own property near the following item.*

*Councillor Andrew withdrew from the meeting at 7:48 p.m. due to a pecuniary conflict of interest as they own property near the following item.*

**F.2     3120 Washington Avenue: Rezoning Application No. 00735**

Zoning Regulation Bylaw, Amendment Bylaw (No. 1246) - No. 21-020:

To rezone the land known as 3120 Washington Avenue from the R1-B Zone, Single Family Dwelling District, to the R1-51 Zone, Washington 8 Cottage Cluster District, to permit eight two-storey single family dwelling units on a lot.

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

Leanne Taylor (Planner): Advised that the application is to construct eight single-family dwellings on one lot.

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

Niall Paltiel (Applicant): Provided information regarding the application.

Todd Buchanan (Washington Avenue): Expressed support for the application due to the proposed design and complementary aspects of the neighbourhood.

Frances Frank (Washington Avenue ): Expressed support for the application due to the fit and appearance proposed within neighbourhood.

*Council recessed from 8:06 p.m. until 8:11 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:*

- *Comments received from neighbouring properties regarding fencing*

*Mayor Helps closed the public hearing at 8:14 p.m.*

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Loveday

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1246) No. 21-020

*Council discussed the following:*

- *Comments shared through public participation and video submission*
- *Densification of traditional residential areas*

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Dubow

That the following bylaw **be adopted**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1246) No. 21-020

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Dubow

That the following bylaws **be adopted**:

2. Housing Agreement (3120 Washington Avenue) Bylaw (2021) No. 21-021

**CARRIED UNANIMOUSLY**

*Councillor Alto and Councillor Andrew returned to the meeting at 8:20 p.m.*

**F.3 540 Dallas Road: Development Variance Permit Application No. 00251**

Development Variance Permit Application No. 00251

The City of Victoria will be considering the issuance of a Development Variance Permit for the land known as 540 Dallas Road for the purpose of varying certain requirements of the *Zoning Regulation Bylaw* namely: increasing the site coverage and reducing the open site space to add a small addition to the rear of the existing seniors' residential building in order to create an enclosed walkway.

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

Leanne Taylor (Planner): Advised that the application is to add a walkway addition to the existing building with variances.

*Mayor Helps opened the opportunity for public comment at 8:22 p.m.*

Laurie Aves (Applicant): Provided information regarding the application.

*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 persons called in to speak to the proposed application.*

*Mayor Helps closed the opportunity for public comment at 8:31 p.m.*

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Andrew

That Council authorize the issuance of Development Variance Permit Application No. 00251 for 540 Dallas Road in accordance with:

1. Plans date stamped November 12, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. increase the maximum site coverage from 40.0% to 44.15%;
  - ii. reduce the minimum open site space from 60.0% to 46.7%.
3. The Development Variance Permit lapsing two years from the date of this resolution.

**CARRIED UNANIMOUSLY**

**F.4 545 Manchester Road and 520 Dunedin Street: Development Variance Permit No. 00256**

Development Variance Permit Application No. 00256

The City of Victoria will be considering the issuance of a Development Variance Permit for the land known as 545 Manchester Road and 520 Dunedin Street for

the purpose of varying certain requirements of the *Fence Bylaw* namely: increase the height of fence from 1.2m (4ft) to 1.83m (6ft) along the Manchester Road frontage.

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

Leanne Taylor (Planner): Advised that the application is to construct a 1.83m fence in the front yard.

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

Helen Merlot (Applicant): Provided information regarding the application.

Brian Mackay (Dunedin Street): Expressed support for the application due to the proposed increase in safety.

*Council recessed from 8:54 p.m. until 8:59 p.m. to provide an opportunity for members of the public to call to speak live.*

Gayle Chong (Manchester Road): Expressed support for the application due to the effect on security for the building.

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

*Council discussed the following:*

- *Reduction in crime in the area with an existing 6 foot fence*

*Mayor Helps closed the opportunity for public comment at 9:06 p.m.*

**Moved By** Mayor Helps

**Seconded By** Councillor Thornton-Joe

That Council authorize the issuance of Development Variance Permit Application No. 00256 for 545 Manchester Road and 520 Dunedin Street in accordance with:

1. Plans date stamped February 1, 2021.
2. Development meeting all Fence Bylaw requirements, except for the following variance:
  - i. increase the height of fence from 1.2m to 1.83m.
3. The Development Permit lapsing two years from the date of this resolution.

*Council discussed the following:*

- *Safety for all in the neighbourhood*
- *Overall concern in the Burnside Gorge neighbourhood*
- *Long term solutions for current obstacles*

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



**CARRIED (8 to 1)**

**G. REQUESTS TO ADDRESS COUNCIL**

**Moved By** Councillor Andrew

**Seconded By** Councillor Dubow

That the following speakers be permitted to address Council.

**CARRIED UNANIMOUSLY**

**G.1 Steve Smith – Richardson Street Bike Lanes**

Outlined why Council should not construct bike lanes on Richardson Street due to the change in traffic.

**G.2 Brian Kendrick - Richardson Street Bike Lanes**

Outlined why Council should not construct bike lanes on Richardson Street due to traffic disruptions and lack of consultation.

**G.3 Janice Williams – Richardson Street Bike Lanes**

Outlined why Council should not construct bike lanes on Richardson Street due to traffic disruptions.

**G.4 Corey Burger – Richardson Street Bike Lanes**

Outlined why Council should move forward with the bike lanes on Richardson Street.

**H. UNFINISHED BUSINESS**

**H.1 Five Year Financial Plan, 2021**

**Motion to lift the matter from the table:**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Andrew

That this matter be lifted to the table.

**CARRIED UNANIMOUSLY**

*Council discussed the following:*

- *The engagement consultation process*
- *Traffic disruption versus traffic safety*
- *Project review by First Responders*
- *Trust among the citizens*

**On the motion arising:**

That Council direct staff to delay the Richardson Street bike lane project until further consultation and engagement has been conducted and a report back to Council has been provided.

FOR (3): Councillor Andrew, Councillor Thornton-Joe, Councillor Young  
OPPOSED (6): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts,

**DEFEATED (3 to 6)**

**K. BYLAWS**

**K.1 Bylaw for 2021 Tax Rates**

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

That the following bylaw **be adopted**:  
1. Tax Bylaw, 2021 No. 21-048

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

**CARRIED (8 to 1)**

**K.2 Bylaw for Business Improvement Area Rate**

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

That the following bylaw **be adopted**:  
1. Business Improvement Area Rate Bylaw No. 21-053

**CARRIED UNANIMOUSLY**

**K.3 Bylaw for Boulevard Tax**

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

That the following bylaw **be adopted**:  
1. Boulevard Tax Bylaw No. 21-05

**CARRIED UNANIMOUSLY**

**K.4 Bylaw for Fire Prevention and Regulation Amendment Bylaw**

**Moved By** Councillor Alto

**Seconded By** Councillor Andrew

That the following bylaw **be adopted**:

1. Fire Prevention and Regulation Bylaw, Amendment Bylaw (No. 01) No. 21-010

**CARRIED UNANIMOUSLY**

**K.5 Bylaw for False Alarms Amendment Bylaw**

**Moved By** Councillor Andrew

**Seconded By** Councillor Alto

That the following bylaw **be adopted**:

1. False Alarms Bylaw, Amendment Bylaw (No. 1) No. 21-018

**CARRIED UNANIMOUSLY**

**O. ADJOURNMENT**

**Moved By** Councillor Andrew

**Seconded By** Councillor Thornton-Joe

That the Council meeting adjourn.

TIME: 10:27 p.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR