



## MINUTES - VICTORIA CITY COUNCIL

June 24, 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 Thornton-Joe, Councillor Young

PRESENT ELECTRONICALLY: Councillor Andrew, Councillor Loveday, Councillor Potts

ABSENT: Councillor Dubow, Councillor Isitt

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Director of Finance, T. Soulliere - Director of Parks, Recreation & Facilities, C. Kingsley - 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, A. Meyer - Assistant Director of Development Services, C. Havelka - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, P. Rantucci – Head of Strategic Real Estate, M. Heiser - Council Secretary

### A. APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

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

That the agenda be approved as amended.

**CARRIED UNANIMOUSLY**

### B. POETRY READING

The Youth Poet Laureate, James Summer, read a poem dedicated to the Youth and the LGBTQ+ community.

### D. REQUESTS TO ADDRESS COUNCIL

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

That the following speakers be permitted to address Council.

**CARRIED UNANIMOUSLY**

**D.1 Ron Thaler: Proposed Change to Harris Green Zoning Requirement, proposed by Deane Strongitharm/City Spaces Ltd.**

Outlined why Council should decline the development application proposed by Deane Strongitharm/City Spaces Ltd.

**D.3 Philip MacKellar: Housing Affordability**

Outlined why Council should advocate and implement reforms and policies to improve housing affordability within the municipality and across the CRD.

**D.2 JC Scott: Sidewalk Patios and Building Shadows**

*JC Scott did not speak at this time.*

**F. PUBLIC AND STATUTORY HEARINGS**

**F.1 2020 Annual Report**

Council received the Annual Report providing a summary of the 2020 financial and operational activities for the City of Victoria. The report contains achievements, departmental reports, the audited financial statements as well as other financial and statistical information to assist citizens in understanding the City of Victoria's performance in 2020.

*Mayor Helps opened the public hearing at 6:50 p.m.*

*Council recessed from 6:50 p.m. until 6:55 p.m. to provide an opportunity for members of the public to call to speak live.*

*No persons called in to speak.*

*Mayor Helps closed the public hearing at 6:55 p.m.*

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

**Moved By** Councillor Young

**Seconded By** Councillor Alto

That Council approve the 2020 Annual Report.

**CARRIED UNANIMOUSLY**

**F.2     2440 and 2448 Richmond Road: Rezoning Application No. 00722 and Development Permit with Variances Application No. 00159**

Zoning Regulation Bylaw, Amendment Bylaw (No. 1248) - No. 21-023:

To rezone the land known as 2440 and 2448 Richmond Road from the R1-B, Single Family Dwelling District, to the R-100 Zone, Richmond Road Multiple Dwelling District, to permit a three-storey building on each lot.

Development Permit with Variances Application No. 00159

The Council of the City of Victoria will also consider issuing a development permit for the land known as 2440 and 2448 Richmond Road, in Development Permit Area 16: General Form and Character for the purposes of approving the exterior design and finishes for a multi-unit buildings (one per lot), as well as landscaping.

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

Alison Meyer (Assistant Director of Development Services): Advised that the application is for the development of two new three-storey multi-unit residential buildings.

*Mayor Helps opened the public hearing at 6:58 p.m.*

Cam Pringle (Applicant): Provided information regarding the application.

*Council recessed from 7:04 p.m. until 7:09 p.m. to provide an opportunity for members of the public to call to speak live.*

Jacqueline Foley (Richmond Road): Expressed concerns for the application due to road access and setbacks located on the south of the proposal.

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

*Council discussed:*

- *Proposed statutory right away no longer being a requirement*
- *Renderings of setbacks from property line*

*Mayor Helps closed the public hearing at 7:18 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. 1248) No. 21-023

*Council discussed:*

- *Consideration of neighbours' requests and concerns and actions taken to address them*
- *Support noted from the CALUC*

**CARRIED UNANIMOUSLY**

*Councillor Alto withdrew from the meeting at 7:27 p.m.*

**Moved By** Councillor Andrew

**Seconded By** Councillor Thornton-Joe

That the following bylaws be adopted:

1. Zoning Regulation bylaw, Amendment Bylaw (No. 1248) No. 21-023
2. Housing Agreement (2440 and 2448 Richmond Road) No. 21-024

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Andrew

**Seconded By** Councillor Thornton-Joe

Development Permit with Variances Application No. 00159

That Council authorize the issuance of Development Permit with Variance Application No. 00159 for 2440 and 2448 Richmond Road, in accordance with:

1. Plans date stamped January 20, 2021;
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - 2440 Richmond Road
    - i. reduce the number of residential vehicle parking stalls from 9 to 7;
    - ii. reduce the side setback (south) from 4.00m to 3.22m;
    - iii. reduce the side setback (north) from 4.00m to 1.70m.
  - 2448 Richmond Road
    - i. reduce the number of residential vehicle parking stalls from 9 to 7;
    - ii. reduce the side setback (south) from 4.00m to 1.70m;
    - iii. reduce the side setback on a flanking street (north) from 6.00m to 3.01m.
3. The Development Permit lapsing two years from the date of this resolution.

**CARRIED UNANIMOUSLY**

**F.3     2740 and 2742 Fifth Street: Rezoning Application No. 00709 and Development Variance Permit No. 00236**

Zoning Regulation Bylaw, Amendment Bylaw (No. 1216) - No. 21-058:

To rezone the land known as 2740 & 2742 Fifth Street from the R-2 Zone, Two Family Dwelling District, to the R2-38 Zone, Fifth Duplex District, to permit a new single family dwelling to the rear of the existing duplex.

Development Variance Permit Application

The City of Victoria will be considering the issuance of a Development Variance Permit for the land known as 2740 & 2742 Fifth Street for the purpose of varying certain requirements of the Zoning Regulation Bylaw, namely: reducing the rear yard setback from 3.0m to 1.20m to allow for the construction of a new single family dwelling to the rear of the existing duplex.

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

Alison Meyer (Assistant Director of Development Services): Advised that the application is for a new single family dwelling in the rear yard of the existing duplex.

*Mayor Helps opened the public hearing at 7:30 p.m.*

Aneesa Blake and Reed Cassidy (Applicant): Provided information regarding the application.

Gordon Kemp (Quadra Street): Expressed concerns for the application due to the loss of privacy, associated property value, and some degree of direct sunlight.

Jill Sharpe (Fifth Street): Expressed support for the application due to the sensitive density encouraged in the City of Victoria.

*Council recessed from 7:49 p.m. until 7:54 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:*

- *Potential loss of sunlight*
- *Neighbouring property concerns*

*Mayor Helps closed the public hearing at 8:01 p.m.*

**Moved By** Councillor Young

**Seconded By** Councillor Thornton-Joe

That the following bylaw be given third reading:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1216) No. 21-058

*Council discussed:*

- *Adjacent high-density buildings*
- *Setback proposed for property line*
- *Rental covenant for proposal*

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Young

**Seconded By** Councillor Thornton-Joe

That the following bylaws be adopted:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1216) No. 21-058
2. Housing Agreement (2740 and 2742 Fifth Street) Bylaw (2021) No. 21-059

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Young

Development Variance Permit Application No. 00236

That Council authorize the issuance of a Development Variance Permit Application for 2740 and 2742 Fifth Street, in accordance with:

- a. Plans date stamped May 4, 2020.
- b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
  - i. reduce the rear yard setback from 3.0m to 1.20m.
- c. The Development Permit lapsing two years from the date of this resolution."

**CARRIED UNANIMOUSLY**

*Councillor Alto returned to the meeting at 8:08 p.m.*

**F.4 819-823 and 825/827 Fort Street: Development Permit with Variance Application No. 00169**

Development Permit with Variance Application No. 00169

The Council of the City of Victoria will consider issuing a Development Permit with Variance for the land known as 819-827 Fort Street, in Development Permit Area 7B(HC): Corridors Heritage, for purposes of increasing the number of residential units and minor alterations to the exterior of the building.

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

Alison Meyer (Assistant Director of Development Services): Advised that the application is to make changes to the previously-approved plans with a parking variance.

*Mayor Helps opened the opportunity for public comment at 8:09 p.m.*

The applicant did not provide a presentation regarding the application.

*Council recessed from 8:10 p.m. until 8:15 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:*

- *Parking minimums and maximums for residential provisions*

*Mayor Helps closed the opportunity for public comment at 8:18 p.m.*

*Councillor Loveday withdrew from the meeting at 8:18 p.m.*

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

That Council authorize the issuance of Development Permit with Variance Application No. 00169 for 819-823 and 825/827 Fort Street, in accordance with:

1. Plans date stamped March 9, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
  - i. reduce the vehicle parking from 80 stalls to 57 stalls.
3. The Development Permit lapsing two years from the date of this resolution.

**CARRIED UNANIMOUSLY**

*Councillor Loveday returned to the meeting at 8:20 p.m.*

**F.5     900-912 Vancouver Street and 930-990 Burdett Avenue: Development Permit with Variance Application No. 00164**

Development Permit with Variance Application No. 00164

The Council of the City of Victoria will consider issuing a Development Permit with Variance for the land known as 900-912 Vancouver Street and 930-990 Burdett Avenue, in Development Permit Area 14: Cathedral Hill Precinct, for purposes of constructing a temporary classroom building and associated landscaping.

**F.5.a   Opportunity for Public Comment & Consideration of Approval**

Alison Meyer (Assistant Director of Development Services): Advised that the application is to build a classroom building. The proposal requires a variance to reduce the vehicle parking by 8 stalls.

*Mayor Helps opened the opportunity for public comment at 8:21 p.m.*

The applicant did not submit a presentation regarding the application.

*Council recessed from 8:22 p.m. until 8:27 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 8:29 p.m.*

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

That Council authorize the issuance of Development Permit with Variance Application No. 00164 for 900-912 Vancouver Street & 930-990 Burdett Avenue, in accordance with:

1. Plans date stamped May 11, 2021.

2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
  - i. Reduce the vehicle parking from 97 stalls to 73 stalls.
3. Registration of legal agreements on the property's title to secure the following:
  - i. the removal of the modular classroom building within five years of Council approval of Development Permit with Variance Application No. 00164, to the satisfaction of the Director of Sustainable Planning and Community Development; and
  - ii. a 1.5 metre Statutory Right-of-Way adjacent to Rockland Avenue to the satisfaction of the Director of Engineering and Public Works.
4. Final plans generally in accordance with the plans date stamped April 27, 2021 with the following revision:
  - i. amend the site plan to include a statutory right-of-way along a portion of the Rockland Avenue frontage to accommodate a future sidewalk, to the satisfaction of the Director of Engineering and Public Works
  - ii. amend the parking layout to accommodate the statutory right-of-way along Rockland Avenue.
5. The Development Permit lapsing two years from the date of this resolution.

**CARRIED UNANIMOUSLY**

**G. REQUESTS TO ADDRESS COUNCIL**

**G.2 JC Scott: Sidewalk Patios and Building Shadows**

Outlined why Council should make Victoria more livable for the citizens who already live here by making sidewalk and street patios more permanent where applicable.

**M. NEW BUSINESS**

**M.1 Council Member Motion: Reconsideration of Council Motion on Development Permit with Variance Application for 1475 Fort Street**

Council received a Council Member Motion dated June 17, 2021 from Mayor Helps regarding the proposed reconsideration of a Council Motion in which Council declined a proposal for a 32-unit rental building at 1475 Fort Street.

**Moved By** Mayor Helps  
**Seconded By** Councillor Alto

That Council refer the proposal back to staff to work with the applicant to reduce the size of the building footprint in order to retain as many trees as practicable while still creating a viable rental housing project.

*Council discussed:*

- *Previously proposed and defeated referral motion*



- *Proposed tree removal*
- *Proposed next steps should this direction be approved*

**Amendment:**

**Moved By** Councillor Andrew

**Seconded By** Councillor Thornton-Joe

That Council refer the proposal back to staff to work with the applicant to reduce the size of the building footprint in order to retain as many trees as practicable, **lessening the impact of variances required on setbacks and to improve the secure privacy for adjacent neighbours** while still creating a viable rental housing project.

**Amendment to the amendment:**

**Moved By** Councillor Thornton-Joe

**Seconded By** Councillor Andrew

That Council refer the proposal back to staff to work with the applicant to reduce the size of the building footprint in order to retain as many trees as practicable, **consider increasing the setbacks to lessening the impact of variances required on setbacks and to** ~~and to further improve the secure privacy for adjacent neighbours~~ while still creating a viable rental housing project.

**CARRIED UNANIMOUSLY**

**On the amendment:**

**CARRIED UNANIMOUSLY**

**On the main motion as amended:**

That Council refer the proposal back to staff to work with the applicant to reduce the size of the building footprint in order to retain as many trees as practicable, consider increasing the setbacks to lessen the impact and to further secure privacy for adjacent neighbours while still creating a viable rental housing project.

FOR (5): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Potts, Councillor Loveday

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

**CARRIED (5 to 2)**

O. **ADJOURNMENT**

**Moved By** Councillor Alto

**Seconded By** Councillor Thornton-Joe

That the Council meeting adjourn.

TIME: 8:54 p.m.

**CARRIED UNANIMOUSLY**

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CITY CLERK

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MAYOR