



MINUTES - VICTORIA CITY COUNCIL

September 9, 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 Isitt, Councillor Thornton-Joe, Councillor Young

PRESENT ELECTRONICALLY: Councillor Alto, Councillor Loveday, Councillor Potts

ABSENT: Councillor Dubow

STAFF PRESENT: J. Jenkyns - City Manager, T. Soulliere - Director of Parks, Recreation & Facilities, T. Zworski - City Solicitor, P. Bellefontaine - Director of Engineering & Public Works, A. Meyer - Assistant Director of Development Services, C. Havelka - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, C. Kingsley - City Clerk, G. Milne - Head of Strategic Operations, M. Betanzo - Planner, C. Royle - Deputy Fire Chief, M. Heiser - Committee Secretary

B. MUSIC

A video of a Post-secondary student (Diploma of Music Performance) that was recorded at the Lansdowne Campus of Camosun in the Spring of 2018. It was recorded through the Camosun Communications Applied Communications program directed by Lois Ferneyhough, Chair and Andy Bryce, Lead Instructor.

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

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 Ruth Magnusson: Light Pollution from Night-time Floodlights and Clover Point Ease of Access

Outlined why Council should consider the creation of a bylaw to govern light pollution in residential areas and to open up all parking spaces at Clover Point.

D.3 Lavinia Rojas: Trying Again

Outlined why Council should consider banning horse drawn carriages and replacing them with electric carriages.

F. PUBLIC AND STATUTORY HEARINGS

F.1 2316 Howard Street: Development Variance Permit Application No. 00262

Councillor Isitt withdrew from the meeting at 6:46 p.m. due to a non-pecuniary conflict of interest, as an individual who he previously worked with owns property in close proximity to this parcel.

Development Variance Permit Application No. 00262

The City of Victoria will be considering the issuance of a Development Variance Permit for the land known as 2316 Howard Street for the purpose of varying certain requirements of the *Zoning Regulation Bylaw*, namely: reducing the required motor vehicle parking from one stall to nil.

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

Miko Betanzo (Planner): Advised that the application is for a variance to the parking from one stall to nil.

Mayor Helps opened the opportunity for public comment at 6:45 p.m.

Council recessed from 6:46 p.m. until 6:51 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 6:51 p.m.

Moved By Councillor Thornton-Joe
Seconded By Councillor Andrew

Development Variance Permit Application No. 00262

That Council authorize the issuance of Development Variance Permit Application No. 00262 for 2316 Howard Street, in accordance with:

1. Plans date stamped April 21, 2021.

2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - a. reduce motor vehicle parking from one stall to nil.
3. The Development Variance Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

Councillor Isitt returned to the meeting at 6:52 p.m.

F.2 610-624 Herald Street and 611-635 Chatham Street: Development Permit with Variances Application No. 00156

Councillor Isitt withdrew from the meeting at 6:53 p.m. due to a potential non-pecuniary conflict of interest as he sits on the Board of Directors for a society delivering a social service in close proximity to the subject property.

Development Permit with Variances Application No. 00156

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 610 - 624 Herald Street and 611 - 635 Chatham Street, in Development Permit Area (DPA) 1, Core Historic, for purposes of constructing two buildings that range in height from four to six storeys with ground floor commercial units.

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

Miko Betanzo (Planner): Advised that the application is for a rental residential building with ground floor commercial.

Mayor Helps opened the opportunity for public comment at 6:56 p.m.

David Fawley (Applicant): Provided information regarding the application.

Council recessed from 7:12 p.m. until 7:17 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:

- *Changes implemented to plans*
- *Aspects of design to compliment China Town*
- *Mural designs and proposed art*

The opportunity for public comment was closed by unanimous consent at 7:25 p.m.

Moved By Councillor Thornton-Joe

Seconded By Councillor Andrew

That the following bylaw **be adopted**:

1. Housing Agreement (610-624 Herald Street and 611-635 Chatham Street) Bylaw (2021), No. 21-080

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe

Seconded By Councillor Andrew

Development Permit with Variances Application No. 00156

That Council authorize the issuance of Development Permit with Variance Application No. 00156 for 610 - 624 Herald Street and 611 - 635 Chatham Street, in accordance with:

1. Plans date stamped May 14, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - i. increase building height to 21.1m.
3. Registration of legal agreements on the property's title to secure all residential units as rental for 60 years or the life of the building, to the satisfaction of City Staff.
4. A legal agreement to secure public realm improvements as indicated on Plans dated May 14, 2021.
5. Council authorizing the street-level projecting canopies over the City Right-of-Way on Herald, Chatham and Government Streets, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
6. Council authorizing anchor-pinning in the City right-of-way, with form and contents satisfactory to the City Solicitor and the Director of Engineering and Public Works.
7. That the mural be changed to reflect the Old Town and Chinatown neighborhood history and culture.
8. Further consideration of diversifying the brick colours in the project and make colours and design elements more consistent with those found in Chinatown
9. The Development Permit lapsing two years from the date of this resolution.

Amendment:

Moved By Councillor Thornton-Joe

Seconded By Mayor Helps

Development Permit with Variances Application No. 00156

That Council authorize the issuance of Development Permit with Variance Application No. 00156 for 610 - 624 Herald Street and 611 - 635 Chatham Street, in accordance with:

1. Plans date stamped May 14, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - i. increase building height to 21.1m.
3. Registration of legal agreements on the property's title to secure all residential units as rental for 60 years or the life of the building, to the satisfaction of City Staff.

4. A legal agreement to secure public realm improvements as indicated on Plans dated May 14, 2021.
5. Council authorizing the street-level projecting canopies over the City Right-of-Way on Herald, Chatham and Government Streets, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
6. Council authorizing anchor-pinning in the City right-of-way, with form and contents satisfactory to the City Solicitor and the Director of Engineering and Public Works.
7. That the mural be changed to reflect the Old Town and Chinatown neighborhood history and culture **and that this be approved to the satisfaction of the Director of Sustainable Planning and Community Development.**
8. Further consideration of diversifying the brick colours in the project and make colours and design elements more consistent with those found in Chinatown
9. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

Council discussed the following:

- *Needed rental stock in the downtown area*
- *Legal agreements for public realm improvements*

On the main motion as amended:

Development Permit with Variances Application No. 00156

That Council authorize the issuance of Development Permit with Variance Application No. 00156 for 610 - 624 Herald Street and 611 - 635 Chatham Street, in accordance with:

1. Plans date stamped May 14, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - a. increase building height to 21.1m.
3. Registration of legal agreements on the property's title to secure all residential units as rental for 60 years or the life of the building, to the satisfaction of City Staff.
4. A legal agreement to secure public realm improvements as indicated on Plans dated May 14, 2021.
5. Council authorizing the street-level projecting canopies over the City Right-of-Way on Herald, Chatham and Government Streets, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
6. Council authorizing anchor-pinning in the City right-of-way, with form and contents satisfactory to the City Solicitor and the Director of Engineering and Public Works.
7. That the mural be changed to reflect the Old Town and Chinatown neighborhood history and culture and that this be approved to the

- satisfaction of the Director of Sustainable Planning and Community Development.
8. Further consideration of diversifying the brick colours in the project and make colours and design elements more consistent with those found in Chinatown
 9. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

Councillor Isitt returned to the meeting at 7:35 p.m.

A. APPROVAL OF AGENDA

Moved By Councillor Thornton-Joe
Seconded By Councillor Andrew

That the following item be added to the agenda:

M.1 Employee Relations – Community Charter Section 90(1)(c)

CARRIED UNANIMOUSLY

H. CLOSED MEETING

Moved By Councillor Andrew
Seconded By Councillor Thornton-Joe

MOTION TO CLOSE THE SEPTEMBER 9, 2021 COUNCIL MEETING TO THE PUBLIC

That Council convene a closed meeting that excludes the public under Section 90 of the *Community Charter* for the reason that the following agenda items deal with matters specified in Sections 90(1) and/or (2) of the *Community Charter*, namely:

Section 90(1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

- Section 90(1)(c) labour relations or other employee relations.

CARRIED UNANIMOUSLY

All staff except the City Manager withdrew from the meeting at 7:36 p.m.

M. NEW BUSINESS

M.1 Employee Relations – Community Charter Section 90(1)(c)

Council discussed an employee relations matter.

O. **ADJOURNMENT**

Moved By Councillor Isitt
Seconded By Councillor Alto

That the Council meeting adjourn.
TIME: 8:13 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR