

F.1 2920 Prior Street: Rezoning Application No. 00708, Development Permit with Variances Applications No. 00147 and No. 00151, and Development Variance Permit Application No. 00245

Zoning Regulation Bylaw, Amendment Bylaw (No. 1232) No. 20-086:

To rezone a portion the land known as 2920 Prior Street from the R1-B Zone, Single Family Dwelling District, to a new R1-B-GS6 Zone, Single Family Dwelling with Garden Suite (Prior Street) District, to permit an existing single family dwelling and a garden suite, and to rezone a portion from the R1-B Zone, Single Family Dwelling District, to the R1-S2 Zone, Restricted Small Lot (Two Storey) District to permit a small lot house.

Development Permit with Variance Application (DPV No. 00147)

The Council of the City of Victoria will also consider issuing a development permit for the land known as 2920 Prior Street, in Development Permit Area 15A: Intensive Residential Small Lot, for the purposes of establishment of objectives for the form and character of intensive residential development, as well as landscaping.

Development Permit with Variance Application (DPV No. 00151)

The Council of the City of Victoria will also consider issuing a development permit for the land known as 2920 Prior Street, in Development Permit Area 15E: Intensive Residential Garden Suites for the purposes of approving a garden suite as well as landscaping.

Development Variance Permit Application (DVP No. 00245)

The Council of the City of Victoria will also consider issuing a development permit for the land known as 2920 Prior Street, for the purpose of varying certain requirements of the Zoning Regulation Bylaw for the existing dwelling in the new zone R1-B-GS6 Zone, Single Family Dwelling, with Garden Suite (Prior Street) District.

F.1.a Public Hearing & Consideration of Approval

Michael Angrove (Senior Planner): *Advised that the application is to retain the existing house and permit a garden suite, and to subdivide the property for a new small lot.*

Mayor Helps opened the public hearing at 7:03 p.m.

Rick Humphries, Peter Johannknecht, and Bianca Bodley (Applicants): Provided information regarding the application.

Laurence Coogan (Prior Street): Expressed concerns with the application due to the over densification of the lot as well as potential parking issues.

Joanne Newell (Resident): Expressed concerns with the application due to the proposed setbacks, increased densification, and potential parking issues.

Marion Harper (Prior Street): Expressed concerns with the application due to potential parking issues and the over densification.

Council recessed from 7:31 p.m. until 7:36 p.m. to provide an opportunity for members of the public to call to speak live.

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

Councillor Isitt joined the meeting in person at 7:36 p.m.

Mayor Helps closed the public hearing at 7:43 p.m.

Moved By Mayor Helps
Seconded By Councillor Alto

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1232) No. 20-086

Council discussed the following:

- *Whether the covenant should be finalized prior to adoption of the bylaw.*
- *Whether densification is appropriate in this space.*

Motion to refer:

Moved By Councillor Isitt
Seconded By Councillor Young

That the matter be referred to staff to work with the applicant to address concerns raised by the neighbours and report back to Committee of the Whole.

FOR (3): Councillor Isitt, Councillor Thornton-Joe, and Councillor Young

OPPOSED (5): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Loveday, and Councillor Potts

DEFEATED (3 to 5)

On the motion to give 3rd reading:

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

OPPOSED (3): Councillor Isitt, Councillor Thornton-Joe, and Councillor Young

CARRIED (5 to 3)

Moved By Mayor Helps
Seconded By Councillor Alto

That subject to the rezoning bylaw being adopted, that Council authorize the issuance of Development Permit with Variance Application No. 00147 for 2920 Prior Street, in accordance with:

1. Plans date stamped June 1, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance to R1-S2, Restricted Small Lot (Two Storey) Dwelling:
 - i. Decrease the side yard setback for habitable room window from 2.40m to 1.5m.
3. The Development Permit lapsing two years from the date of this resolution.

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

OPPOSED (3): Councillor Isitt, Councillor Thornton-Joe, and Councillor Young

CARRIED (5 to 3)

Moved By Councillor Alto
Seconded By Mayor Helps

That subject to the rezoning bylaw being adopted, that Council authorize the issuance of Development Variance Permit Application No. 00245 for 2920 Prior Street, in accordance with:

1. Plans date stamped June 1, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances for the existing house:
 - i. Decrease the minimum side yard setback (south) from 2.40m to 0.92m (for the deck only)
 - ii. Decrease the minimum side yard setback for a habitable room window (north) from 2.40m to 1.88m.
3. The Development Permit lapsing two years from the date of this resolution.

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

OPPOSED (3): Councillor Isitt, Councillor Thornton-Joe, and Councillor Young

CARRIED (5 to 3)

Moved By Councillor Alto
Seconded By Mayor Helps

That subject to the rezoning bylaw being adopted, that Council authorize the issuance of Development Permit with Variance Application No. 00151 for 2920 Prior Street, in accordance with:

1. Plans date stamped June 1, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance to Schedule M – Garden Suite
 - i. Increase the maximum height from 3.50m to 4.15m.
3. The Development Permit lapsing two years from the date of this resolution.

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

OPPOSED (3): Councillor Isitt, Councillor Thornton-Joe, and Councillor Young

CARRIED (5 to 3)

Approval of the bylaw to occur at a future meeting, pending receipt of the executed covenants.

Councillor Dubow withdrew from the meeting at 8:16 p.m. due to a non-pecuniary conflict of interest with the following item, as he knows the owner of the neighbouring business that is facing an eviction.