



MINUTES - VICTORIA CITY COUNCIL

November 25, 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 Alto, Councillor Andrew, Councillor Isitt, Councillor Thornton-Joe, Councillor Young

PRESENT ELECTRONICALLY: Councillor Loveday, Councillor Potts

ABSENT: Councillor Dubow

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Chief Financial Officer, C. Kingsley - City Clerk, T. Soulliere - Director of Parks, Recreation & Facilities, T. Zworski - City Solicitor, P. Bellefontaine - Director of Engineering & Public Works, B. Eisenhauer - Head of Engagement, A. Meyer – Assistant Director of Development Services, A. Hudson - Assistant Director of Community Planning, C. Havelka - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, L. Baryluk – Planner, C. Medd – Planner, M. Heiser – Council Secretary, G. Diamond - Council Secretary

A. APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the agenda be approved as amended.

CARRIED UNANIMOUSLY

B. POETRY

A poem was read by Poet Laureate, John Barton.

D. REQUESTS TO ADDRESS COUNCIL

Moved By Councillor Alto
Seconded By Councillor Isitt

That the following speakers be permitted to address Council.

CARRIED UNANIMOUSLY

C.1 Stefa Katamay: Lawful Sheltering Park List - Irving Park

Stefa Katamay outlined concerns over the unhoused sheltering at Irving Park.

F. PUBLIC AND STATUTORY HEARINGS

F.1 2727 Hamilton Road: Development Permit with Variances Application No. 00160

Development Permit with Variances Application No. 00160

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 2727 Hamilton Road, in DPA 15A: Intensive Residential - Small Lot, for purposes of reducing the front yard setback, reducing the north side yard setback for the placement of a heat pump, and for landscaping changes.

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

Chelsea Medd (Planner): *Advised that the application is to reduce the front yard setback, reduce the side yard setback for a heat pump, and to make changes to the landscaping.*

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

Cara Keck (Applicant): *Provided information regarding the application.*

Mike Nolan (Hillside Avenue): *Expressed concerns for the application due to the length of time construction has taken*

Jack Maddong (Grant St): *Expressed concerns for the application due to the construction noise and disturbances*

Georgia Goodwin (Hillside Rd): *Expressed concerns for the application over the size of the house on a small lot and noise from the heat pump*

Teresa Sinko (Hillside Avenue): *Expressed concerns for the application due to the size of the house*

Sandra Govender (Hamilton Road): *Expressed support for the application as the neighbourhood needs infill housing and the homeowners have worked to follow City guidelines*

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.

No persons called in to speak to the proposed application.

Council discussed the following:

- *The original application and what aspects of the approved plans weren't adhered to*
- *That the City can't levy fines but can issue stop work orders if approved plans aren't followed. Applicants would need to reapply and the fee would be doubled*
- *That the City needs infill homes and the homeowner has already experienced delays*

Mayor Helps closed the opportunity for public comment at 7:09 p.m.

Councillor Loveday was absent for the vote.

Moved By Mayor Helps
Seconded By Councillor Alto

Development Permit with Variances Application No. 00160

That Council authorize the issuance of Development Permit with Variances Application No. 00160 for 2727 Hamilton Road, in accordance with:

1. Plans date stamped August 18, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except the following variances to the R1-S2 Zone, Restricted Small Lot (Two Storey) District:
 - i. reduce the front yard setback from 6.00m to 3.14m
 - ii. reduce the side yard setback (north) from 1.50m to 0.50m (heat pump only).
3. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY

F.2 500, 504 and 506 Herald Street: Development Permit with Variances Application No. 00105

Development Permit with Variances Application No. 00105

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 500, 504 and 506 Herald Street in Development Permit Area 1 (HC), for purposes of converting an existing building into a brew pub and creating a roof top patio on the upper level.

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

The City Solicitor advised that all the legislative requirements have been met and the City has made reasonable efforts to provide the notices and the hearing can proceed

Lucina Baryluk (Planner): *Advised that the application is to construct an upper floor addition and exterior stairs to an existing building for use as a brew pub (Herald Street Brew Works).*

Mayor Helps opened the opportunity for public comment at 7:28 p.m.

Charles Kierulf (Applicant): *Provided information regarding the application.*

Council recessed from 7:35 p.m. until 7:40 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:

- *That the screens are intended to provide privacy to the neighbouring condominium*
- *Many buildings in Old Town are constructed across two or more lots due to the lack of land surveying at the time of construction*
- *That if the building were on a consolidated lot it would not need a variance*

Mayor Helps closed the opportunity for public comment at 7:41 p.m.

Moved By Councillor Andrew
Seconded By Councillor Alto

Development Permit with Variance No. 00105

That Council authorize the issuance of Development Permit with Variance Application No. 00105 for 500, 504, and 506 Herald Street, in accordance with:

1. Plans date stamped September 1, 2021.
2. Development meeting all Zoning Bylaw 2018 requirements, except allowing new construction and building features to be erected partly on one lot and partly on another lot (Administration, Part 1, Section 12).
3. Conditional upon:
 - a. the applicant providing security to replace two street trees (species to be determined by the Parks Department) on the frontage and to include grate, guard and structural soil to the satisfaction of the Director of Parks and Recreation; and
 - b. the applicant providing a financial contribution of \$1000 for two bicycle racks to be placed on Herald Street.
4. The Development Permit lapsing two years from the date of this resolution.

FOR (7): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Young

OPPOSED (1): Councillor Thornton-Joe

CARRIED (7 to 1)

O. ADJOURNMENT

Moved By Councillor Alto

Seconded By Councillor Andrew

That the Council meeting adjourn at 8:20 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR

DRAFT