

**MINUTES OF THE
COMMITTEE OF THE WHOLE MEETING
HELD THURSDAY, DECEMBER 14, 2017, 9:00 A.M.**

1. THE CHAIR CALLED THE MEETING TO ORDER AT 9:00 A.M.

Committee Members Present: Mayor Helps (Chair), Councillors Alto, Coleman, Isitt, Loveday, Lucas, Madoff, Thornton-Joe, and Young

Staff Present: J. Jenkyns – Acting City Manager; C. Coates – City Clerk; C. Havelka – Deputy City Clerk; T. Zworski – City Solicitor; P. Bruce – Fire Chief; S. Thompson – Director of Finance; J. Tinney – Director of Sustainable Planning & Community Development; T. Soulliere – Director of Parks, Recreation, & Facilities; F. Work – Director of Engineering & Public Works; B. Eisenhauer – Head of Engagement; A. Hudson – Assistant Director of Community Planning; A. Meyer – Assistant Director of Development Services; A. Johnson – Senior Planner; L. Baryluk – Senior Planner; M. Conley – Senior Heritage Planner; C. Medd – Planner; S. Young – Climate & Environmental Sustainability Specialist; D. Miller – Community Energy Specialist; N. Reddington – Senior Cultural Planner; C. Mycroft – Manager of Executive Operations; A. M. Ferguson – Recording Secretary

Guests: Mr. L. Ramsey – Artist in Residence; Ms. L. Delaronde – Indigenous Artist in Residence; Mr. D. Clancy - Project Director for the Waste Water Treatment Project, CRD; Mr. B. Evans – Lead Architect, WSP Canada; J. Nobrega, KWL Consulting Engineers; S. Bean – Principal, Thurber Engineering Ltd.; M. Jacobson – Senior Transportation Engineer, Watt Consulting Group; Ms. P. Huntsman, Consultant - Patricia Huntsman Culture & Communication Consultant

2. APPROVAL OF AGENDA

Motion: It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that the Agenda of the December 14, 2017, Committee of the Whole meeting be approved.

Amendment: It was moved by Councillor Alto, seconded by Councillor Loveday, that the Agenda of the December 14, 2017, Committee of the Whole meeting be amended as follows:

Consent Agenda:

Item No. 1 - Minutes from the meeting held September 21, 2017

Item No. 2 - Minutes from the meeting held October 19, 2017

Item No. 3 - Minutes from the meeting held November 2, 2017

Item No. 13 & 14 - Rezoning Application No. 00578 & Development Permit with Variances Application No. 00578 for 1410 Myrtle Avenue

Item No. 15 - Development Variance Permit No. 00200 for 2695 Capital Heights

Item No. 20 - Development Permit with Variances Application No. 00057 for 1105 Caledonia Avenue

Item No. 23 - Summary of Public Input on Draft 2018 Financial Plan

Item No. 24 - Draft 2018-2022 Financial Plan - Responses to Council Motions

Item No. 27 - Proclamation - "Dr. Victoria Chung Day" December 8, 2017

Item No. 28 - Proclamation - "BC AWARE 2018: Be Secure, Be Aware Days" January 29 - February 9, 2018

Item No. 31 - North American Indigenous Games (NAIG) Supporting Motion

**On the amendment:
CARRIED UNANIMOUSLY 17/COTW**

Main motion as amended:

That the amended Agenda of the December 14, 2017 Committee of the Whole Meeting be approved with the following amendments:

Consent Agenda:

Item No. 1 - Minutes from the meeting held September 21, 2017

Item No. 2 - Minutes from the meeting held October 19, 2017

Item No. 3 - Minutes from the meeting held November 2, 2017

Item No. 13 & 14 - Rezoning Application No. 00578 & Development Permit with Variances Application No. 00578 for 1410 Myrtle Avenue

Item No. 15 - Development Variance Permit No. 00200 for 2695 Capital Heights

Item No. 20 - Development Permit with Variances Application No. 00057 for 1105 Caledonia Avenue

Item No. 23 - Summary of Public Input on Draft 2018 Financial Plan

Item No. 24 - Draft 2018-2022 Financial Plan - Responses to Council Motions

Item No. 27 - Proclamation - "Dr. Victoria Chung Day" December 8, 2017

Item No. 28 - Proclamation - "BC AWARE 2018: Be Secure, Be Aware Days" January 29 - February 9, 2018

Item No. 31 - North American Indigenous Games (NAIG) Supporting Motion

On the main motion as amended:
CARRIED UNANIMOUSLY 17/COTW

3. CONSENT AGENDA

Motion: It was moved by Councillor Coleman, seconded by Councillor Alto, that the following items be approved without further debate:

3.1 Minutes from the meeting held September 21, 2017

Motion: It was moved by Councillor Coleman, seconded by Councillor Alto, that the Minutes of the meeting held September 21, 2017, be adopted.

CARRIED UNANIMOUSLY 17/COTW

3.2 Minutes from the meeting held October 19, 2017

Motion: It was moved by Councillor Coleman, seconded by Councillor Alto, that the Minutes of the meeting held October 19, 2017, be adopted.

CARRIED UNANIMOUSLY 17/COTW

3.3 Minutes from the meeting held November 2, 2017

Motion: It was moved by Councillor Coleman, seconded by Councillor Alto, that the Minutes of the meeting held November 2, 2017, be adopted.

CARRIED UNANIMOUSLY 17/COTW

3.4 Rezoning Application No. 00578 & Development Permit with Variances Application No. 00578 for 1410 Myrtle Avenue

Committee received a report dated November 30, 2017, from the Director of Sustainable Planning & Community Development regarding an application to create two small lots, retain the existing single-family dwelling on one lot, and construct a new small lot house on the other.

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto:

Rezoning Application No. 00578

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No.00578 for 1410 Myrtle Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Development Permit with Variances Application No. 00578

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00578, if it is approved, consider the following motion: "That Council authorize the issuance of Development Permit No. 00578 for 1410 Myrtle Avenue, in accordance with:

1. Plans date stamped October 16, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, R1-S2 Zone, Restricted Small Lot (Two Storey District) except for the following variances:
 - i. reduce the front yard setback for Lot A (new house) from 6.00m to 3.14m;
 - ii. reduce the rear yard setback for Lot B (existing house) from 6.00m to 2.40m.
3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY 17/COTW

3.5 Development Variance Permit No. 00200 for 2695 Capital Heights

Committee received a report dated November 30, 2017, from the Director of Sustainable Planning & Community Development regarding an application to retain the existing single-family dwelling on one lot, and construct a new small lot house on the other.

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, that Council after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00200 for 2695 Capital Heights, in accordance with:

1. Plans date stamped October 30, 2017.
2. Development meeting all *Victoria Subdivision and Development Servicing Bylaw* requirements, except for the following variances:
 - i. remove the requirement to construct frontage improvements as described within the *Victoria Subdivision and Development Servicing Bylaw*.
3. Provision of a \$36,000 security equivalent to the costs of installing frontage improvements. The \$36,000 would be applied to frontage improvements, following public consultation completed within one year of the date of this resolution, on an alternate design.
4. References to a split rail fence removed from the submitted plans.
5. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY 17/COTW

3.6 Development Permit with Variances Application No. 00057 for 1105 Caledonia Avenue

Committee received a report dated November 24, 2017, from the Director of Sustainable Planning & Community Development regarding an application to locate a coffee shop, coffee roaster and retail shop in an existing building.

- Motion:** It was moved by Councillor Coleman, seconded by Councillor Alto, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motions:
- "That Council authorize the issuance of Development Permit Application No. 00057 for 1105 Caledonia Avenue, in accordance with:
1. Plans date stamped November 16, 2017.
 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the number of vehicle parking stalls from eleven stalls to three stalls as required by Schedule C
 - ii. allow one off-street parking stall to be located in the side yard (CR-4 Zone)
 - iii. reduce the width of the landscape strip and setback required for a parking stall along the north side of the building from 2.4m to 0.55m (CR-4 Zone).
 3. A minimum of eight Class 1, and sixteen Class 2 bicycle stalls be maintained on the site and the installation be secured by way of a landscape security deposit.
 4. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY 17/COTW

3.7 Summary of Public Input on Draft 2018 Financial Plan

Committee received a report dated December 11, 2017, from the Head of Engagement regarding feedback and correspondence received during the 2018 Financial Plan public consultation period.

- Motion:** It was moved by Councillor Coleman, seconded by Councillor Alto, that Council receive the report for information.

CARRIED UNANIMOUSLY 17/COTW

3.8 Draft 2018-2022 Financial Plan - Responses to Council Motions

Committee received a report dated December 5, 2017, from the Director of Finance regarding information in response to the motions passed during the October 30, 31, November 2 and 7 budget meetings for Council's review in preparation for the meetings scheduled for January 4 and 8, 2018.

- Motion:** It was moved by Councillor Coleman, seconded by Councillor Alto, that Council receive this report for information and consideration on January 4, 2018.

CARRIED UNANIMOUSLY 17/COTW

3.9 Proclamation - "Dr. Victoria Chung Day" December 8, 2017

Committee received a report dated December 1, 2017, from the City Clerk regarding a proclamation for "Dr. Victoria Chung Day" on December 8, 2017.

Motion: It was moved by Councillor Coleman, seconded by Councillor Alto, that the *Dr. Victoria Chung Day Proclamation* be forwarded to the December 14, 2017 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY 17/COTW

3.10 Proclamation - "BC AWARE 2018: Be Secure, Be Aware Days" January 29 - February 9, 2018

Committee received a report dated December 1, 2017, from the City Clerk regarding a proclamation for "BC AWARE 2018: Be Secure, Be Aware Days" on January 29 – February 8, 2017.

Motion: It was moved by Councillor Coleman, seconded by Councillor Alto, that the *BC AWARE 2018: Be Secure, Be Aware Days Proclamation* be forwarded to the December 14, 2017 Council meeting for Council's consideration.

CARRIED UNANIMOUSLY 17/COTW

3.11 North American Indigenous Games (NAIG) Supporting Motion

A Council member motion dated December 12, 2017, from Mayor Helps and Councillor Alto regarding recommendations for the 2020 North American Indigenous Games.

Motion: It was moved by Councillor Coleman, seconded by Councillor Alto, that the City of Victoria supports, in principle, a bid by local First Nations for the 2020 North American Indigenous Games, contingent on sustaining funding, as set out by the NAIG Council bid requirements, from the provincial and federal governments.

That once sustaining provincial and federal funding has been confirmed, the City of Victoria enter into conversation with the Host Nation about the details of the City's administrative, in-kind and/or financial support.

CARRIED UNANIMOUSLY 17/COTW

4. MINUTES

4.1 Minutes from the special meeting held November 7, 2017

Motion: It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that the Minutes of the special meeting held November 7, 2017, be adopted with the following correction:

Include information regarding the time Councillor Thornton-Joe arrived to the meeting.

CARRIED UNANIMOUSLY 17/COTW

5. LAND USE MATTERS

5.1 Public Realm Waterfront Designs - Revised Plan and Interim Phasing

Committee received a report dated December 4, 2017, from the Director of Sustainable Planning and Community Development regarding updated public realm waterfront designs, including interim plans as an option for phased implementation and budget considerations for the Public Real Waterfront Design.

Committee discussed:

- Development Cost Charges fund and the implications of amending the bylaw, including other potential funding sources.
- Landscape, roadway, and public art designs.

Motion: It was moved by Councillor Coleman, seconded by Mayor Helps, that Council:

1. Approve the revised concept designs for the Triangle Island and Northern Junk plaza in accordance with the Johnson Street Bridge Public Realm - Revised Design Concept dated December 1, 2017.
2. Direct staff to include in the 2018 Financial Plan, a budget of \$650,000 reallocated from the following 2017 projects that came in under budget or were cancelled:
 - a. Surface Infrastructure \$80,000
 - b. 0.2 Mile Bridge upgrade \$200,000
 - c. Centennial Square Washrooms \$58,000
 - d. Cameron Band Shell Roof Repair \$22,000
 - e. VCC upgrades and repairs \$150,000
 - f. CNG fuel station refurbishment \$140,000 for completion of the following areas in accordance with the above concept plans:
 - a. Triangle island;
 - b. Janion plaza;
 - c. Johnson Street traffic median; and
 - d. Esquimalt and Harbour Road intersection.
3. Direct staff to amend the Development Cost Charges Bylaw by merging parks acquisition and park development charges.
4. Direct staff, after amendments have been made to the Development Cost Charges Bylaw, to include within the 2018-2022 Financial Plan, a budget of \$3,000,000 for the construction of the future Victoria West park (at the former 'S-curve' lands) in accordance with the Johnson Street Bridge Public Realm - Revised Design Concept dated December 1, 2017, with funding from development cost charges.
5. Refer detailed design drawings to the Accessibility Working Group for input prior to finalizing.

Amendment: It was moved by Mayor Helps, seconded by Councillor Isitt, that the motion be amended to include the following point:

6. **Direct staff to work with the Songhees and Esquimalt Nations to incorporate local Indigenous elements into the story wall.**

Amendment to the amendment:

It was moved by Councillor Isitt, seconded by Councillor Thornton-Joe, that the amendment be amended as follows:

6. **Direct staff to work with the Songhees and Esquimalt Nations to incorporate local Indigenous elements into the story wall and identify other opportunities to recognize the history of the Lekwungen Peoples on these lands.**

On the amendment to the amendment:
CARRIED UNANIMOUSLY 17/COTW

On the amendment:
CARRIED UNANIMOUSLY 17/COTW

Committee discussed:

- Design considerations for the public art and its surrounding context.

Amendment: It was moved by Councillor Loveday, seconded by Councillor Isitt, that the motion be amended to include the following point:

5. ~~Refer detailed design drawings to~~ **Direct staff to present for input from the Accessibility Working Group for input prior to finalizing information and proposed plans in forms that are accessible for all members.**

On the amendment:
CARRIED UNANIMOUSLY 17/COTW

The Mayor agreed to vote on the motion separately as follows:

Motion: It was moved by Councillor Coleman, seconded by Mayor Helps, that Council:

1. Approve the revised concept designs for the triangle island and Northern Junk plaza in accordance with the Johnson Street Bridge Public Realm - Revised Design Concept dated December 1, 2017.

CARRIED 17/COTW

For: Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Madoff, and Thornton-Joe

Against: Councillor Young

Motion: It was moved by Councillor Coleman, seconded by Mayor Helps, that Council:

2. Direct staff to include in the 2018 Financial Plan, a budget of \$650,000 reallocated from the following 2017 projects that came in under budget or were cancelled:
 - a. Surface Infrastructure \$80,000

- b. 0.2 Mile Bridge upgrade \$200,000
- c. Centennial Square Washrooms \$58,000
- d. Cameron Band Shell Roof Repair \$22,000
- e. VCC upgrades and repairs \$150,000
- f. CNG fuel station refurbishment \$140,000 for completion of the following areas in accordance with the above concept plans:
 - a. Triangle island;
 - b. Janion plaza;
 - c. Johnson Street traffic median; and
 - d. Esquimalt and Harbour Road intersection.

CARRIED 17/COTW

For: Mayor Helps, Councillors Alto, Coleman, Isitt, Lucas, Madoff, and Thornton-Joe

Against: Councillors Loveday and Young

Motion: It was moved by Councillor Coleman, seconded by Mayor Helps, that Council:

- 3. Direct staff to amend the Development Cost Charges Bylaw by merging parks acquisition and park development charges.

Amendment: It was moved by Councillor Isitt, seconded by Councillor Young, that the motion be amended as follows:

That Council:

- 3. Direct staff to ~~amend~~ **report back on the rationale and implications of amending** the Development Cost Charges Bylaw by merging parks acquisition and park development charges.

On the amendment:

CARRIED UNANIMOUSLY 17/COTW

Main motion as amended:

That Council:

- 3. Direct staff to report back on the rationale and implications of amending the Development Cost Charges Bylaw by merging parks acquisition and park development charges.

On the main motion as amended:

CARRIED UNANIMOUSLY 17/COTW

Motion: It was moved by Councillor Coleman, seconded by Mayor Helps, that Council:

- 4. Direct staff, after amendments have been made to the Development Cost Charges Bylaw, to include within the 2018-2022 Financial Plan, a budget of \$3,000,000 for the construction of the future Victoria West park (at the former 'S-curve' lands) in accordance with the Johnson Street Bridge Public Realm - Revised Design Concept dated December 1, 2017, with funding from development cost charges.

Amendment: It was moved by Councillor Isitt, seconded by Mayor Helps, that the motion be amended as follows:

That Council:

4. Direct staff, ~~after~~ **subject to** amendments ~~have been~~ **being** made to the Development Cost Charges Bylaw, to include within the 2018-2022 Financial Plan, a budget of \$3,000,000 for the construction of the future Victoria West park (at the former 'S-curve' lands) in accordance with the Johnson Street Bridge Public Realm - Revised Design Concept dated December 1, 2017, with funding from development cost charges.

On the amendment:

CARRIED UNANIMOUSLY 17/COTW

Main motion as amended:

That Council:

4. Direct staff, subject to amendments being made to the Development Cost Charges Bylaw, to include within the 2018-2022 Financial Plan, a budget of \$3,000,000 for the construction of the future Victoria West park (at the former 'S-curve' lands) in accordance with the Johnson Street Bridge Public Realm - Revised Design Concept dated December 1, 2017, with funding from development cost charges.

On the main motion as amended:

CARRIED 17/COTW

For: Mayor Helps, Councillors Alto, Coleman, Lucas, Loveday, Madoff, and Thornton-Joe

Against: Councillors Isitt and Young

Main motion as amended:

That Council:

5. Direct staff to present for input from the Accessibility Working Group information and proposed plans in forms that are accessible for all members.

On the main motion as amended:

CARRIED UNANIMOUSLY 17/COTW

Main motion as amended:

That Council:

6. Direct staff to work with the Songhees and Esquimalt Nations to incorporate local Indigenous elements into the story wall and identify other opportunities to recognize the history of the Lekwungen Peoples on these lands.

On the main motion as amended:

CARRIED UNANIMOUSLY 17/COTW

Committee recessed at 10:44 a.m. and reconvened at 10:51 a.m.

5.2 Presentation: CRD Clover Point Pump Station and Dallas Road Forcemain Project Update

Committee received a report dated December 8, 2017, from Mr. Dave Clancy, Project Director for the CRD Wastewater Treatment Project, regarding design proposals for the Clover Point Pump Station building exterior and public realm improvements; and the clover point forcemain and cycle track alignment, as well as the findings of the geotechnical assessment for the clover point forcemain.

Committee discussed:

- Incorporating public input into the plan.
- The cycle path route and parking impacts.

Councillor Isitt withdrew from the meeting at 11:27 a.m. and returned at 11:28 a.m.

Motion: It was moved by Mayor Helps, seconded by Councillor Coleman, that Council receive the report for information.

Amendment: It was moved by Councillor Isitt, seconded by Mayor Helps, that the motion be amended as follows:

1. That Council receive the report for information.
2. **That Council request that the CRD Project team work with staff to:**
 - a. **soften the interface between the lower foreshore walkway at Clover Point and the loading bays / retaining walls, recognizing the context of a waterfront park;**
 - b. **improve the quality of materials / design of the lower foreshore walkway, so that it presents and functions effectively as a pedestrian walkway in a waterfront park;**
 - c. **consider retention of angle parking on Dallas Road from Dock Street to Lewis Street.**

Mayor Helps agreed to vote on the amendment separately as follows:

Amendment: It was moved by Councillor Isitt, seconded by Mayor Helps, that the motion be amended as follows:

2. **That Council request that the CRD Project team work with staff to:**
 - a. **soften the interface between the lower foreshore walkway at Clover Point and the loading bays / retaining walls, recognizing the context of a waterfront park;**
 - b. **improve the quality of materials / design of the lower foreshore walkway, so that it presents and functions effectively as a pedestrian walkway in a waterfront park;**

On the amendment:
CARRIED UNANIMOUSLY 17/COTW

Amendment: It was moved by Councillor Isitt, seconded by Mayor Helps, that the motion be amended as follows:

2. **That Council request that the CRD Project team work with staff to:**

- c. consider retention of angle parking on Dallas Road from Dock Street to Lewis Street.

Motion to table:

It was moved by Councillor Isitt, seconded by Councillor Alto, that the amendment be amended as follows:

That Council postpone consideration of the following motion until information regarding parking spaces between Dock Street and Lewis Street is received from staff:

2. That Council request that the CRD Project team work with staff to:
 - c. consider retention of angle parking on Dallas Road from Dock Street to Lewis Street.

On the motion to table:

CARRIED UNANIMOUSLY 17/COTW

Amendment: It was moved by Councillor Isitt, seconded by Councillor Loveday, that the motion be amended as follows:

3. That Council request that the CRD Project team work with staff to:
 - d. consider shifting the cycle track and forcemain into the road right of way in Beacon Hill Park, to achieve the following objectives:
 - prevent unnecessary encroachment into natural areas and conserve biological diversity; and
 - introduce a road diet to increase traffic calming and quiet enjoyment of the park.

On the amendment:

DEFEATED 17/COTW

For: Councillors Isitt and Loveday

Against: Mayor Helps, Councillors Alto, Coleman, Lucas, Madoff, Thornton-Joe, and Young

Amendment: It was moved by Councillor Thornton-Joe, seconded by Mayor Helps, that the motion be amended to include the following:

4. That Council direct staff to refer the plan to the Accessibility Working Group in a way that can be understood and accessed by all members.

On the amendment:

CARRIED UNANIMOUSLY 17/COTW

The Director of Engineering & Public Works: Advised that there are approximately 25 parking stalls on Dallas Road between Dock Street and Lewis Street.

Motion to lift from the table:

It was moved by Councillor Isitt, seconded by Councillor Alto, that the following motion be lifted from the table:

2. That Council request that the CRD Project team work with staff to:

- d. consider retention of angle parking on Dallas Road from Dock Street to Lewis Street.

CARRIED UNANIMOUSLY 17/COTW

Amendment: It was moved by Mayor Helps, seconded by Councillor Lucas, that the motion be amended in the following point:

2. That Council request that the CRD Project team work with staff to:
 - d. **report back on the current parking demand** ~~consider retention of angle parking on Dallas Road from between Dock Street to and Lewis Street.~~

On the amendment:
CARRIED 17/COTW

For: Mayor Helps, Councillors Coleman, Isitt, Loveday, Lucas, Madoff, and Thornton-Joe

Against: Councillors Alto and Young

Amendment: It was moved by Councillor Isitt, seconded by Councillor Alto, that the motion be amended to include the following:

3. That Council direct staff to refer the plan to **the Active Transportation Advisory Committee.**

On the amendment:
CARRIED UNANIMOUSLY 17/COTW

Main motion as amended:

1. That Council receive the report for information.
2. That Council request that the CRD Project team work with staff to:
 - a. soften the interface between the lower foreshore walkway at Clover Point and the loading bays / retaining walls, recognizing the context of a waterfront park;
 - b. improve the quality of materials / design of the lower foreshore walkway, so that it presents and functions effectively as a pedestrian walkway in a waterfront park;
 - c. report back on the current parking demand on Dallas Road between Dock Street and Lewis Street
3. That Council direct staff to refer the plan to the Active Transportation Advisory Committee.

On the main motion as amended:
CARRIED UNANIMOUSLY 17/COTW

Committee recessed at 12:09 p.m. and reconvened at 12:15 p.m.

5.3 Update on Rezoning Application No. 00525 and Development Permit with Variances Application No. 00035 for 1201 Fort Street and 1050 Pentrelew Place, and associated Official Community Plan Amendment

Committee received a report dated November 30, 2017, from the Director of Sustainable Planning and Community and Development regarding an update on an

application to increase the density and allow for the construction of a six-storey multi-unit residential building, a four-storey multi-unit residential building and nine townhouses.

Councillor Alto returned to the meeting at 12:15 p.m.

Councillor Young returned to the meeting at 12:16 p.m.

Committee discussed:

- Concerns regarding the tree loss on site.
- Height and massing changes from the original design.
- Public input received regarding the proposal.

Motion:

It was moved by Councillor Young, seconded by Councillor Lucas:

Rezoning Application No.00525 and associated Official Community Plan Amendment

That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the *Local Government Act* and the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00525 for 1201 Fort Street and 1050 Pentrelew Place, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set once the following conditions are met:

1. Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:
 - a. Housing Agreement to ensure that a future strata corporation could not pass bylaws that would prohibit or restrict the rental of units to non-owners
 - b. Housing Agreement to ensure that ten percent of the approved unit count, being no less than ten units, be provided as affordable rental units on another site within the City of Victoria
 - c. Statutory Right-of-Way of 1.86m along the Pentrelew Place frontage
 - d. Statutory Right-of-Way of 2.40m for the provision of a public pathway connecting Fort Street to Pentrelew Place
 - e. Statutory Right-of-Way of 2.53m for the provision of a future public pathway along the west side of the property
 - f. Section 219 Covenant for public realm improvements to Fort Street and Pentrelew Place
 - g. Section 219 Covenant for construction and maintenance of the public pathways.
2. That Council determine, pursuant to section 475(1) of the *Local Government Act*, that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; that the appropriate consultation measures would include a mailed notice of the proposed Official Community Plan Amendment to the affected persons; and posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.
3. That Council, having provided the opportunity for consultation with persons, organizations and authorities it considers will be affected, specifically, the

property owners and occupiers within a 200m radius of the subject properties having been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required, pursuant to Section 475(1) of the *Local Government Act*.

4. That Council, specifically consider whether consultation is required under Section 475(2)(b) of the *Local Government Act*, and determine that no referrals are necessary with the Capital Regional District Board, Councils of Oak Bay, Esquimalt and Saanich, the Songhees and Esquimalt First Nations, the School District Board and the provincial and federal governments and their agencies due to the nature of the proposed amendment.
5. That Council give first reading to the Official Community Plan Amendment Bylaw.
6. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2017-2012 Financial Plan, the Capital Regional District Liquid Waste Management Plan and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the *Local Government Act*, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
7. That Council give second reading to the Official Community Plan Amendment Bylaw.
8. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.

Development Permit with Variances Application No. 00035

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00525, if it is approved, consider the following motion: "That Council authorize the issuance of Development Permit with Variances Application No. 00035 for 1201 Fort Street and 1050 Pentrelew Place, in accordance with:

1. Plans date stamped November 15, 2017.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - a. increase the maximum height for Building A from 12.00m to 21.42m
 - b. increase the maximum height for Building B from 12.00m to 15.11m
 - c. increase the maximum site coverage from 40% to 42.60%
 - d. reduce the Fort Street setback for Building A from 10.50m to 6.40m (to the building)
 - e. reduce the south setback for Building B from 7.56m to 6.13m
 - f. reduce the west setback for Building A from 10.71m to 4.00m (to the parkade structure)
 - g. reduce the west setback for Building B from 7.56m to 0.60m (to ground floor parking area and patio screen)
 - h. reduce the Pentrelew Place setback from 3.65m to 2.79m (to stairs)
 - i. reduce the required parking from 120 parking stalls to 119 parking stalls
 - j. reduce the required visitor parking from 12 stalls to 9 stalls.
3. Refinement of balcony materials on Buildings A and B to the satisfaction of the Director of Sustainable Planning and Community Development.
4. The Development Permit lapsing two years from the date of this resolution."

Motion to postpone:

It was moved by Councillor Madoff, seconded by Councillor Isitt, that the motion be amended as follows:

That Council postpone the following motion:

Rezoning Application No.00525 and associated Official Community Plan Amendment

And refer the application back to staff to work with the applicant for further consideration of the following points:

1. **Revise the density, massing, height and setbacks of the building to south, to provide a more sensitive transition to the ground-oriented adjacent and nearby properties and mitigate concerns relating to overlook;**
2. **Demonstrate how the application is consistent with the objectives of Development Permit area 7b that encourage building that enhances the heritage character of the Fort Street corridor.**

That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the *Local Government Act* and the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00525 for 1201 Fort Street and 1050 Pentrelew Place, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set once the following conditions are met:

1. Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:
 - a. Housing Agreement to ensure that a future strata corporation could not pass bylaws that would prohibit or restrict the rental of units to non-owners
 - b. Housing Agreement to ensure that ten percent of the approved unit count, being no less than ten units, be provided as affordable rental units on another site within the City of Victoria
 - c. Statutory Right-of-Way of 1.86m along the Pentrelew Place frontage
 - d. Statutory Right-of-Way of 2.40m for the provision of a public pathway connecting Fort Street to Pentrelew Place
 - e. Statutory Right-of-Way of 2.53m for the provision of a future public pathway along the west side of the property
 - f. Section 219 Covenant for public realm improvements to Fort Street and Pentrelew Place
 - g. Section 219 Covenant for construction and maintenance of the public pathways.
2. That Council determine, pursuant to section 475(1) of the *Local Government Act*, that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; that the appropriate consultation measures would include a mailed notice of the proposed Official Community Plan Amendment to the affected persons; and posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.
3. That Council, having provided the opportunity for consultation with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties

having been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required, pursuant to Section 475(1) of the *Local Government Act*.

4. That Council, specifically consider whether consultation is required under Section 475(2)(b) of the *Local Government Act*, and determine that no referrals are necessary with the Capital Regional District Board, Councils of Oak Bay, Esquimalt and Saanich, the Songhees and Esquimalt First Nations, the School District Board and the provincial and federal governments and their agencies due to the nature of the proposed amendment.
5. That Council give first reading to the Official Community Plan Amendment Bylaw.
6. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2017-2012 Financial Plan, the Capital Regional District Liquid Waste Management Plan and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the *Local Government Act*, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
7. That Council give second reading to the Official Community Plan Amendment Bylaw.
8. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.
Development Permit with Variances Application No. 00035
That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00525, if it is approved, consider the following motion:
"That Council authorize the issuance of Development Permit with Variances Application No. 00035 for 1201 Fort Street and 1050 Pentrelew Place, in accordance with:
 1. Plans date stamped November 15, 2017.
 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - a. increase the maximum height for Building A from 12.00m to 21.42m
 - b. increase the maximum height for Building B from 12.00m to 15.11m
 - c. increase the maximum site coverage from 40% to 42.60%
 - d. reduce the Fort Street setback for Building A from 10.50m to 6.40m (to the building)
 - e. reduce the south setback for Building B from 7.56m to 6.13m
 - f. reduce the west setback for Building A from 10.71m to 4.00m (to the parkade structure)
 - g. reduce the west setback for Building B from 7.56m to 0.60m (to ground floor parking area and patio screen)
 - h. reduce the Pentrelew Place setback from 3.65m to 2.79m (to stairs)
 - i. reduce the required parking from 120 parking stalls to 119 parking stalls
 - j. reduce the required visitor parking from 12 stalls to 9 stalls.
 3. Refinement of balcony materials on Buildings A and B to the satisfaction of the Director of Sustainable Planning and Community Development.
 4. The Development Permit lapsing two years from the date of this resolution."

For: Councillors Isitt and Madoff
Against: Mayor Helps, Councillors Alto Coleman, Loveday, Lucas, Thornton-Joe, and Young

Main motion: Rezoning Application No.00525 and associated Official Community Plan Amendment

That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the *Local Government Act* and the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00525 for 1201 Fort Street and 1050 Pentrelew Place, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set once the following conditions are met:

1. Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:
 - a. Housing Agreement to ensure that a future strata corporation could not pass bylaws that would prohibit or restrict the rental of units to non-owners
 - b. Housing Agreement to ensure that ten percent of the approved unit count, being no less than ten units, be provided as affordable rental units on another site within the City of Victoria
 - c. Statutory Right-of-Way of 1.86m along the Pentrelew Place frontage
 - d. Statutory Right-of-Way of 2.40m for the provision of a public pathway connecting Fort Street to Pentrelew Place
 - e. Statutory Right-of-Way of 2.53m for the provision of a future public pathway along the west side of the property
 - f. Section 219 Covenant for public realm improvements to Fort Street and Pentrelew Place
 - g. Section 219 Covenant for construction and maintenance of the public pathways.
2. That Council determine, pursuant to section 475(1) of the *Local Government Act*, that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; that the appropriate consultation measures would include a mailed notice of the proposed Official Community Plan Amendment to the affected persons; and posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.
3. That Council, having provided the opportunity for consultation with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties having been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required, pursuant to Section 475(1) of the *Local Government Act*.

4. That Council, specifically consider whether consultation is required under Section 475(2)(b) of the *Local Government Act*, and determine that no referrals are necessary with the Capital Regional District Board, Councils of Oak Bay, Esquimalt and Saanich, the Songhees and Esquimalt First Nations, the School District Board and the provincial and federal governments and their agencies due to the nature of the proposed amendment.
5. That Council give first reading to the Official Community Plan Amendment Bylaw.
6. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2017-2012 Financial Plan, the Capital Regional District Liquid Waste Management Plan and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the *Local Government Act*, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
7. That Council give second reading to the Official Community Plan Amendment Bylaw.
8. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.

Development Permit with Variances Application No. 00035

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00525, if it is approved, consider the following motion: "That Council authorize the issuance of Development Permit with Variances Application No. 00035 for 1201 Fort Street and 1050 Pentrelew Place, in accordance with:

1. Plans date stamped November 15, 2017.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - a. increase the maximum height for Building A from 12.00m to 21.42m
 - b. increase the maximum height for Building B from 12.00m to 15.11m
 - c. increase the maximum site coverage from 40% to 42.60%
 - d. reduce the Fort Street setback for Building A from 10.50m to 6.40m (to the building)
 - e. reduce the south setback for Building B from 7.56m to 6.13m
 - f. reduce the west setback for Building A from 10.71m to 4.00m (to the parkade structure)
 - g. reduce the west setback for Building B from 7.56m to 0.60m (to ground floor parking area and patio screen)
 - h. reduce the Pentrelew Place setback from 3.65m to 2.79m (to stairs)
 - i. reduce the required parking from 120 parking stalls to 119 parking stalls
 - j. reduce the required visitor parking from 12 stalls to 9 stalls.
3. Refinement of balcony materials on Buildings A and B to the satisfaction of the Director of Sustainable Planning and Community Development.
4. The Development Permit lapsing two years from the date of this resolution."

On the main motion:

CARRIED 17/COTW

For: Mayor Helps, Councillors Alto Coleman, Loveday, Lucas, Thornton-Joe, and Young

Against: Councillors Isitt and Madoff

Committee recessed at 12:56 p.m. and reconvened at 1:30 p.m.

Councillor Young recused himself from the meeting at 1:31 p.m. due to a non-pecuniary conflict of interest as the next item could affect parking on the street he lives on.

5.4 Rezoning Application No. 00558 & Development Permit with Variances Application No. 000496 for 1303 Fairfield Road and associated Official Community Plan Amendment

Committee received reports dated November 29, 2017, from the Director of Sustainable Planning and Community Development regarding an application to increase the density to 1.84:1 floor space ratio and allow for construction of a four-storey mixed-use building with commercial and church sanctuary uses on the ground floor and rental apartments above.

Committee discussed:

- Affects to the neighbouring school and parking for the church.

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto:

Rezoning Application No. 00558

That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the *Local Government Act* and the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00558 for 1303 Fairfield Road, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set once the following conditions are met:

1. Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:
 - a. Housing Agreement to ensure the residential units remain rental in perpetuity
 - b. Statutory Right-of-Way of 0.86 meters along the Moss Street and Fairfield Road frontages
 - c. Section 219 Covenant for public realm improvements to Moss Street and Fairfield Road
 - d. Submission of a sanitary sewer impact assessment to the satisfaction of the Director of Engineering and Public Works, determining if the increase in density results in a need for sewage attenuation; and if sewage attenuation is necessary, preparation of legal agreements to the satisfaction of the City Solicitor and the Director of Engineering and Public Works.
2. That Council determine, pursuant to section 475(1) of the Local Government Act, that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.

3. That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the Local Government Act with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties have been consulted at a Community Association Land Use Committee (CALUC) Community meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.
4. That Council, specifically consider whether consultation is required under Section 475(2)(b) of the Local Government Act, and determine that no referrals are necessary with the Capital Regional District Board, Councils of Oak Bay, Esquimalt and Saanich, the Songhees and Esquimalt First Nations, the School District Board and the provincial and federal governments and their agencies due to the nature of the proposed amendment.
5. That Council give first reading to the Official Community Plan Amendment Bylaw.
6. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2017-2021 Financial Plan, the Capital Regional District Liquid Waste Management Plan and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
7. That Council give second reading to the Official Community Plan Amendment Bylaw.
8. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.

Development Permit with Variances Application No. 000496

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00558, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000496 for 1303 Fairfield Road, in accordance with:

1. Plans date stamped October 10, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. increase the height from 12.00m to 15.60m
 - ii. increase the site coverage from 40% to 62.60%
 - iii. reduce the front setback (Moss Street) from 6.00m to 0.86m
 - iv. reduce the rear setback from 7.80m to 4.13m (to the building) and to 2.63m (to the balconies)
 - v. reduce the south side setback from 3.90m to 3.81m (to the building) and 0.00m (to the pergola)
 - vi. reduce the flanking street setback (Fairfield Road) from 6.00m to 0.62m
 - vii. reduce the vehicle parking requirement from 44 stalls to 16 stalls.
3. Refinement of trellis materials, colour and design to the satisfaction of the Director of Sustainable Planning and Community Development.
4. The Development Permit lapsing two years from the date of this resolution."

Committee discussed:

- Appropriate uses for the site.

Amendment: It was moved by Councillor Madoff, seconded by Mayor Helps, that the motion be amended to include the following point under the development permit:

5. **Further consideration of the finishes on the tower element of the proposal.**

On the amendment:
CARRIED UNANIMOUSLY 17/COTW

Amendment: It was moved by Councillor Isitt, that the motion be amended to include the following point under the development permit:

6. **That consideration be given to a step back on the fourth floor on the north and west frontages.**

MOTION FAILED DUE TO NO SECONDER

Main motion as amended:

Rezoning Application No. 00558

That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the *Local Government Act* and the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00558 for 1303 Fairfield Road, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set once the following conditions are met:

1. Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:
 - a. Housing Agreement to ensure the residential units remain rental in perpetuity
 - b. Statutory Right-of-Way of 0.86 meters along the Moss Street and Fairfield Road frontages
 - c. Section 219 Covenant for public realm improvements to Moss Street and Fairfield Road
 - d. Submission of a sanitary sewer impact assessment to the satisfaction of the Director of Engineering and Public Works, determining if the increase in density results in a need for sewage attenuation; and if sewage attenuation is necessary, preparation of legal agreements to the satisfaction of the City Solicitor and the Director of Engineering and Public Works.
2. That Council determine, pursuant to section 475(1) of the Local Government Act, that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.
3. That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the Local Government Act with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties have been consulted

at a Community Association Land Use Committee (CALUC) Community meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.

4. That Council, specifically consider whether consultation is required under Section 475(2)(b) of the Local Government Act, and determine that no referrals are necessary with the Capital Regional District Board, Councils of Oak Bay, Esquimalt and Saanich, the Songhees and Esquimalt First Nations, the School District Board and the provincial and federal governments and their agencies due to the nature of the proposed amendment.
5. That Council give first reading to the Official Community Plan Amendment Bylaw.
6. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2017-2021 Financial Plan, the Capital Regional District Liquid Waste Management Plan and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
7. That Council give second reading to the Official Community Plan Amendment Bylaw.
8. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.

Development Permit with Variances Application No. 000496

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00558, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000496 for 1303 Fairfield Road, in accordance with:

1. Plans date stamped October 10, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. increase the height from 12.00m to 15.60m
 - ii. increase the site coverage from 40% to 62.60%
 - iii. reduce the front setback (Moss Street) from 6.00m to 0.86m
 - iv. reduce the rear setback from 7.80m to 4.13m (to the building) and to 2.63m (to the balconies)
 - v. reduce the south side setback from 3.90m to 3.81m (to the building) and 0.00m (to the pergola)
 - vi. reduce the flanking street setback (Fairfield Road) from 6.00m to 0.62m
 - vii. reduce the vehicle parking requirement from 44 stalls to 16 stalls.
3. Refinement of trellis materials, colour and design to the satisfaction of the Director of Sustainable Planning and Community Development.
4. The Development Permit lapsing two years from the date of this resolution.
5. Further consideration of the finishes on the tower element of the proposal."

On the main motion as amended:

CARRIED 17/COTW

For: Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, Madoff, and
Thornton-Joe
Against: Councillor Isitt

Councillor Young returned to the meeting at 2:08 p.m.

5.5 Rezoning Application No.00549 & Development Permit Application No. 000490 for 2813 - 2887 Quadra Street and 2814 - 2890 and 2780/82 Fifth Street

Committee received reports dated November 27, 2017, from the Director of Sustainable Planning and Community Development regarding an application to retain the existing rental townhouse development (Quadra Villa) and redevelop the parking lot and adjacent lot at 2780/82 Fifth Street for a 34-unit multiple-dwelling project (rental units).

Motion:

It was moved by Councillor Isitt, seconded by Councillor Alto:

Rezoning Application No.00549

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00549 for 2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set once the following conditions are met:

That Rezoning Application No. 00549 for 2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street proceed for consideration at a Public Hearing and that staff prepare the necessary Zoning Regulation Bylaw amendments, subject to completion of the following for the new project prior to a Public Hearing:

1. Securing a car share agreement that includes the purchase of two cars and a car share membership for all units (existing and new) to the satisfaction of the Director of Engineering and Public Works.
2. Restrictive covenant ensuring two car share stalls are allocated on the site for access by residents of both buildings, or an alternative arrangement as approved by the Director of Engineering and Public Works.
3. Registration of a Statutory Right-of-Way agreement for 2.72m along the entire frontage of Quadra Street.
4. A restrictive covenant be registered on the title which will prohibit the issuance of any building permits for the new project until the small parking lots are constructed for the existing units (Quadra Villa).
5. An executed Housing Agreement to ensure the units in the new building are rental in perpetuity.

And further for Quadra Villa (existing rental units), that staff prepare the necessary *Zoning Regulation Bylaw* amendments, subject to the following:

A site-specific zone be drafted to allow the following changes:

1. Limiting development to the current existing situation for a maximum of 64 units.
2. Changes to density (FSR), parcel coverage and open site space as a result of the reduced lot size.
3. Reducing the vehicle parking requirement to 37 parking stalls for the existing development; however, 21 stalls may be provided on the new project

lot, subject to the registration of an easement and a Section 219 covenant

4. Additional floor area allowance for two laundry rooms and a caretaker's office.
5. Setbacks that recognize the existing siting from Quadra Street and Fifth Street that were previously approved by the Board of Variance for the reconstruction of the stairs and decks.
6. Reducing the setback requirement from Topaz Avenue for the relocation of the laundry rooms and caretaker's office.
7. Reducing the setback requirement from the newly created interior lot line (south).

Development Permit Application No. 000490

That Council, after the Public Hearing for Rezoning Application No. 00549, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000490 for 2813 - 2887 Quadra Street and 2814 - 2890 and 2780/82 Fifth Street in accordance with:

1. Plans date stamped August 8, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. Prior to the issuance of any Building Permit the siting of Block A be re-evaluated with the intent of providing a greater separation space between the ground floor units and the Statutory Right of Way to the satisfaction of the Director of Sustainable Planning and Community Development.
4. Prior to the issuance of any Building Permit, the entrance of the units be further defined to be more prominent to the satisfaction of the Director of Sustainable Planning and Community Development.
5. Final plans to be in accordance with the plans identified above, to the satisfaction of the Director of Sustainable Planning and Community Development.
6. The Development Permit lapsing two years from the date of this resolution.

Committee discussed:

- Urban design standards and the proposed surface parking.

CARRIED UNANIMOUSLY 17/COTW

5.6 Update Report - Rezoning Application No. 00591 for 1122 Collinson Street

Committee received a report dated November 30, 2017, from the Director of Sustainable Planning and Community Development regarding an update on an application to permit six self-contained units in a house conversion.

Motion:

It was moved by Mayor Helps, seconded by Councillor Alto, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00591 for 1122 Collinson Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set subject to the preparation and execution of a Housing Agreement Bylaw to secure the six dwelling units as rental for 10

years to the satisfaction of the Director of Sustainable Planning and Community Development.

Committee discussed:

- Tenant relocation plans.

CARRIED 17/COTW

For: Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, Madoff,
Thornton-Joe, and Young
Against: Councillor Isitt

5.7 Rezoning Application No. 00582, Development Permit Application No. 00582 & Heritage Alteration Permit Application with Variances No. 00007 for 224 Superior Street

Committee received reports dated November 30, 2017, from the Director of Sustainable Planning and Community Development regarding an application to subdivide the subject lot to create one small lot, while maintaining the existing heritage designated house and converting it into four strata units.

Motion: It was moved by Councillor Lucas, seconded by Councillor Coleman:

Rezoning Application No. 00582

That Council instruct staff to prepare the necessary Zoning Regulation bylaw amendments that would authorize the proposed development outlined in Rezoning Application No. 00582 for 224 Superior Street, that first and second reading of the Zoning Regulation bylaw amendments be considered by Council and a Public Hearing date be set, subject to receipt of an executed Statutory Right-of-Way (SRW) of 2.41m on Superior Street.

Development Permit Application No. 00582

That Council after giving notice and allowing for an Opportunity for Public Comment at a meeting of Council and after a Public Hearing for Rezoning Application No. 00582, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00582 for 224 Superior Street, in accordance with:

1. Plans date stamped November 9, 2017
2. Development meeting all Zoning Regulation Bylaw requirements
3. The Development Permit lapsing two years from the date of this resolution."

Heritage Alteration Permit Application with Variances No. 00007

That subject to the correction of minor plan inconsistencies and the applicant exploring alternate parking layouts with staff to reduce the impact on the streetscape to the satisfaction of the Director of Sustainable Planning and Community Development, that Council, after giving notice, and allowing an Opportunity for Public Comment at a meeting of Council, and after a Public Hearing for Rezoning Application No. 00582, if it is approved, consider the following motion:

"That Council authorize the issuance of Heritage Alteration Permit Application with Variances No. 00007 for the existing Heritage-Designated house at 224 Superior Street, in accordance with:

1. Plans, date stamped November 9, 2017
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:

- a. Reduce side yard setback from 3.65m to 1.20m
- b. Reduce rear yard setback from 4.0m to 1.36m
- c. Relaxation to allow parking in the front yard
- d. Increase the site coverage from 30.0% to 35.09%
3. Final plans as amended in accordance with this motion to be generally in accordance with the plans identified above to the satisfaction of the Director, Sustainable Planning and Community Development
4. Heritage Alteration Permit lapsing two years from the date of this resolution."

Motion: It was moved by Mayor Helps, seconded by Councillor Madoff, that the meeting be extended to 4:00 p.m.

CARRIED UNANIMOUSLY 17/COTW

Committee discussed:

- The architecture, siting of the R1S2 house, and the heritage significance of the building.

CARRIED 17/COTW

For: Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Thornton-Joe, and Young

Against: Councillor Madoff

6. STAFF REPORTS

6.1 Climate Action – Proposed Change Leadership Plan – Draft for Public Comment

Committee received a report dated December 8, 2017, from the Director of Engineering and Public Works regarding a draft Climate Leadership Plan (CLP) for review, and approval to release for public comment and engagement, before the final plan is brought to Council for approval in June 2018.

Councillor Thornton-Joe withdrew from the meeting at 2:38 p.m. and returned at 2:42 p.m.

Motion: It was moved by Councillor Isitt, seconded by Mayor Helps, that Council:

1. Approve this Climate Leadership Plan as a draft for public comment, and direct staff to engage with the community for feedback and input,
2. Approve the allocation of \$460,000 from the Climate Action Reserve Fund to commit funding for temporary staffing and priority actions, and
3. Direct staff to report back with the final Climate Leadership Plan on June 1, 2018, with a long term funding strategy and program update.

Councillor Loveday withdrew from the meeting at 3:09 p.m. and returned at 3:10 p.m.

Committee discussed:

- Climate action targets and plans for external transportation providers.
- Energy performance and heritage buildings.

For: Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Madoff, and Thornton-Joe
Against: Councillor Young

Councillor Lucas withdrew from the meeting at 3:33 p.m. due to a pecuniary conflict of interest with the following item, as she is the general manager of a retail store that supplies plastic bags to its customers.

6.2 Single-Use Checkout Bag Regulation – Draft Bylaw Feedback

Committee received a report dated December 7, 2017, from the Director of Engineering and Public Works regarding feedback on the proposed draft bylaw for single-use checkout bag regulation.

Councillor Coleman withdrew from the meeting at 3:45 p.m. and returned at 3:49 p.m.

Committee discussed:

- Implications of a potential increase in use of paper bags.

Motion: It was moved by Councillor Isitt, seconded by Councillor Alto, that Council direct staff to:

1. Implement the Checkout Bag Regulation Bylaw, effective July 1, 2018.
2. Deliver the proposed engagement and education program between January and December 2018, and
3. Include in the 2018 the financial plan an allocation of \$30,000 from 2017 surplus to complete the necessary engagement and education programs.

Committee discussed:

- Moving towards a zero-waste strategy.
- Concerns about the proposed cost of a reusable bag.

Motion: It was moved by Councillor Isitt, seconded by Councillor Alto, that the meeting be extended to 4:30p.m. and that item no. 29 - Letter from the Minister of Energy, Mines and Petroleum Resources and item no. 30 - Witness Reconciliation Program 2018 Budget be referred to the January 4, 2011 Committee of the Whole Meeting.

Amendment: It was moved by Councillor Alto, seconded by Councillor Isitt, that the meeting be extended to 4:30p.m. ~~and that item no. 29 - Letter from the Minister of Energy, Mines and Petroleum Resources and item no. 30 - Witness Reconciliation Program 2018 Budget be referred to the January 4, 2011 Committee of the Whole Meeting.~~

On the amendment:
CARRIED UNANIMOUSLY 17/COTW

Main motion as amended:

That the meeting be extended to 4:30 p.m.

On the main motion as amended:
CARRIED UNANIMOUSLY 17/COTW

On the motion regarding single-use checkout bags:
CARRIED 17/COTW

For: Mayor Helps, Councillors Alto Coleman, Isitt, Loveday, Lucas, Madoff, and Thornton-Joe
Against: Councillor Young

6.3 Create Victoria Arts and Culture Master Plan (2018-2022)

Committee received a report dated November 30, 2017, from the Acting City Manager regarding a final proposed Create Victoria Arts and Culture Master Plan and Implementation Framework and an extension to the term for the Create Victoria Advisory Group.

Motion: It was moved by Councillor Loveday, seconded by Councillor Alto, that Council:
Approve the proposed Arts and Culture Master Plan and Implementation Framework.
Extend the Create Victoria Advisory Group term from March 2018 to December 2018 to advise staff and Council on the first year of implementation.

CARRIED 17/COTW

For: Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Madoff, and Thornton-Joe
Against: Councillor Young

7. NEW BUSINESS

7.1 Letter from the Minister of Energy, Mines and Petroleum Resources

A letter dated October 4, 2017, from the Minister of Energy, Mines, and Petroleum Resources providing a response to the City's letter regarding measures to encourage building retrofits for energy efficiency.

Motion: It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council refer the following motion to the January 11, 2018 Committee of the Whole Meeting:
That Council receive this report for information and consideration on January 4, 2018.

CARRIED UNANIMOUSLY 17/COTW

7.2 Witness Reconciliation Program 2018 Budget

A Council member motion dated December 7, 2017, from Councillor Alto regarding a 2018 budget allocation for the Witness Reconciliation Program.

Motion: It was moved by Councillor Alto, seconded by Mayor Helps, that the following Motion be forwarded to and considered at the January 4, 2018, Committee of the Whole:

Whereas Reconciliation with First Peoples remains a priority for the City of Victoria,

Whereas the City of Victoria is actively engaged in a Witness Reconciliation Program in partnership with the Songhees and Esquimalt Nations,

Whereas the Witness Reconciliation Program will proceed through 2018 and beyond, and its work will require financial commitment and support,

Be it thus resolved that any funds unspent from the 2017 budget allocation to the Witness Reconciliation Program be rolled over into 2018, and

Be it further resolved that the 2018 city budget include an additional \$50,000 allocation for the Witness Reconciliation Program, funded from the 2017 surplus.

CARRIED UNANIMOUSLY 17/COTW

8. ADJOURNMENT

Motion: It was moved by Councillor Alto, seconded by Councillor Coleman, that the Committee of the Whole meeting of December 14, 2017, be adjourned at 4:20 p.m.

CARRIED UNANIMOUSLY 17/COTW

CERTIFIED CORRECT:

CITY CLERK

MAYOR