

**MINUTES OF THE
PLANNING & LAND USE COMMITTEE MEETING
HELD THURSDAY, OCTOBER 15, 2015, 8:30 A.M.**

1. CALL TO ORDER 8:30 A.M.

Action: It was moved by Councillor Lucas, seconded by Councillor Loveday, that the Governance & Priorities Committee convene a Closed meeting that excludes the public under Section 12(6) of the *Council Bylaw* for the reason that the following agenda item deals with matters specified in Sections 12(3) and/or (4) of the Council Bylaw, namely:

- Section 12(3)(e) The acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure might reasonably be expected to harm the interests of the City.
- Section 12(4)(i) Information that is prohibited, or information that if it were presented in a document would be prohibited from disclosure under Section 21 of the Freedom of Information and Protection of Privacy Act.

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

Absent: Councillor Alto

Staff Present: J. Johnson - City Manager; J. Tinney – Director, Sustainable Planning & Community Development; B. Dellebuur – Acting Assistant Director, Transportation & Parking Services; A. Meyer – Assistant Director, Development Services; J. Handy – Planner; M. Wilson – Planner; J. Schmidt – Manager, Legislative Services; C. Mycroft – Executive Assistant to the City Manager; J. Appleby – Recording Secretary.

Guests: Blair Erb, Coriolis Consulting;
Peter Johnson, Stewart McDannold Stuart

2. APPROVAL OF AGENDA

Action: It was moved by Councillor Loveday, seconded by Councillor Coleman, that the Agenda of the October 15, 2015, Closed Planning and Land Use Committee meeting be approved.

CARRIED UNANIMOUSLY 15/PLUC217

3. Land / Legal

Committee received a report regarding a Land / Legal matter.

The discussion and motion was recorded and kept confidential.

4. ADJOURNMENT

Action: It was moved by Councillor Isitt, seconded by Councillor Coleman, that the Closed Planning and Land Use Committee meeting of October 15, 2015, be adjourned at 8:57 a.m.

CARRIED UNANIMOUSLY 15/PLUC218

5. OPEN MEETING AT 9:00 A.M.

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

Absent for a Portion Of the Meeting: Councillor Alto

Staff Present: J. Johnson – City Manager; J. Jenkyns – Deputy City Manager; J. Tinney – Director, Sustainable Planning & Community Development; A. Meyer – Assistant Director, Development Services; T. Soulliere – Director, Facilities, Parks & Recreation; J. Handy – Planner; M. Miller – Heritage Planner; C. Wain – Planner; M. Wilson – Planner; J. Schmidt – Manager, Legislative Services; J. Appleby - Recording Secretary.

6. APPROVAL OF AGENDA

Action: It was moved by Councillor Loveday, seconded by Councillor Coleman, that the Agenda of the October 15, 2015, Planning and Land Use Committee meeting be approved.

The Chair canvassed Committee, which approved bringing forward the following items for approval:

- Item # 2 Minutes from the meeting held October 1, 2015
- Item # 14 Temporary Use Permit Application No. 00481 for 474 & 478 Burnside Road and 3111 & 3117 Delta Avenue

Amendment: It was moved by Councillor Coleman, seconded by Councillor Alto, that the agenda of the October 15, 2015 meeting be approved as amended.

On the amendment:
CARRIED UNANIMOUSLY 15/PLUC219

On the main motion as amended:
CARRIED UNANIMOUSLY 15/PLUC220

7. CONSENT AGENDA

7.1 Minutes from the meeting held October 1, 2015.

Action: It was moved by Councillor Coleman, seconded by Councillor Alto, that the Minutes from the October 15, 2015, Planning and Land Use Committee meeting be approved.

CARRIED UNANIMOUSLY 15/PLUC221

7.2 Temporary Use Permit Application No. 00481 for 474 and 478 Burnside Road and 3111 and 3117 Delta Avenue

Committee received a report regarding an application for 474 and 478 Burnside Road and 3111 and 3117 Delta Avenue. The proposal is to store new vehicles on four vacant lots.

Action: It was moved by Councillor Coleman, seconded by Councillor Alto, that Committee recommends that after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

"That Council authorize the issuance of Temporary Use Permit Application No. 00481 for 474 and 478 Burnside Road and 3111 and 3117 Delta Avenue in accordance with:

1. Plans date stamped August 21, 2015 with revisions to the landscape screening to the satisfaction of staff.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - a. Schedule C, Section 7.2 (d) - permit gravel instead of asphalt, concrete or permeable surface.
3. Delivery of vehicles to and from the site meeting Motor Vehicle Act Regulations and City bylaw requirements.
4. The Temporary Use Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY 15/PLUC222

8. DECISION REQUEST

8.1 2015 Development Summit Action Plan and Final Report

Committee received a report regarding the results of the second annual Development Summit that was held on June 23, 2015.

Committee discussed:

- Concern that by creating a fast track system for some customers, it may appear that the process is not fair to all.
- The need to have a standardized Community Association Land Use Committee (CALUC) process and best practices.

Action: It was moved by Councillor Lucas, seconded by Councillor Young, that Committee recommends that Council:

1. Approve the 2015 Development Summit Action Plan outlined in the report dated September 25, 2015.
2. Direct staff to provide an update to Council on the status of the action items outlined in the Action Plan in February 2016 and as part of the ongoing Quarterly Updates.

Committee discussed:

- Concern that by delegating authority, public oversight would be lost.
- The need for CALUCs to have a standardization of their procedures and be open and inclusive with widespread representation.
- Delegating authority to staff is not the same as allowing the public the opportunity to provide comment through Council. There must be a formal process that allows the public to be engaged and to provide input.
- The Community Land Use committees would like to see a defined process.
- How the City could provide support to the CALUCs.

Councillor Alto joined the meeting at 9:07 a.m.

CARRIED UNANIMOUSLY 15/PLUC223

9. COMBINED APPLICATIONS

9.1 Rezoning Application No. 00488 for 59 Cook Street

Committee received a report regarding an application for 59 Cook Street. The proposal is to rezone the property in order to permit a two-lot subdivision and allow the construction of one new small lot house.

Action: It was moved by Councillor Isitt, seconded by Councillor Alto, that Committee recommends that Council instruct staff to prepare the necessary:

1. *Zoning Regulation Bylaw Amendment* that would authorize the proposed development outlined in Rezoning Application No. 00488 for 59 Cook Street, that first and second reading of the *Zoning Regulation Bylaw Amendment* be considered by Council and a Public Hearing date be set.

2. *Heritage Designation Bylaw* that would designate the property as a Municipal Heritage Property, that first and second reading of the *Heritage Designation Bylaw* be considered by Council and a Public Hearing date be set.

Committee discussed:

- Concerns regarding the density that is being created in stable neighbourhoods.

CARRIED UNANIMOUSLY 15/PLUC224

9.2 Development Permit Application No. 00488 for 59 Cook Street

Committee received a report regarding an application for 59 Cook Street. The proposal is to create two lots, retaining the existing five-unit house conversion on the R1-B lot and construction of one new small lot house.

Action: It was moved by Councillor Isitt, seconded by Councillor Alto, that Committee recommends that after the Public Hearing for Rezoning Application No. 00488, that Council consider the following motion:

“That Council authorize the issuance of Development Permit Application No. 00488 for 59 Cook Street, in accordance with:

1. Plans date stamped September 15, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY 15/PLUC225

9.3 Development Variance Permit No. 00156 for 59 Cook Street

Committee received a report regarding an application for 59 Cook Street. The proposal is to create two lots, retaining the existing five-unit house conversion on the R1-B lot and construction of one new small lot house.

Action: It was moved by Councillor Isitt, seconded by Councillor Alto, that Committee recommends that after giving notice, allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00488, that Council consider the following motion:

“That Council authorize the issuance of Development Variance Permit Application No. 00156 for 59 Cook Street, in accordance with:

1. Plans date stamped September 15, 2015.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances for the existing parcel remainder:
 - a. Part 1.2.5 (b): Reduce the rear yard setback from 7.55m to 4.6m;
 - b. Schedule "C" (9): Reduce the parking aisle width from 7m to 3.6m;
 - c. Schedule "G" (5)(a): Reduce the rear yard landscaping minimum from 33% to 24.5%;
 - d. Schedule "G" (5)(c): Reduce the rear lot line landscaping for unenclosed parking from 1.5m wide and 1.8m high to 0m for both.

3. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY 15/PLUC226

9.4 Rezoning Application No. 00484 for 1510 Clawthorpe Avenue

Committee received a report regarding an application for 1510 Clawthorpe Avenue. The proposal is to rezone the property to a new zone to allow the conversion of an accessory building into a garden suite.

Action: It was moved by Councillor Alto, seconded by Councillor Loveday, that Committee recommends that Council instruct staff to prepare the necessary *Zoning Regulation Bylaw* Amendment that would authorize the proposed development outlined in Rezoning Application No. 00484 for 1510 Clawthorpe Avenue, that first and second reading of the *Zoning Regulation Bylaw* Amendment be considered by Council and a Public Hearing date be set.

CARRIED UNANIMOUSLY 15/PLUC227

9.5 Development Permit Application No. 00484 for 1510 Clawthorpe Avenue

Committee received a report regarding an application for 1510 Clawthorpe Avenue to allow the conversion of an accessory building into a garden suite.

Action: It was moved by Councillor Alto, seconded by Councillor Loveday, that Committee recommends that after the Public Hearing for Rezoning Application No. 00484, that Council consider the following motion:

“That Council authorize the issuance of Development Permit Application No. 00484 for 1510 Clawthorpe Avenue, in accordance with:

1. Plans date stamped September 8, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY 15/PLUC228

9.6 Rezoning Application No. 00482 for 2542 Fernwood Road

Committee received a report regarding a rezoning application for 2542 Fernwood Road. The proposal is to rezone the property to allow an additional dwelling unit be added to an existing duplex.

Councillor Isitt withdrew from the meeting at 9:57 a.m.

Action: It was moved by Councillor Alto, seconded by Councillor Madoff, that Committee recommends that Council instruct staff to prepare the necessary *Zoning Regulation Bylaw* Amendment that would authorize the proposed development outlined in Rezoning Application No. 00482 for 2542 Fernwood Road, that first and second reading of the *Zoning Regulation Bylaw*

Amendment be considered by Council and a Public Hearing date be set.
CARRIED UNANIMOUSLY 15/PLUC229

9.7 Development Permit Application No. 00428 for 2542 Fernwood Road

Committee received a report regarding an application for 2542 Fernwood Road. The proposal is to add an additional dwelling unit to an existing duplex.

Action: It was moved by Councillor Alto, seconded by Councillor Madoff, that Committee recommends that after the Public Hearing for Rezoning Application No. 00482, that Council consider the following motion:

“That Council authorize the issuance of Development Permit Application No. 00428 for 2542 Fernwood Road, in accordance with:

1. Plans date stamped October 1, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. Plan revisions to remove the portion of the upper storey deck on the existing duplex overhanging the proposed garage and resubmit revised elevation drawings to the satisfaction of staff.
4. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY 15/PLUC230

10. Shake Out Overview

Rebecca Chow (Manager – Health and Safety) provided an overview of the Great British Columbia Shake Out drill.

Mayor Helps withdrew from the meeting at 10:03 a.m. and Councillor Coleman assumed the Chair.

Mayor Helps returned to the meeting at 10:04 a.m.

Councillor Isitt returned to the meeting at 10:04 a.m.

Councillor Coleman withdrew from the meeting at 10:05 a.m. and returned at 10:06 a.m.

11. DEVELOPMENT APPLICATION REPORTS

11.1 Rezoning Application No. 00473 for the Easterly 300 Block of Tyee Road and the Westerly 300 Block of Harbour Road (Undeveloped Lands at Dockside Green)

Committee received a report regarding a rezoning application for the Easterly 300 Block of Tyee Road and the Westerly 300 Block of Harbour Road (Undeveloped Lands at Dockside Green). The proposal is to rezone the lands to allow additional uses to be included in the zoning.

Shake Out 10:15 a.m. to 10:30 a.m.

Committee discussed:

- The revised amenity package.
- The cycling route as a continuation of the Galloping Goose Trail.

- The Transportation Demand Management study and concerns regarding on-site parking.
- The substitution of a \$400,000 contribution to the new amenity package instead of building the Sustainability Centre.

Councillor Loveday withdrew at 11:13 a.m. and returned at 11:17 a.m.

- The Mutt Strut dog park and concern if the City will be required to maintain the park once it is created.
- Replacing the requirement of LEED NC Platinum with LEED Neighbourhood Platinum Standard.

Action: It was moved by Councillor Loveday, seconded by Councillor Isitt, that Mr. Shearing be permitted to address Committee directly.

CARRIED UNANIMOUSLY 15/PLUC231

Mr. Shearing was asked to explain the difference between LEED NC Platinum and the proposed LEED ND certification.

Mr. Shearing: Under LEED ND certification there are approximately 100 points and 30 of those points relate directly to the performance of a building, including energy efficiency, water use and any number of other items that are important not only to the individual building but to the development overall. There may not be a certification for those buildings but they are built to a higher standard than what is required under the current code. Any commercial or office space will still be built to LEED Gold NC standard. There is a desire to keep the spirit of the LEED standard but in a way that is more holistic at a neighbourhood level.

Action: It was moved by Councillor Madoff, seconded by Councillor Alto, that Committee recommends that Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 882 of the *Local Government Act*, the necessary Zoning Regulation Bylaw Amendment, the necessary Land Use Procedures Bylaw Amendment and amendment to the Master Development Agreement that would authorize the proposed development outlined in Rezoning Application No. 00473 for the easterly 300 block of Tyee Road and the westerly 300 block of Harbour Road (Dockside Green), 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. That Council determine, pursuant to Section 879(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 property; determine 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.
2. That Council determine, pursuant to Section 879(2)(a) of the *Local Government Act*, that having regard to the previous Community Association

- Land Use Committee (CALUC) Community Meeting, the consultation proposed at this stage is an adequate opportunity for consultation.
3. That Council consider consultation under Section 879(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.
 4. That Council give first reading to the Official Community Plan Amendment Bylaw.
 5. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the *City of Victoria 2012-2016 Financial Plan* and the *Capital Regional District Liquid Waste Management Plan* and *Capital Regional District Solid Waste Management Plan* pursuant to section 882(3)(a) of the *Local Government Act* and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
 6. That Council give second reading to the Official Community Plan Amendment Bylaw.
 7. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.
 8. That Council give first and second readings to the Land Use Procedures Bylaw Amendment.
 9. That Council refer the Land Use Procedures Bylaw Amendment for consideration at a Public Hearing.
 10. That the applicant provide the following information to support their proposed amendments to the Master Development Agreement (MDA):
 - a. LEED ND Platinum performance targets for each phase of development and a reporting out structure to ensure that performance targets are being met potentially including some form of guarantee. The reporting structure must establish key topics and indicators to be discussed and a set timeline for submitting these update reports to Council;
 - b. An alternative amenity to the Sustainability Centre that demonstrates similar environmental, community and educational value and that if the Developer is unable to find a satisfactory alternate solution, that the applicable cash-in-lieu payment be secured in order to provide other amenities that benefit the Dockside Lands and that are agreeable to Council and the Developer;
 - c. A satisfactory Phasing Plan, identifying which public amenities, on-site services, off-site services, vehicular driveways and access points would be provided with each phase of development;
 - d. A Subdivision Concept Plan, consistent with a Phasing Plan.
 11. That Council direct staff to prepare an amended MDA detailing new requirements for:
 - a. The sale of individual development parcels;
 - b. New LEED ND requirements;
 - c. LEED NC 2009 Gold standards for new commercial buildings;
 - d. Delivering the remaining amenities in conjunction with development phases;
 - e. Providing a revised amenity package;
 - f. An amenity or contribution in lieu of the Sustainability Centre;
 - g. A process for receiving a monetary security to ensure the construction of

- the public amenities;
 - h. A Transportation Demand Management Strategy;
 - i. Site remediation;
 - j. Other amendments as deemed necessary by City staff.
12. That staff report back to Planning and Land Use Committee with a draft of the MDA amendments prior to a Public Hearing date being set.
 13. That Council direct staff to review the proposed dedication of the amenity referred to as the “Mutt Strutt” in conjunction with the review of facilities located in Vic West Park and the potential resource impacts associated with the proposal and report back to Council with further information for consideration.
 14. A Statutory Right-of-Way being registered on title, to the satisfaction of staff, to secure each of the following:
 - a. A bus bay on Esquimalt Road;
 - b. A bus bay on Tyee Road;
 - c. Widening Esquimalt Road to improve westbound cycling safety.
 15. Referral of the proposed revisions to the *Design Guidelines for the Dockside Area* to the Advisory Design Panel for a comprehensive review.
 16. Referral of the proposed *Design Guidelines for Dockside Beta* to the Advisory Design Panel for a comprehensive review.
 17. That Council authorize staff to proceed with a City-initiated Rezoning Application for all lands located within the CD-9 Zone, Dockside District, that are not subject to Rezoning Application No. 00473 and that the applicant (Dockside Green Ltd.) be responsible for undertaking the necessary consultation with the Community Association Land Use Committee (CALUC).

Committee discussed:

- The implications of a City-initiated rezoning for lands that are already developed:
 - With the existing zoning there are certain allocations for retail and office use that go across the entire site. If part of the site is rezoned, a situation is created whereby the existing parcels could claim some of the retail and convert the residential uses to retail uses. When there is a change to the existing zone by introducing new regulations for the undeveloped areas, there is a need to identify those areas on a map to show what regulations apply to which areas. Staff need to make sure that the zone is administratively viable for staff and no confusion exists for developers or residents.

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

That Committee recommends that Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 882 of the *Local Government Act*, the necessary Zoning Regulation Bylaw Amendment, the necessary Land Use Procedures Bylaw Amendment and amendment to the Master Development Agreement that would authorize the proposed development outlined in Rezoning Application No. 00473 for the easterly 300 block of Tyee Road and the westerly 300 block of Harbour Road (Dockside Green), 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. That Council determine, pursuant to Section 879(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 property; determine 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.
2. That Council determine, pursuant to Section 879(2)(a) of the *Local Government Act*, that having regard to the previous Community Association Land Use Committee (CALUC) Community Meeting, the consultation proposed at this stage is an adequate opportunity for consultation.
3. That Council consider consultation under Section 879(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.
4. That Council give first reading to the Official Community Plan Amendment Bylaw.
5. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the *City of Victoria 2012-2016 Financial Plan* and the *Capital Regional District Liquid Waste Management Plan* and *Capital Regional District Solid Waste Management Plan* pursuant to section 882(3)(a) of the *Local Government Act* and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
6. That Council give second reading to the Official Community Plan Amendment Bylaw.
7. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.
8. That Council give first and second readings to the Land Use Procedures Bylaw Amendment.
9. That Council refer the Land Use Procedures Bylaw Amendment for consideration at a Public Hearing.
10. That the applicant provide the following information to support their proposed amendments to the Master Development Agreement (MDA):
 - a. LEED ND Platinum performance targets for each phase of development and a reporting out structure to ensure that performance targets are being met potentially including some form of guarantee. The reporting structure must establish key topics and indicators to be discussed and a set timeline for submitting these update reports to Council;
 - b. An alternative amenity to the Sustainability Centre that demonstrates similar environmental, community and educational value and that if the Developer is unable to find a satisfactory alternate solution, that the applicable cash-in-lieu payment be secured in order to provide other amenities that benefit the Dockside Lands and that are agreeable to Council and the Developer;
 - c. A satisfactory Phasing Plan, identifying which public amenities, on-site services, off-site services, vehicular driveways and access points would

- be provided with each phase of development;
- d. A Subdivision Concept Plan, consistent with a Phasing Plan.
11. That Council direct staff to prepare an amended MDA detailing new requirements for:
- a. The sale of individual development parcels;
 - b. New LEED ND requirements;
 - c. LEED NC 2009 Gold standards for new commercial buildings;
 - d. Delivering the remaining amenities in conjunction with development phases;
 - e. Providing a revised amenity package;
 - f. An amenity or contribution in lieu of the Sustainability Centre;
 - g. A process for receiving a monetary security to ensure the construction of the public amenities;
 - h. A Transportation Demand Management Strategy;
 - i. Site remediation;
 - j. Other amendments as deemed necessary by City staff.
12. That staff report back to Planning and Land Use Committee with a draft of the MDA amendments prior to a Public Hearing date being set.
13. That Council direct staff to review the proposed dedication of the amenity referred to as the "Mutt Strutt" in conjunction with the review of facilities located in Vic West Park and the potential resource impacts associated with the proposal and report back to Council with further information for consideration.
14. A Statutory Right-of-Way being registered on title, to the satisfaction of staff, to secure each of the following:
- a. A bus bay on Esquimalt Road;
 - b. A bus bay on Tyee Road;
 - c. Widening Esquimalt Road to improve westbound cycling safety.
15. Referral of the proposed revisions to the *Design Guidelines for the Dockside Area* to the Advisory Design Panel for a comprehensive review.
16. Referral of the proposed *Design Guidelines for Dockside Beta* to the Advisory Design Panel for a comprehensive review.
17. That Council authorize staff to proceed with a City-initiated Rezoning Application for all lands located within the CD-9 Zone, Dockside District, that are not subject to Rezoning Application No. 00473 and that the applicant (Dockside Green Ltd.) be responsible for undertaking the necessary consultation with the Community Association Land Use Committee (CALUC) **and that staff explore whether an alternate approach allowing the two applications to proceed independently would be viable and if so, that staff be directed to proceed accordingly.**

On the amendment:
CARRIED UNANIMOUSLY 15/PLUC232

On the main motion as amended:
CARRIED UNANIMOUSLY 15/PLUC234

11.2 Development Permit with Variances No. 000386 for 353 Tyee Road

Committee received a report regarding an application for 353 Tyee Road. The proposal is to permit an existing on-site office trailer.

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

"That Council authorize the issuance of Development Permit with Variances Application No. 000386 for 353 Tyee Road, in accordance with:

1. Plans date stamped September 16, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Part 1.29(6)(a): reduce the setback from Tyee Road from 3m to 0.50m;
 - b. Part 1.29, 8.4(d): increase the allowable building frontage for office use facing Tyee Road from 50% to 100%.
3. Register a legal agreement on title to limit the commercial use of the buildings and guarantee the future removal of the trailers within five years to the satisfaction of staff.
4. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY 15/PLUC235

11.3 Development Permit Application No. 000436 for 543, 545 and 549 Herald Street

Committee received a report regarding an application for 543, 545 and 549 Herald Street. The proposal is to make improvements that would bring the existing additions and stairs into conformance with the BC Building Code.

Action: It was moved by Councillor Madoff, seconded by Councillor Isitt, that Committee recommends that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000436 for 543, 545 and 549 Herald Street, in accordance with:

5. Plans date stamped September 23, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY 15/PLUC236

11.4 Heritage Alteration Permit Application No. 00207 for 138 Dallas Road

Committee received a report regarding an application for 138 Dallas Road. The proposal is to authorize the construction of a rear addition to the property.

Action: It was moved by Councillor Lucas, seconded by Councillor Coleman, that Committee recommends that Council consider the following motion:

“That Council authorize the issuance of the Heritage Alteration Permit Application No. 00207 for 138 Dallas Road in accordance with:

1. Revised Plans dated September 1, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. The Heritage Alteration Permit lapsing two years from the date of this resolution.
4. Final plans to be generally in accordance with plans identified above as amended to the satisfaction of the Director of Sustainable Planning and Community Development.”

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

Against: Councillor Madoff

CARRIED UNANIMOUSLY 15/PLUC237

11.5 Liquor Licence Report – Yuk Yuk’s Club – 665 Douglas Street

Committee received a report regarding an application for a Liquor Primary Licence for Licenced to Laugh Productions Inc. (Yuk Yuk’s Victoria) located at 665 Douglas Street.

Action: It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that Committee recommends that Council, after conducting a review of the staff assessment of the application for a Liquor Primary Licence for **Yuk Yuk's Victoria**, located at 665 Douglas Street, and in accordance with the City's *Liquor Licensing Fee Bylaw* and Liquor Licensing Policy, approves:

1. The scheduling of a Liquor Licence Hearing before Council to receive written and oral submissions from residents, property owners and the public with respect to this application; with the notification to include the amendments to the application
2. Based upon the results of the public input received through the Liquor Licence hearing process, approve a resolution (with comments on the relevant factors) either supporting the licence application or not supporting the licence application. The appropriate resolution will be brought to Council at the earliest opportunity after completion of the Liquor Licence hearing.

Committee discussed:

- Determining the notification area and who will be the most affected.
- Concerns from the neighbours regarding possible noise from patrons entering and exiting the building.

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

That Committee recommends that Council, after conducting a review of the staff assessment of the application for a Liquor Primary Licence for **Yuk's Victoria**, located at 665 Douglas Street, and in accordance with the City's *Liquor Licensing Fee Bylaw* and Liquor Licensing Policy, approves:

1. The scheduling of a Liquor Licence Hearing before Council to receive written and oral submissions from residents, property owners and the public with respect to this application; **with the notification to include the applicants' amendment to the requested hours of liquor service.**
2. Based upon the results of the public input received through the Liquor Licence hearing process, approve a resolution (with comments on the relevant factors) either supporting the licence application or not supporting the licence application. The appropriate resolution will be brought to Council at the earliest opportunity after completion of the Liquor Licence hearing.

On the amendment:

CARRIED UNANIMOUSLY 15/PLUC238

On the main motion as amended:

CARRIED UNANIMOUSLY 15/PLUC239

11.6 Royal Jubilee Hospital Master Campus Plan

Committee received a report regarding the Royal Jubilee Hospital Master Plan. The Master Plan identifies future development and addresses issues such as use, density, parking and site planning.

Action: It was moved by Councillor Madoff, seconded by Councillor Coleman, that Committee recommends that after allowing an opportunity for public comment in an open Council meeting, with notice being posted on site, advertised in the newspaper, sent to all adjoining neighbours and sent to all of the partners in the Royal Jubilee Hospital Good Neighbour Agreement, that Council consider the following motion:

1. That Council approves Island Health's *Royal Jubilee Hospital Master Campus Plan* as the principle guiding document for the planning and development of the Royal Jubilee Hospital site; and
2. That Council direct staff to work with Island Health to investigate a process for allowing the City to review future development proposals against the Design Guidelines outlined in Master Plan and that this work take place concurrently with the submission of a Rezoning Application by Island Health for the Royal Jubilee Hospital site.

Committee discussed:

- Neighbours' concerns regarding noise, parking on residential streets, how and where to pick up and drop off patients and the overall lack of parking.
- The importance of the hospital remaining a significant part of the City as an employer and a public amenity of great value to the community. The Jubilee is competing for services with other facilities and Council should not constrain development.

CARRIED UNANIMOUSLY 15/PLUC240

Action: It was moved by Mayor Helps, seconded by Councillor Thornton-Joe, that Committee recommends that Council refer any accessibility concerns regarding future development of the Royal Jubilee Campus to the Accessibility Working Group.

CARRIED UNANIMOUSLY 15/PLUC241

12. ADJOURNMENT

Action: It was moved by Councillor Madoff, seconded by Councillor Alto, that the Planning and Land Use Committee meeting of October 15, 2015, be adjourned at 12:35 p.m.

CARRIED UNANIMOUSLY 15/PLUC242

Mayor Helps, Chair