

**MINUTES OF THE  
PLANNING & LAND USE COMMITTEE MEETING  
HELD THURSDAY, APRIL 30, 2015, 9:00 A.M.**

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

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

**Absent:** Councillor Alto

**Staff Present:** J. Johnson - City Manager; A. Hudson – Assistant Director, Community Planning Division; A. Meyer – Assistant Director, Development Services; L. Baryluk – Senior Process Planner; J. Handy – Senior Planner; S. Hutchison – Transportation Planner; M. Miller – Heritage Planner; L. Taylor – Planner; M. Wilson – Senior Planner; R. Woodland – Director, Legislative & Regulatory Services; T. Zworski – City Solicitor; J. Appleby - Recording Secretary.

**Guests:** N. Shearing, A. Dewji, D. Lee, K. Marler (Dockside Green)

**2. APPROVAL OF THE AGENDA**

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

Item # 1 Minutes from the meeting held on April 16, 2015

Item # 10 Development Permit Application No. 000418 for 254 Belleville Street

**Action:** It was moved by Mayor Helps, seconded by Councillor Coleman, that the Agenda of the April 30, 2015, Planning & Land Use Committee meeting be approved as amended.

CARRIED UNANIMOUSLY 15/PLUC109

**3. CONSENT AGENDA**

**3.1 Minutes from the meeting held April 16, 2015**

**Action:** It was moved by Mayor Helps, seconded by Councillor Coleman, that the Minutes from the Planning & Land Use Committee meeting held April 16, 2015, be adopted.

CARRIED UNANIMOUSLY 15/PLUC110

### 3.2 Development Permit Application No. 000418 for 254 Belleville Street

Committee received a report regarding a development permit application for 254 Belleville Street. The application proposes an addition to the existing Victoria Clipper Ferry Terminal and the siting of a food truck.

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

“That Council authorize the issuance of Development Permit Application No. 000418 for 254 Belleville Street, in accordance with:

1. Plans date stamped March 20, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. A Section 219 Covenant, in a form satisfactory to the City Solicitor, being registered on title requiring that the food truck be removed from the property after a period of not more than five years or upon completion and occupancy of a new terminal building, whichever occurs first, to the satisfaction of the Assistant Director, Development Services Division, Sustainable Planning and Community Development.
4. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY 15/PLUC111

## 4. DELEGATION

### 4.1 Dockside Green Annual Report

Committee received a report dated April 30, 2015, regarding Dockside Green's 2014 Annual Report. A part of the Master Development Agreement (MDA) for Dockside Green, the Developer, Dockside Green Ltd. is required to provide an annual report on the status of the development.

Committee discussed:

- The affordable housing component and the range of rents that will be charged.
- The LEED standard for the neighbourhood moving forward will be at a Platinum level and the commercial buildings will be LEED Gold.
- That the Neighbourhood Association will have a chance to view the proposals in June 2015.

**Action:** It was moved by Councillor Young, seconded by Councillor Isitt, that Committee recommends that Council receive the 2014 Dockside Green Developer's Annual Report for information.

CARRIED UNANIMOUSLY 15/PLUC112

## 5. COMBINED DEVELOPMENT APPLICATIONS

### 5.1 Rezoning Application No. 00471 for 324 Chester Avenue

Committee received a report regarding a rezoning application for 324 Chester Avenue. The proposal is to rezone the property to authorize a garden suite above an existing garage in the Fairfield-Gonzales neighbourhood.

**Action:** It was moved by Councillor Loveday, seconded by Councillor Isitt, that Committee recommends that Council:

1. Instruct staff to prepare the necessary *Zoning Regulation Bylaw Amendment* that would authorize the proposed development outlined in Rezoning Application No. 00471 for 324 Chester Avenue.
2. That first and second reading of the *Zoning Regulation Bylaw Amendment* be considered by Council and a Public Hearing date be set.

Committee discussed:

- Concern that the definition of a garden suite is being stretched by this application, as this is Council's first request to authorize one that is being constructed above a garage.
- The suite is a creative use of space and allows an increase in density.
- The importance of each garden suite proposal coming before Council and for the community and neighbours to have the opportunity for full consultation and input.

CARRIED UNANIMOUSLY 15/PLUC113

### 5.2 Development Permit with Variances Application No. 00471 for 324 Chester Avenue

Committee received a report regarding a development permit application for 324 Chester Avenue. The proposal is for a garden suite above an existing garage in the rear yard of the property. The application proposes variances to increase the height of the suite and the number of storeys.

**Action:** It was moved by Councillor Loveday, seconded by Councillor Isitt, 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 Development Permit with Variances Application No. 00471 for 324 Chester Avenue, in accordance with:

1. Plans date stamped March 27, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - a. Part 1.113.4(a): Increase the height of a garden suite from 5.5m to 5.6m;
  - b. Part 1.113.4(b): Increase the number of storeys of a garden suite from 1.5 storeys to 2 storeys.

3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director, Development Services Division, Sustainable Planning and Community Development.”

CARRIED UNANIMOUSLY 15/PLUC114

### **5.3 Rezoning Application No. 00467 for 2822 and 2826 Cedar Hill Road**

Committee received a report regarding a rezoning application for 2822 and 2826 Cedar Hill Road. The proposal is to rezone the property to authorize three small lots and construct one new small lot house.

**Action:** It was moved by Councillor Madoff, seconded by Councillor Coleman, that Committee recommends that Council:

1. Instruct staff to prepare the necessary *Zoning Regulation Bylaw Amendment* that would authorize the proposed development outlined in Rezoning Application No. 00467 for 2822 and 2826 Cedar Hill Road.
2. That first and second reading of the *Zoning Regulation Bylaw Amendment* be considered by Council.

Committee discussed:

- The overall context of small lots for this area is one where densification is appropriate. It is convenient for public transportation and an appropriate location for this type of development.

CARRIED UNANIMOUSLY 15/PLUC114

### **5.4 Development Permit with Variances Application No. 00467 for 2822 and 2826 Cedar Hill Road**

Committee received a report regarding a development permit application for 2822 and 2826 Cedar Hill Road. The proposal is for a small lot house and changing the exterior of an existing house. Variances are requested and relate to the front and side yard setbacks and the grade of the parking stall areas in Lots A and B.

**Action:** It was moved by Councillor Madoff, seconded by Councillor Coleman, 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 Development Permit with Variances Application No. 00467 for 2822 and 2826 Cedar Hill Road, in accordance with:

1. Plans date stamped March 31, 2015,
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - a. Part 1.23(8)(c): Reduce the side yard setback of proposed Lot A from 2.4m to 0.33m.
  - b. Part 1.23(8)(c): Reduce the side yard setback of proposed Lot A from 2.4m to 1.77m.

- c. Part 1.23(8)(a): Reduce the front yard setback of proposed Lot B from 6m to 3.36m.
  - d. Part 1.23(8)(c): Reduce the side yard setback of proposed Lot B from 2.4m to 1.5m.
  - e. Part 1.23(8)(c): Reduce the side yard setback of proposed Lot B from 2.4m to 1.79m.
  - f. Part 1.23(8)(a): Reduce the front yard setback of proposed Lot C from 6m to 4.62m.
  - g. Part 1.23(8)(c): Reduce the side yard setback of proposed Lot C from 2.4m to 1.5m.
  - h. Part 1.23(8)(c): Reduce the side yard setback of proposed Lot C from 2.4m to 1.66m.
  - i. Schedule "C" Section 12(ii): Increase the maximum grade of a parking stall area on proposed Lot A from 8% to 13.5%.
  - j. Schedule "C" Section 12(ii): Increase the maximum grade of a parking stall area on proposed Lot B from 8% to 14.6%.
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director, Development Services Division, Sustainable Planning and Community Development."

CARRIED UNANIMOUSLY 15/PLUC116

### 5.5 Rezoning Application No. 00461 for 816 Government Street

Committee received a report regarding a rezoning application for 816 Government Street. The proposal is to authorize an increase in the density in exchange for heritage conservation measures to be applied to the heritage registered building on the western portion of the property. The application also proposes new uses including brewery, distillery and liquor retail store.

*Councillor Isitt withdrew from the meeting at 10:15 a.m. and returned at 10:17 a.m.*

- Action:** It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that Committee recommends that Council:
1. Instruct staff to prepare the necessary *Zoning Regulation Bylaw Amendment* that would authorize the proposed development outlined in Rezoning Application No. 00461 for 816 Government Street.
  2. That first and second reading of the *Zoning Regulation Bylaw Amendment* be considered by Council.
  3. A Public Hearing date be set once the following conditions are met:
    - a. Preparation of a Heritage Revitalization Agreement to secure the proposed rehabilitation of the heritage registered building.
    - b. Preparation of a Housing Agreement to ensure that a future strata council may not enact bylaws that restrict the rental of units to non-owners.
    - c. Registration of a Statutory Right-of-Way on title to secure public access over the sidewalk at the corner of Courtney and Wharf Streets to the satisfaction of the Director of Engineering and Public Works and the City Solicitor.

CARRIED UNANIMOUSLY 15/PLUC117

## **5.6 Heritage Designation Application No. 000150 for 816 Government Street / 811-813 Wharf Street (Customs House)**

Committee received a report regarding an owner request to designate the heritage registered former Victoria Customs House as a Municipal Heritage Site.

**Action:** It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that Committee recommends that Council consider the following motions:

1. That Council consider referring the Heritage Designation Application No. 000150 for 816 Government Street/811-813 Wharf Street to the Heritage Advisory Panel and requesting specific feedback as to whether the extent of proposed change to the Heritage-Registered 1914 Customs House as depicted in the Revised Heritage Alteration Permit Application drawings, date stamped March 13, 2015, and the Heritage Building Proposed Interventions, date stamped April 7, 2015, would affect the property's eligibility for designation as a Municipal Heritage Site.
2. That Council consider the designation of the Heritage-Registered property located at 816 Government Street/811-813 Wharf Street pursuant to Section 967 of the *Local Government Act* as a Municipal Heritage Site. This report fulfils the requirements of Section 968(5) of the Act.

CARRIED UNANIMOUSLY 15/PLUC118

## **5.7 Heritage Alteration Permit Application No. 00192 with Variance for 816 Government Street**

Committee received a report regarding a heritage alteration permit for 816 Government Street. The proposal is to demolish the existing four-storey 1957 addition, alter the existing 1914 Customs House to allow for the construction of a multi-level underground parking structure, and adapt the 1914 Customs House for a mixed-use development that links into the construction of a seven-storey building on the same footprint as the existing 1957 addition. The application proposes variances to the height, setback and massing.

**Action:** It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas,

1. That Council consider referring Heritage Alteration Permit Application No. 00192 for 816 Government Street to the Heritage Advisory Panel and Advisory Design Panel for the meetings of May 12, 2015 and May 27, 2015, respectively, for feedback on the following:
  - a. The appropriateness of the proposed height of the new addition in relation to the Heritage-Registered Customs House and Old Town.
  - b. The appropriateness of the set back of the proposed rooftop addition.
  - c. The historic masonry Condition Assessment.
  - d. The proposed exterior alterations and additions to the 1914 Customs House, having special regard to the scope of work anticipated by

rehabilitation in the *Standards and Guidelines for the Conservation of Historic Places in Canada*”.

- e. The design of the seven-storey building addition in relation to the existing Heritage-Registered building and to its wider context, including Old Town and the Inner Harbour.
  - f. The contribution that the proposed building makes as an appropriately scaled building enclosure around the Inner Harbour.
  - g. The appropriateness of the proposed height and massing in relation to Public External View Guidelines: Views 1 and 2 and Urban Amphitheatre Concept as described in the *Downtown Core Area Plan*.
  - h. The appropriateness of the proposed finishing materials.
  - i. The size of the mechanical penthouse.
  - j. The proposed recessed building entrance to the office uses on Government Street.
  - k. The proposed design of the building entrance to the residential uses on Courtney Street.”
2. That Council consider instructing staff to work with the property owner to negotiate a Heritage Revitalization Agreement that protects the exterior façades of the 1914 Customs House and that the approved plans and specifications form part of the Heritage Revitalization Agreement to the satisfaction of the City Solicitor and the Assistant Director, Community Planning Division, prior to consideration at a Public Hearing.
  3. That Council consider giving first and second reading to the *Heritage Revitalization Agreement Bylaw (the “HRA Bylaw”)*.
  4. That Council consider referring the *HRA Bylaw* for consideration at a Public Hearing.
  5. Following consideration of the *Zoning Amendment Bylaw* and the *HRA Bylaw* pertaining to Rezoning Application No. 00461 for 816 Government Street that Council consider the following motion:

“That Council authorize the issuance of the Heritage Alteration Permit Application No. 00192 for 816 Government Street, subject to the completion of the following prior to the Public Hearing and in accordance with:

1. Plans titled “Revised Drawings”, date stamped March 13, 2015.
2. Additional set back of the upper two storeys to the satisfaction of the Assistant Director, Community Planning Division, Sustainable Planning and Community Development Department.
3. Heritage Building Proposed Interventions, date stamped April 7, 2015.
4. Reinstatement of all existing stone ball finials following a condition assessment.
5. Provision of a temporary protection plan to the satisfaction of the Assistant Director, Community Planning Division, Sustainable Planning and Community Development Department.
6. The provision of as-found elevation details and sections of all existing openings and surrounding stonework to be altered in accordance with guidance contained in *Recording, Documentation, and Information Management for the Conservation of Heritage Places*, to the satisfaction of the Assistant Director, Community Planning Division, Sustainable Planning and Community Development Department
7. Development meeting all *Zoning Regulation Bylaw* requirements, except for

a variance to the height permitted in the proposed new zone as recommended in Rezoning Application No. 00461 for 816 Government Street from 17.7m to 30.3m.

8. Final plans to be generally in accordance with plans identified above as amended to the satisfaction of the Assistant Director, Community Planning Division, Sustainable Planning and Community Development Department.”

Committee discussed:

- Concerns that the height of the new building appears to be higher compared to the existing building across the street.
  - The top floor of new building is lower but includes mechanical equipment on the roof which will make it higher. The applicant has been asked to reduce the scale of mechanical penthouse.
- If the number of storeys is appropriate in Old Town.
  - The average height in Old Town is typically 1-5 storeys and this building would be higher, however, by setting back the upper levels it will make it feel more like a 5 storey building.
- If there is a way to ensure the heritage work in exchange for the bonus density is completed in a timely manner.
  - The applicant has provided a report including a breakdown with all proposed work.
- The importance of maintaining the character-defining elements of Old Town such as the height of the buildings and the need to have upper stories inconspicuous to pedestrians.

CARRIED UNANIMOUSLY 15/PLUC119

## 6. DEVELOPMENT APPLICATION REPORTS

### 6.1 Development Permit with Variance Application No. 000390 for 1555 Jubilee Avenue

Committee received a report regarding a development permit application for 1555 Jubilee Avenue. The proposal is to create five residential units by filling-in existing under-building parking. The application proposes variances to reduce the minimum dwelling size, siting of parking stalls, parcel coverage and open site reduction to accommodate a bike storage building.

Committee discussed:

- The appropriateness of converting underground parking into suites.
- Concerns regarding the change in grade and if there is enough definition between the parking lot and the entryways to the suites. The walkway, intended to provide pedestrian presence does not provide a barrier to vehicles.
- The entryway to the suites is set below the surface level and may be problematic if only raised planters are used as barriers to stop traffic.

**Action:** It was moved by Councillor Madoff, seconded by Councillor Thornton-Joe, that Committee recommends that Council consider the following motion:



“That Council authorize the issuance of Development Permit Application No. 000390 for 1555 Jubilee Avenue, in accordance with:

1. Plans date stamped April 1, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - a. Reduce the minimum dwelling size from 33m<sup>2</sup> to 29.44m<sup>2</sup> for Unit 1, 20.26m<sup>2</sup> for Unit 2, 20.37m<sup>2</sup> for Unit 4 and 20.37m<sup>2</sup> for Unit 5.
  - b. Increase the maximum site coverage from 30% to 36.2%.
  - c. Decrease the minimum open space from 30% to 27.4%.
  - d. Decrease the off-street parking requirement from 34 to 16 parking stalls.
  - e. Decrease the distance required from a parking stall to a living unit from 6m to 0m.
  - f. Allow the accessory building to be located in the side yard.
  - g. Reduce the side yard setback requirement (north) for the accessory building from 0.6m to 0m.
  - h. Reduce the distance required between the accessory building and the main building from 2.4m to 1.2m, subject to the following:
    - i. Prior to the issuance of a building permit for any construction that the applicant provide a landscape plan with sufficient details regarding the stamped concrete path, lighting plan, landscape area in front of the proposed units, planters, plant material, trellises, garbage enclosure and bike rack, and these items be secured by a landscape bond.
    - ii. The final interior layout of the bike storage building be to satisfaction of the Director of Engineering and Public Works, and the construction of the bike storage facility be completed prior to the commencement of construction of the new units.”

Committee discussed:

- There are many concerns: the reduction of parking stalls, the limited on-street parking, the marginal addressing of the issue of the access to the suites, the fact that the walkway is where cars are backing out and the need for physical protection so that cars cannot drive into the stair wells. The sidewalk is part of driveway and will be driven on.

CARRIED 15/PLUC120

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

*Councillor Isitt excused himself from the meeting at 11:10 a.m. due to a pecuniary conflict of interest as his father lives a block away from the subject property.*

## 6.2 Heritage Alteration Permit Application No. 00197 for 151 Oswego Street

Committee received a verbal update regarding a heritage alteration permit for 151 Oswego Street. Meetings have been held between City staff and the applicant and progress is being made in relation to the replacement of doors and windows that will reflect the originals that were removed.

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

"That Council authorize the issuance of Heritage Alteration Permit Application No. 00197 for 151 Oswego Street in accordance with:

1. Plans date stamped February 11, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements."

"That Council instruct staff to amend the Heritage Revitalization Agreement for 151 Oswego Street subject to the owner providing a letter of consent and in accordance with:

1. Plans date stamped February 11, 2015.
2. Letters of engagement from the Registered Professionals, dated November 30, 2014, and January 5, 2015, respectively."

Committee discussed:

- In order to move forward the proposed motion is the best option other than prosecution. The original building cannot be put back.
- Concern that if the City does not uphold the HRA, what influence can be exerted in the future. A message should be sent that the City has the legislative authority and can consider a financial consequence to contraventions to the Agreement.

**Amendment:** It was moved by Councillor Madoff, seconded by Councillor Loveday, that Committee amend the motion as follows:

"That Council authorize the issuance of Heritage Alteration Permit Application No. 00197 for 151 Oswego Street in accordance with:

1. Plans date stamped February 11, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements."

"That Council instruct staff to amend the Heritage Revitalization Agreement for 151 Oswego Street subject to the owner providing a letter of consent and in accordance with:

1. Plans date stamped February 11, 2015.
2. Letters of engagement from the Registered Professionals, dated November 30, 2014, and January 5, 2015, respectively."

1. **That Council instruct staff to look into the legislative authority of the City, including the levying of fines, when the terms of a Heritage Revitalization Agreement are not complied with and to come forward**

**with a recommendation of what might be appropriate in this instance, taking into account of all the considerations.**

Committee discussed:

- If there is a need to create a consequence for the demolition of the addition. The Heritage Revitalization Agreement was clear that the addition was to remain and the applicant breached that agreement.

On the amendment:  
DEFEATED 15/PLUC121

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

On main motion:  
CARRIED 15/PLUC122

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

## **7. PROPERTY MAINTENANCE BYLAW HEARING 10:30 A.M.**

### **7.1 Illegal Use and Work Without Permit – 865 View Street**

Committee received a report dated March 25, 2015, in respect to work that has been done without a permit at 865 View Street, 12<sup>th</sup> Floor. An inspection completed by City electrical, plumbing and building inspectors confirmed building code violations. The property owners completed an electrical safety survey as ordered by the Electrical Inspector, but failed to obtain other permits necessary to bring the 12<sup>th</sup> floor into compliance.

*The Chair opened the hearing at 10:30 a.m.*

*The Chair explained the recommendation that was before Committee.*

Recommendation: The Manager, Bylaw & Licensing Services (Building Inspector) recommends that the Planning and Land Use Committee direct the Corporate Administrator file a notice in the Land Title Office in relation to the property located at 865 View Street, legally described as Lot A Plan 31096 Victoria of Lots 294/295/296/297 indicating that a resolution relating to this property has been made under the authority delegated pursuant to Section 57(3) of the *Community Charter* and the provisions of the *Property Maintenance Delegation Bylaw*, and advise that further information regarding this resolution may be inspected at the Legislative & Regulatory Services Department in Victoria City Hall.

*The Chair asked if the property owner was present.*

R. Woodland (Corporate Administrator): The property owner has been notified of today's proceedings by letter. It is not uncommon for the owner to choose not to attend.

*The Chair asked if Mr. Hayden was prepared to proceed with the hearing.*

Mr. Hayden (Manager Bylaw & Licensing Services): This is a long standing matter which was initiated by a complaint being filed in 2012. An inspection was made at that time and it was found that the 12<sup>th</sup> Floor recreation rooms had been made into a residential 4 bedroom suite. There has been some back and forth with the owner, but none of this has resulted in compliance. The matter was brought before this Committee in August 2014 and at that time written correspondence had been received from the owner requesting a time extension to have work done to the property. The officer recommended that Committee postpone consideration of the matter for 30 days for the owner to follow through. Since that time the officer has left the employment of the City and the matter has been assigned to another officer. The officer followed up on the file and notified the owner as a final reminder. There has been no indication that any remedy has been undertaken.

*The Chair asked if Committee had any questions for Mr. Hayden:*

Councillor Lucas: Could you clarify if placing a notice on title prevents the owner from continuing the illegal use?

Mr. Hayden (Manager Bylaw & Licensing): No, the City's building and fire officials did not determine any life or health safety issues that would require posting of a no-occupancy, so there has been no order to not occupy the space. They have not taken any action to remove the tenants.

Councillor Lucas: The report mentioned that there was an open sewer pipe?

Mr. Hayden (Manager Bylaw & Licensing): During the plumbing inspection it was not felt that there was sufficient cause to prevent occupancy for this reason.

Councillor Thornton-Joe: Usually this type of notice is placed on a home, what happens with this type of building?

Mr. Hayden (Manager Bylaw & Licensing): The building is all one title and should the owner wish to sell, there would be a notice on title alerting any potential purchaser that there is an outstanding issue with the building construction.

Councillor Thornton-Joe: Would someone renting know that there is an illegal use?

Mr. Hayden: No, they would not know.

Mayor Helps: Once a notice is placed on title, is there ongoing monitoring of the situation?

Mr. Hayden: Not unless complaints are received or something is brought to the City's attention. Should that happen, staff would do a re-inspection.

*The Chair asked if there are members of public who wished to speak.*

*The Chair asked for staff to provide a closing statement.*

Mr. Hayden: Despite ongoing communication between staff and the property owner and being granted more than adequate time within which to resolve this matter, the property owner has failed to take the action required to bring the property into compliance. As a result, it has been determined that the appropriate course of action at this time is to proceed with filing a notice on title. Doing so will hopefully provide the owner incentive to bring the property into compliance with City Bylaws. Given the lack of cooperation and action by the owner, this is the logical next step to ensure future purchasers are aware of the issues.

*The Chair closed the hearing at 11:38 a.m.*

**Action:** It was moved by Councillor Young, seconded by Councillor Madoff, that Committee recommends that the Corporate Administrator file a notice in the Land Title Office in relation to the property located at 865 View Street, legally described as Lot A Plan 31096 Victoria of Lots 294/295/296/297 indicating that a resolution relating to this property has been made under the authority delegated pursuant to Section 57(3) of the *Community Charter* and the provisions of the *Property Maintenance Delegation Bylaw*, and advise that further information regarding this resolution may be inspected at the Legislative & Regulatory Services Department in Victoria City Hall.

CARRIED UNANIMOUSLY 15/PLUC123

## **8. ADJOURNMENT**

**Action:** It was moved by Councillor Loveday, seconded by Councillor Coleman, that Committee adjourn the Planning & Land Use Committee meeting of April 30, 2015, at 11:39 a.m.

CARRIED UNANIMOUSLY 15/PLUC124

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Mayor Helps, Chair