

**MINUTES OF THE
PLANNING & LAND USE COMMITTEE MEETING
HELD THURSDAY, OCTOBER 16, 2014, 9:00 A.M.**

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

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

Staff Present: J. Johnson – City Manager; A. Meyer – Assistant Director, Development Services; A. Hudson – Assistant Director of Community Planning; R. Batallas – Senior Planner; R. Bateman – Planning Analyst; H. Cain – Senior Planner; M. Miller – Senior Heritage Planner; L. Taylor – Planner; B. Sikstrom – Senior Planner; C. Wain – Planner; M. Wilson – Senior Planner; R. Woodland – Director, Legislative & Regulatory Services; A. Ferguson – Recording Secretary.

2. APPROVAL OF THE AGENDA

Action: It was moved by Councillor Helps, seconded by Councillor Alto, that the Agenda of the October 16, 2014, Planning & Land Use Committee meeting be approved as amended.

CARRIED UNANIMOUSLY 14/PLUC0256

Councillor Isitt joined the meeting at 9:01 a.m.

3. CONSENT AGENDA

The Chair canvassed Committee to bring forward consent agenda items for approval. No items were brought forward for approval.

4. ADOPTION OF MINUTES

Action: It was moved by Councillor Isitt, seconded by Councillor Alto, that Committee approve the minutes from the Planning & Land Use Committee meeting held October 2, 2014.

CARRIED UNANIMOUSLY 14/PLUC0257

SHAKE OUT INTRODUCTION

Mr. R. Johns, Emergency Program Coordinator, provided the Committee with an introduction of what to expect during the earthquake drill taking place during today's meeting. Everyone is expected to drop cover and hold on, followed by an evacuation of the building.

Committee discussed:

- CRDs involvement in the exercise.
- Better clarification on emergency program roles for Council.

5. DECISION REQUEST

5.1 Official Community Plan Amendment Application, Rezoning Application No. 00435 and Development Permit Application No. 000354 for the property located at 1310 Gladstone Avenue

Committee received a report dated October 2, 2014 which provided information, analysis and recommendations regarding an Official Community Plan Amendment Application, a Rezoning Application and a Development Permit Application for the property located at 1310 Gladstone Avenue. The proposal is for a new three-storey building with commercial uses at street level, and commercial or residential use on the upper storey with a floor space ratio (FSR) of 1.49:1.

Councillor Isitt excused himself at 9:11 a.m. due to a pecuniary conflict.

Action:

It was moved by Councillor Helps, seconded by Councillor Alto, that Committee recommends:

1. That Council direct staff to prepare the necessary Official Community Plan Amendment Bylaw and that concurrent with the Rezoning Application advance to a Public Hearing:
 - a. That Council give first reading to the Official Community Plan Amendment Bylaw;
 - b. 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;
 - c. That Council consider consultation under Section 879(2) 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 amendments;
 - d. That Council give second reading to the Official Community Plan Amendment Bylaw;

- e. That Council refer the Official Community Plan Bylaw Amendment Bylaw for consideration at a Public Hearing.
2. That Council direct staff to prepare the *Zoning Regulation Bylaw* Amendment Bylaw that would authorize the proposed development outlined in Rezoning Application #00435 for 1310 Gladstone, subject to:
 - a. Registration on the relevant property title of the following:
 - i. Section 219 Covenant to the satisfaction of the City Solicitor and Director of Sustainable Planning and Community Development for an easement through the driveway of the property located at 2009 Fernwood Road;
 - ii. Housing Agreement to the satisfaction of the City Solicitor and Director of Sustainable Planning and Community Development to ensure that the self-contained dwelling units are rental in perpetuity;
 - iii. Statutory Right-of-Way of 1.524 m along Gladstone Avenue to the satisfaction of the City Solicitor and Director of Engineering and Public Works,
 - iv. Section 219 Covenant for sewage attenuation, as required, to the satisfaction of the City Solicitor and Director of Engineering and Public Works;
 - v. Car Share Agreement for each residential and commercial unit to the satisfaction of the City Solicitor, Director of Sustainable Planning and Community Development, and the Director of Engineering and Public Works.
 - b. Securing the requisite monetary deposit to the Victoria Car Share Co-op to be held in trust by the applicant's lawyer, to the satisfaction of the City Solicitor and Director of Engineering and Public Works.
3. Following consideration of the Official Community Plan Amendment Bylaw and Rezoning Application #00435, that Council approve a Development Permit for 1310 Gladstone Avenue, in accordance with:
 - a. Plans for Rezoning Application #00435 and Development Permit Application #000354, stamped August 11, 2014;
 - b. Development meeting all Zoning Regulation Bylaw requirements;
 - c. Final plans to be generally in accordance with plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

Committee discussed:

- The OCPs recognition of the possible expansion of this urban village.
- The neighbourhood plan does not favour commercial expansion.
- Fernwood Community Association's preference for residential use in this area and not mixed-use, which is not supported in the OCP.
- Although the lot is zoned single-family dwelling the proposal fits into its context of taller buildings and buildings of commercial use.
- Parking demand impacts on the street and whether the bike parking requirements help reduce parking demand.
- Accessibility of the building as it is three-storeys with no elevator.
- The priorities for the Local Area Plan update which has Fernwood Village as Priority #4.

For: Mayor Fortin, Councillors Alto, Coleman, Helps, Thornton-Joe
Against: Councillors Gudgeon, Madoff, Young

CARRIED 14/PLUC0258

Councillor Isitt returned to the meeting at 9:46 a.m.

5.2 Rezoning Application No. 00458 for 149 Montreal Street

Committee received a report dated October 2, 2014 which provided information, analysis and recommendations regarding a Rezoning Application for the property located at 149 Montreal Street. The existing property is currently used as a daycare accommodating up to 15 children. The application proposes to replace the existing building with a new two-storey daycare facility that will accommodate up to 32 children.

Action:

It was moved by Councillor Coleman, seconded by Councillor Helps, 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 #00458 for 149 Montreal Street, subject to:

1. The submission of revised plans that demonstrate that the proposed accessory buildings comply with the regulations outlined in Schedule F of the *Zoning Regulation Bylaw*, to the satisfaction of the Director of Sustainable Planning and Community Development.
2. A Section 219 Covenant to secure the proposed building design being registered on title, to the satisfaction of the Director of Sustainable Planning and Community Development and the City Solicitor.

Committee discussed:

- Shadowing of neighbouring areas as the building is tall. The steep roof peak was designed to reduce any shadowing.
- Parking requirements need to be clearer to enable public input.
- James Bay is becoming a family neighbourhood and this proposal is responding to the need for childcare.
- The suitability for the site since it is near parks and a school.
- The expanded use is supported in the OCP and local area.
- Proposal requires no variances.

CARRIED UNANIMOUSLY 14/PLUC0259

5.3 Rezoning Application No. 00421 and Development Permit Application for 1315 Richardson Street

Committee received a report dated September 25, 2014 which provided information, analysis and recommendations regarding a Rezoning Application with Development Permit for the property located at 1315 Richardson Street. The Rezoning Application is to rezone the property from the R1-B Zone (Single Family Dwelling District) to the R1-B-GS2 Zone (Single Family Dwelling with Garden Suite District) to permit the construction of a 51 m², one-and-a-half storey garden suite.

Action: It was moved by Councillor Madoff, seconded by Councillor Helps, 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 with Development Permit #00421 for 1315 Richardson Street and advance it to Public Hearing, subject to registration of a Statutory Right-of-Way of 0.856 m on Richardson Street to the satisfaction of the Director of Engineering and Public Works.

Committee discussed:

- The unique shape of the lot, which favours a garden suite proposal.

CARRIED UNANIMOUSLY 14/PLUC0260

5.4 Rezoning Application No. 00409 and Development Variance Permit Application No. 00130 for 1770, 1774 and 1780 Denman Street

Committee received a report dated October 2, 2014 which provided information, analysis and recommendations regarding a Rezoning Application and Development Variance Permit Application for the properties located at 1770, 1774 and 1780 Denman Street. The proposal is to rezone a portion of three lots from the R1-B Zone, Single Family Dwelling District, to the R-2 Zone, Two Family Dwelling District to permit a five-lot subdivision and the construction of two new two family dwellings.

Action: It was moved by Councillor Gudgeon, seconded by Councillor Madoff, that Committee recommends that Council decline Rezoning Application #00409 and Development Variance Permit Application #00130 for 1770, 1774 and 1780 Denman Street.

Committee discussed:

- Whether the houses on Denman Street are salvageable and whether the house on Albert Street is not.
- Whether applicants are invited to speak when a motion recommends that the proposal is to be declined.
- That there is too much diversity on the site for a single-family dwelling zone.

CARRIED UNANIMOUSLY 14/PLUC0261

SHAKE OUT BC – 10:16 A.M.

Earthquake Drill

The Shake Out drill recessed the meeting at 10:16 a.m.

The meeting reconvened at 10:29 a.m.

5.5 Official Community Plan Amendment, Development Permit with Variance Application No. 000356 and Heritage Alteration Permit Application No. 00180 for 251-259 Esquimalt Road

Committee received a report dated October 2, 2014 which provided information, analysis and recommendations regarding Official Community Plan (OCP) Amendment, Development Permit with Variance Application and Heritage Alteration Permit Application at 251-259 Esquimalt Road, also known as the Roundhouse Commercial Heritage Phase.

Action:

It was moved by Councillor Helps, seconded by Councillor Gudgeon, that Committee recommends that Council:

1. Direct City staff to prepare the necessary Official Community Plan Amendment Bylaw and that Council:
 - a. Consider giving first reading to the Official Community Plan Amendment Bylaw;
 - b. 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;
 - c. Consider consultation under section 879(2) 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 amendments;
 - d. Consider giving second reading to the Official Community *Plan* Amendment Bylaw;
 - e. Consider referring the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.
2. Following consideration of the Official Community Plan Amendment Bylaw that Development Permit with Variance Application #000356 for 251–259 Esquimalt Road proceed to a Hearing, subject to:
 - a. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - Section 12.12.8.4 - relaxation for the distance from a railway easement from 10.00 m to 1.00 m;
 - b. Referral of the Application to a Joint Advisory Design Panel and Heritage Advisory Panel with the Joint Panel giving special attention to the exterior rehabilitation of the Heritage-Designated structures;
 - c. The submission of revised plans that:
 - (i) Include the provision of a public footpath from Kimta Road, along the proposed Lime Bay Mews, to the edge of the proposed Turntable Plaza, to the satisfaction of the Director of Sustainable Planning and Community Development and the Director of Engineering and Public Works,
 - (ii) Provide details of the proposed glass canopy over the boxcars between the Roundhouse and Car Shop buildings, to the

- satisfaction of the Director of Sustainable Planning and Community Development,
- (iii) Provide details of the proposed railway crossings including details of any finishing materials, to the satisfaction of the Director of Sustainable Planning and Community Development;
 - d. An amendment to the *Roundhouse Master Development Agreement* to reflect the location of the proposed rail crossings and requiring that the Developer provide the City with a copy of the Rail Crossing Agreement and any other necessary documentation between the Developer, Island Corridor Foundation, the rail operator and any other necessary Government bodies for the proposed rail crossings prior to the submission of any Building Permit relating to the Commercial Heritage Phase, to the satisfaction of the City Solicitor and the Director of Sustainable Planning and Community Development;
 - e. A Section 219 Covenant to link the proposed temporary surface parking areas to the use of the Commercial Heritage Phase and to ensure the final design of Lime Bay Mews is consistent with the *Roundhouse Design Guidelines* being registered on title, to the satisfaction of the City Solicitor and the Director of Sustainable Planning and Community Development;
 - f. A Statutory Right-of-Way for the Roundhouse Mews being registered on title, to the satisfaction of the City Solicitor and the Director of Sustainable Planning and Community Development;
 - g. Final plans to be in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.
3. That concurrent with Development Permit with Variance Application #000356, Council consider authorizing the issuance of Heritage Alteration Permit Application #00180 in accordance with the revised Heritage Conservation Plan dated July 2014 and plans date-stamped September 15, 2014, for Heritage Alteration Permit Application #00180, subject to:
- a. Referral of the Application to a Joint Advisory Design Panel and Heritage Advisory Panel with the Joint Panel giving special attention to the exterior rehabilitation of the Heritage-Designated structures;
 - b. A Heritage Revitalization Agreement being registered on title to secure the exterior conservation of the Heritage-Designated buildings and structures, to the satisfaction of the City Solicitor and the Director of Sustainable Planning and Community Development;
 - c. The submission of revised plans and Heritage Conservation Plan to ensure consistency between documents and providing details of, but not limited to, the rehabilitation of the Roundhouse large double doors, existing and proposed parapets, seismic restraining for the historic chimneys, details of any proposed signage, new interior construction to be located within 2 m of an opening and condition assessments for all historic fabric that is proposed to be replaced, to the satisfaction of the Director of Sustainable Planning and Community Development.

Committee discussed:

- Looking forward to input from the Heritage Advisory Panel and the public.
- Information needs to be provided to the public regarding how much retail space is being added to the city.
- The contextual fit of the proposal.
- Potential impacts of future rail operations, and would revisions to the development be made to aid in future revitalization of the rail corridor?
- How the covenant requires the property to be maintained as a rail transportation corridor.
- Concerns that the applicant may be operating under the notion that in future the EN Railway would be removed in this location.
- Concerns about the proposed private pedestrian crossing in the parking lot. Have all the procedures been followed to ensure safety since the crossing intersects at a railway?
- The importance of the Railway Corridor.

Action:

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

1. Direct City staff to prepare the necessary Official Community Plan Amendment Bylaw and that Council:
 - a. Consider giving first reading to the Official Community Plan Amendment Bylaw;
 - b. 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;
 - c. Consider consultation under section 879(2) 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 amendments;
 - d. Consider giving second reading to the Official Community Plan Amendment Bylaw;
 - e. Consider referring the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.
2. Following consideration of the Official Community Plan Amendment Bylaw that Development Permit with Variance Application #000356 for 251–259 Esquimalt Road proceed to a Hearing, subject to:
 - a. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - Section 12.12.8.4 - relaxation for the distance from a railway easement from 10.00 m to 1.00 m;
 - b. Referral of the Application to a Joint Advisory Design Panel and Heritage Advisory Panel with the Joint Panel giving special attention to the exterior rehabilitation of the Heritage-Designated structures, **the roundhouse doors, and the addition of the atrium and**

adjacent connected building.

- c. The submission of revised plans that:
 - (i) Include the provision of a public footpath from Kimta Road, along the proposed Lime Bay Mews, to the edge of the proposed Turntable Plaza, to the satisfaction of the Director of Sustainable Planning and Community Development and the Director of Engineering and Public Works,
 - (ii) Provide details of the proposed glass canopy over the boxcars between the Roundhouse and Car Shop buildings, to the satisfaction of the Director of Sustainable Planning and Community Development,
 - (iii) Provide details of the proposed railway crossings including details of any finishing materials, to the satisfaction of the Director of Sustainable Planning and Community Development;
 - d. An amendment to the Roundhouse Master Development Agreement to reflect the location of the proposed rail crossings and requiring that the Developer provide the City with a copy of the Rail Crossing Agreement and any other necessary documentation between the Developer, Island Corridor Foundation, the rail operator and any other necessary Government bodies for the proposed rail crossings prior to the submission of any Building Permit relating to the Commercial Heritage Phase, to the satisfaction of the City Solicitor and the Director of Sustainable Planning and Community Development;
 - e. A Section 219 Covenant to link the proposed temporary surface parking areas to the use of the Commercial Heritage Phase and to ensure the final design of Lime Bay Mews is consistent with the Roundhouse Design Guidelines being registered on title, to the satisfaction of the City Solicitor and the Director of Sustainable Planning and Community Development;
 - f. A Statutory Right-of-Way for the Roundhouse Mews being registered on title, to the satisfaction of the City Solicitor and the Director of Sustainable Planning and Community Development;
 - g. Final plans to be in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.
3. That concurrent with Development Permit with Variance Application #000356, Council consider authorizing the issuance of Heritage Alteration Permit Application #00180 in accordance with the revised Heritage Conservation Plan dated July 2014 and plans date-stamped September 15, 2014, for Heritage Alteration Permit Application #00180, subject to:
- a. Referral of the Application to a Joint Advisory Design Panel and Heritage Advisory Panel with the Joint Panel giving special attention to the exterior rehabilitation of the Heritage-Designated structures;
 - b. A Heritage Revitalization Agreement being registered on title to secure the exterior conservation of the Heritage-Designated buildings and structures, to the satisfaction of the City Solicitor and the Director of Sustainable Planning and Community Development;
 - c. The submission of revised plans and Heritage Conservation Plan to ensure consistency between documents and providing details of,

but not limited to, the rehabilitation of the Roundhouse large double doors, existing and proposed parapets, seismic restraining for the historic chimneys, details of any proposed signage, new interior construction to be located within 2 m of an opening and condition assessments for all historic fabric that is proposed to be replaced, to the satisfaction of the Director of Sustainable Planning and Community Development.

On the amendment
CARRIED14/PLUC0263

For: Mayor Fortin, Councillors Alto, Coleman, Gudgeon, Helps, Madoff, Thornton-Joe, Young

Against: Councillor Isitt

Discussion on the main motion:

- Safety concerns with an active railroad.
- Information related to the railway transportation issues should be provided in a detailed manner.
- A response from the Island Corridor Foundation would be welcomed.
- Drawings need to show where the railway lies in relation to the proposal.

On the main motion as amended
CARRIED 14/PLUC0264

For: Mayor Fortin, Councillors Alto, Coleman, Gudgeon, Helps, Madoff, Thornton-Joe, Young

Against: Councillor Isitt

5.6 Development Permit Application No. 000378 for 403, 405 and 411 Kingston Street

Committee received a report dated October 2, 2014 which provided information, analysis and recommendations regarding a Development Permit Application for the properties located at 403, 405 and 411 Kingston Street to allow six townhouse units.

Action: It was moved by Mayor Fortin, seconded by Councillor Helps, that Committee recommends that Council:

1. Consider authorizing the issuance of Development Permit #000378 for 403, 405 and 411 Kingston Street, in accordance with:
 - a. Development meeting all *Zoning Regulation Bylaw* requirements;
 - b. Final plans to be generally in accordance with the plans identified above, to the satisfaction of the Director of Sustainable Planning and Community Development.
2. Authorize staff to discharge the Design Covenant associated with these properties.

Committee discussed:

- Appreciation of applicant's initiative to consult with the community.

- Letters from residents in support of the proposal.

CARRIED UNANIMOUSLY 14/PLUC0265

5.7 Development Permit with Variances Application No. 000375 for 755 Caledonia Avenue

Committee received a report dated September 25, 2014 which provided information, analysis and recommendations regarding a Development Permit Application with Variances for the property located at 755 Caledonia Street. The applicant proposes a mixed-use development called the “Hudson Walk” which will include residential and commercial uses within a 16-storey building. The proposal represents the first phase of a two-phase development. The applicant proposes to subdivide the existing parcel.

Action:

It was moved by Councillor Helps, seconded by Councillor Thornton-Joe, that Committee recommends that Council authorize that Development Permit with Variances #000375 for 755 Caledonia Avenue proceed to a Hearing, in accordance with plans date stamped August 18, 2014, subject to:

1. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Section 6.8.1(e) – Variance to permit residential use on the first storey;
 - b. Section 6.8.3(c) – Variance to increase building height from 43 m to 46 m.
2. The registration of a legal agreement to secure public pedestrian and vehicle access over the proposed through-block carriageway to the satisfaction of the City Solicitor and the Director of Sustainable Planning and Community Development.
3. That Council authorize City of Victoria staff to execute an Encroachment Agreement for a fee of \$750 plus \$25 per m² of exposed shored face during construction, in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
4. Final plans to be in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

Councillor Coleman excused himself from the meeting at 11:14 a.m.

Committee discussed:

- Addressing changes requested by staff and the Downtown Residents Association.
- Proposal reflects the Downtown Core Area Plan in terms of residential proposals.
- Traffic volumes in the area create concern for the residential units at-grade.
- Concerns on the height of the building.
- Some members would like the City to adopt the idea that “small is beautiful.” Medium to low height buildings can be more desirable.
- The height restrictions of old town are not being protected.
- Consideration of public art and dog friendly amenities.

- Constraints of the site, due to grade changes.

CARRIED UNANIMOUSLY 14/PLUC0266

5.8 Development Permit with Variance Application No. 000349 for 840 Fort Street

Committee received a report dated October 2, 2014 which provided information, analysis and recommendations regarding an application for a Development Permit with Variances for the property located at 840 Fort Street. The applicant proposes the construction of a six-storey residential addition to the rear of an existing two-storey commercial building. The majority of the existing building would be converted to residential space. However, a 47.5 m² retail unit would be provided at grade fronting Fort Street. The remainder of the Fort Street frontage would be occupied by a large residential lobby area.

Action:

It was moved by Councillor Helps, seconded by Councillor Alto, that Committee recommends that Council authorize that Development Permit with Variances Application #000349 for 840 Fort Street proceed to a Hearing, in accordance with plans date stamped August 6, 2014, subject to:

1. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Section 6.55.1(k) - Variance to permit residential use on the first floor;
 - b. Section 6.55.2(1) - Building access from street frontage relaxed from 25% to 55%;
 - c. Section 6.55.2(2) - Building frontage reduced from 75% to 45%;
 - d. Section 6.77.2 - Rear yard setback reduced from 2.5 m for building below 7.0 m in height to 0.0 m and reduced from 7.2 m for buildings above 7.0 m in height to 0.0 m.
2. The preparation of an amendment to Housing Agreement Bylaw #10-005 in order to restrict the tenure of the proposed residential units to rental housing in perpetuity, to the satisfaction of the City Solicitor and Director of Sustainable Planning and Community Development.
3. That Council authorize the Corporate Administrator and City Solicitor to discharge the existing S.219 Covenant relating to the provision of Car Share Memberships.
4. Referral to the Advisory Design Panel with Council recommended design revisions including:
 - a. Revisions to the design of the retail unit to provide greater frontage on Fort Street;
 - b. The provision of a common outdoor amenity space for use by residents;
 - c. The provision of higher quality materials within the new addition to improve the relationship of the proposed addition to the existing building;
 - d. Revisions to the windows on the north elevation in order to allow natural light to penetrate into the residential units but to obscure views outward from the units.

- And that the Panel be asked to focus on:
- e. The quality of the proposed exterior finishes and their appropriateness given the immediate context;
 - f. The proposed design and finish of the building addition in response to the existing Sawyer Building;
 - g. The liveability of the proposed residential units at grade.
5. Final plans to be in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

Committee discussed:

- The addition of more rental housing stock Downtown.
- Site constraints.
- Concerns on the liveability of the units.
- Lack of consideration for privacy, noise, and natural light in the units.
- Comments made by Staff and the Downtown Residents Association.
- Preference to have retail at-grade to comply with zoning.
- Downtown Residents Association had preferred the previous design.
- Whether Committee's concerns can be addressed through the recommendations in the motion.

For: Mayor Fortin, Councillors Alto, Coleman, Gudgeon, Helps, Thornton-Joe

Against: Councillors Isitt, Madoff, Young

CARRIED 14/PLUC267

5.9 Development Permit with Variances Application No. 000383 for 3110 Douglas Street

Committee received a report dated September 25, 2014 which provided information, analysis and recommendations regarding a Development Permit with Variances Application to vary the parking requirements for the property located at 3110 Douglas Street.

Action: It was moved by Councillor Thornton-Joe, seconded by Councillor Gudgeon, that Committee recommends:

1. That Council consider scheduling a Hearing to consider the Development Permit Application with Variances for 3110 Douglas Street.
2. Following the Hearing, that Council consider passing the following resolution to authorize the issuance of Development Permit Application #000383 for 3110 Douglas Street, in accordance with:
 - a. Plans date stamped August 8, 2014;
 - b. Development meeting all *Zoning Regulation Bylaw* requirements with the following variance:
 - Schedule C: C12 parking varied from 1 space per 5 seats to 1 space per 10 seats;
 - c. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

5.10 Development Permit with Variances Application No. 000380 for 723 Field Street

Committee received a report dated September 25, 2014 which provided information, analysis and recommendations regarding a Development Permit Application for the property located at 723 Field Street. As part of the upgrading and renovation of an existing apartment building, variances are requested for unit size, site coverage, open site space, front yard setback and to not require parking spaces for two additional suites.

Action:

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that Committee recommends:

1. That Council schedules a Hearing to consider the Development Permit Application with Variances for 723 Field Street.
2. Following the Hearing, that Council consider passing the following resolution to authorize the issuance of Development Permit Application #000380 for 723 Field Street in accordance with, and subject to:
 - a. Plans date stamped July 22, 2014;
 - b. Development meeting all *Zoning Regulation Bylaw* requirements with the following variances:
 - Section 3.3.2 – Unit size for one unit relaxed from 33 m² to 28.9 m² (for one new unit)
 - Section 3.3.4 – Site coverage relaxed from 30% to 68.7% (an increase of 1.89% from existing non-conforming site coverage)
 - Section 3.3.6 – Open site space relaxed from 30% to 23.1% (a decrease of 1.89% from existing non-conforming open site space)
 - 3.3.10 – Front setback relaxed from 9.0 m to nil for new platform and stairs
 - Schedule “C”, Section A.11 (b) – Parking relaxed from three (3) additional parking spaces to nil for two suites;
 - c. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

CARRIED UNANIMOUSLY 14/PLUC0269

Action:

It was moved by Councillor Helps, seconded by Councillor Alto, that Committee recess from 11:43 a.m. until 12:15 p.m.

CARRIED UNANIMOUSLY 14/PLUC0270

Committee reconvened at 12:17 p.m.

5.11 Harbour Vitality Principles

Committee received a report dated October 7, 2014 which provided a summary of the public feedback received on the draft Harbour Vitality

Principles and recommended amendments based on the public feedback for Council's approval.

Action: It was moved by Councillor Gudgeon, seconded by Councillor Alto, that Committee recommends that Council approve the Draft Harbour Vitality Principles including the proposed text amendments in Attachment 1 as attached to the report dated October 7, 2014.

Committee discussed:

- A mobility hierarchy is not clearly defined in the document.

Action: It was moved by Councillor Gudgeon, seconded by Councillor Alto, that the motion be amended:

1. That Council approve the Draft Harbour Vitality Principles including the proposed text amendments in Attachment 1, attached to the report dated October 7, 2014; **and**
2. **That staff are instructed to include a transportation/mobility hierarchy in the Guiding Principles of the Draft Harbour Vitality Principles.**

On the amendment:
CARRIED UNANIMOUSLY 14/PLUC0271

Committee discussed:

- What criteria was used to incorporate the feedback into the amendment?
- Caution when incorporating feedback as concerns that financial gain could have motivated some of the feedback.
- Incorporation of "float plane and ferry passengers" seems biased toward existing facilities.
- Regulatory issues of the Harbour Airport.

Amendment: It was moved by Councillor Isitt, seconded by Councillor Gudgeon, that the motion be amended:

1. That Council approve the Draft Harbour Vitality Principles including the proposed text amendments in Attachment 1, attached to the report dated October 7, 2014;
2. That staff are instructed to include a transportation/mobility hierarchy in the Guiding Principles of the Draft Harbour Vitality Principles; **and**
3. **That Sections 4.1 and 4.4 retain the current wording rather than the proposed wording.**

Committee discussed the amended motion:

- Consideration for those who are mobility challenged.
- Some members believe exceptions do need to be made for transportation hubs which require special access.
- Vehicular access minimizes the economic potential for the lands redevelopment.
- Passenger pick-up and drop off areas for the float plane terminal.
- Development of the upland will provide vehicle access on Wharf Street to the float plane terminal.
- Surface parking and vehicle circulation.

Councillor Thornton-Joe excused herself from the meeting at 12:42 p.m.

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

1. That Council approve the Draft Harbour Vitality Principles including the proposed text amendments in Attachment 1, attached to the report dated October 7, 2014;
2. That staff are instructed to include a transportation/mobility hierarchy in the Guiding Principles of the Draft Harbour Vitality Principles;
3. ~~That Section 4.1 and 4.4 retain the current wording rather than the proposed wording~~ **retain the current wording, as follows:**
"The role of Victoria as an *International* gateway to Canada, particularly Vancouver Island, should be recognized and celebrated at key gateway points by promoting high quality urban design achieving a strong sense of entry and welcome."
4. That Section 4.4 retain the current wording rather than the proposed wording: "such as Belleville Terminal" ~~float planes and ferry terminals.~~

Councillor Alto requested that the motion be divided.

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

3. "The role of Victoria as an *International* gateway to Canada, particularly Vancouver Island, should be recognized and celebrated at key gateway points by promoting high quality urban design achieving a strong sense of entry and welcome."

On the amended amendment:
CARRIED 14/PLUC0272

For: Councillors Alto, Gudgeon, Isitt and Madoff
Against: Mayor Fortin, Councillors Helps and Young

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

4. That Section 4.4 retain the original wording rather than the proposed wording: "such as Belleville Terminal" ~~float planes and ferry terminals.~~

On the amended amendment:
DEFEATED 14/PLUC0273

For: Councillors Gudgeon, Isitt, Madoff
Against: Mayor Fortin, Councillors Alto, Helps, Young

Councillor Thornton-Joe returned to the meeting at 12:45 p.m.

Discussion on section 5.5 - **Promote Economic Vitality:**

- James Bay residents don't want to be cut off from the harbour with buildings on the harbour's edge.

- Appropriate to have a marine transport terminal; however, there is plenty of other land for commercial activity.

Amendment: It was moved by Councillor Isitt, seconded by Councillor Gudgeon, that Committee amend the motion as follows:

4. That Council strike out the proposed wording in section 5 and keep the current wording that does not include 5.5.

Discussion on the motion:

- Do not want to limit opportunity for development.
- Principles need to leave doors open.
- Economic vitality is the opportunity for people to make a living.
- Economic vitality that enlivens the harbour front is desirable.
- Concerns that section 5.5 was inspired from a comment regarding the inclusion of a hotel. Members of the community have presented strong opposition to a hotel development in this area.
- Economic vitality is important however a hotel is not a supportable development at the Belleville Terminal site.

Councillor Coleman joined the meeting at 12:50 p.m.

For: Councillors Gudgeon, Isitt, Madoff
Against: Mayor Fortin, Councillors Alto, Coleman, Helps, Thornton-Joe, Young

DEFEATED 14/PLUC274

Committee discussed:

- Closing the meeting to the public to discuss a matter under Section 12 (3) (b) of the Council Bylaw.
- Some members feel that they are not able to endorse the Harbour Vitality Principles until the closed meeting discussion occurs.
- The conceptual illustrations should be removed from the principles but remain a part of the vision.

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

4. That Council remove the conceptual illustrations from the body of the document but leave them a part of the process.

Discussion on the motion:

- Drawings reflect the engagement with the community.
- Drawings provide guidance for the final decisions.
- Some graphics should be included with a footer that could advise readers that they are conceptual.
- An appendix could be added with conceptual drawings after the principles to separate them.

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

4. That Council remove the conceptual illustrations from the body of the document ~~but leave them a part of the process~~ **and attach them as an appendix noting that they are conceptual illustrations only.**

Discussion on the amended motion:

- Documents without pictures are not as desirable to read.
- Pictures are there to help guide the creative process.

On the amended amendment:

CARRIED 14/PLUC275

For: Mayor Fortin, Councillors Alto, Gudgeon, Helps, Madoff, Thornton-Joe, Young

Against: Councillors Coleman, Isitt

On the amendment:

CARRIED 14/PLUC276

For: Mayor Fortin, Councillors Alto, Gudgeon, Helps, Madoff, Thornton-Joe, Young

Against: Councillors Coleman, Isitt

Action: It was moved by Mayor Fortin, seconded by Councillor Alto, that Committee recess for a Special Council meeting.

CARRIED UNANIMOUSLY 14/PLUC277

Committee recessed at 1:05 p.m.

Committee reconvened at 1:15 p.m.

Committee continued its discussion on the Harbour Vitality Principles, as follows:

- Comments by the Urban Development Institute are not reflected in the document and express many of the same concerns as some of the members.
- Wharf Street lacks in commercial energy.
- The active transportation triangle and giving priority to pedestrians over vehicles.
- Concerns on blocking the views on Wharf Street with buildings above street level.
- Concerns on implementation of these principles.
- Section six on page 10 does not reflect the flexibility to move the float plane terminal that is built into the long term lease.

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

5. That Council advise staff to change the language of section 6 to reflect that the float plane terminal is on the water and may be relocated, subject to the terms of the lease.

On the amendment:

CARRIED UNANIMOUSLY 14/PLUC280

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

6. That Council advise staff to retain the current wording of 6.1 on page 10.

Committee discussed the motion:

- Prefer the staff wording in section 6.1 because it better reflects the opportunities for this area. Whereas the proposed wording alludes to the idea that the area is a parking lot.
- Separation of the two bullets; keep the first bullet.

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

6. That Council advise staff to retain the current wording of 6.1 on page 10, as follows:
 - “Where possible, site parking should be **reduced and/or** reconfigured to support festival and event activity, including the potential to create a permanent festival site that permits parking during non-event times.

On the amended amendment:
CARRIED UNANIMOUSLY 14/PLUC282

Amendment: It was moved by Councillor Helps, seconded by Councillor Gudgeon, that the amendment be amended as follows:

6. That Council advise staff to retain the original wording of 6.1, on page 10, as follows:
 - “Where possible, site parking should be reduced and/or reconfigured to support festival and event activity, including the potential to create a permanent festival site that permits parking during non-event times.
 - Parking areas should be designed and landscaped to be safe, attractive, and environmentally responsible **to enhance a people centred experience of the harbour.**

Committee discussed the amendment as follows:

- Concerns that the motion could be perceived to get rid of all the parking.
- Recognizing that there is need for some parking.
- Programming the site.
- Events at ship point have been successful.
- Enhancement of the vibrant space.
- Great city; great public place.

On the amended amendment:
CARRIED UNANIMOUSLY 14/PLUC283

On the amendment:
CARRIED UNANIMOUSLY 14/PLUC284

6. CLOSED MEETING AT 1:35 P.M.

Action: It was moved by Councillor Isitt, seconded by Councillor Thornton-Joe, that Planning and Land Use Committee convene a Closed meeting that excludes the public under Section 12(6) of the *Council Bylaw* for the reason that the

following agenda items deal with matters specified in the *Council Bylaw*, namely:

12 (3) (b) Personal information about an identifiable individual who is being considered for a municipal award or honor, or who has offered to provide a gift to the municipality on condition of anonymity.

CARRIED UNANIMOUSLY 14/PLUC285

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

Staff Present: J. Johnson – City Manager; A. Meyer – Acting Director of Sustainable Planning & Community Development; R. Batallas – Senior Planner; R. Woodland – Director of Legislative & Regulatory Services; A. Ferguson - Recording Secretary.

6.1 Proposed Municipal Honour

Committee discussed a matter relating to a proposed municipal honour.

7. ADJOURNMENT OF CLOSED MEETING

Action: It was moved by Councillor Mayor Fortin, seconded by Councillor Alto, that Committee adjourn the in camera meeting at 2:06 p.m.

CARRIED UNANIMOUSLY 14/PLUC286

5.11 Harbour Vitality Principles

Committee continued its discussion on Harbour Vitality Principles.

Action: It was moved by Councillor Mayor Fortin, seconded by Councillor Coleman, that Committee recommends to Council that the Harbour Vitality Principles be adopted as amended.

On the main motion as amended:

CARRIED 14/PLUC287

For: Mayor Fortin, Councillors Coleman, Gudgeon, Helps, Isitt, Madoff, Thornton-Joe,

Against: Councillor Young

8. ADJOURNMENT

Action: It was moved by Councillor Helps, seconded by Councillor Isitt, that Committee adjourn the Planning & Land Use Committee meeting of October 16, 2014, at 2:07 p.m.

CARRIED UNANIMOUSLY 14/PLUC289

Mayor Fortin, Chair