

**MINUTES OF THE
PLANNING & LAND USE COMMITTEE MEETING
HELD THURSDAY, JUNE 19, 2014, 9:00 A.M.**

1. THE CHAIR CALLED THE MEETING TO ORDER AT 9:01 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; D. Day – Director, Department of Sustainable Planning & Community Development; A. Meyer – Assistant Director, Development Services; A. Hudson – Assistant Director of Community Planning; K. Bouris – Senior Planner; H. Cain – Senior Planner; M. Cittone – Senior Planner; M. Wilson - Planner; R. Woodland – Director, Legislative & Regulatory Services; J. Appleby - Recording Secretary.

2. APPROVAL OF THE AGENDA

Action: It was moved by Councillor Helps, seconded by Councillor Coleman, that the Agenda of the June 19, 2014, Planning & Land Use Committee meeting be approved.

CARRIED UNANIMOUSLY 14/PLUC0132

3. ADOPTION OF MINUTES

3.1 Minutes of the Meeting held June 5, 2014.

Action: It was moved by Councillor Helps, seconded by Councillor Gudgeon, that the Minutes from the Planning & Land Use Committee meeting held June 5, 2014, be approved.

CARRIED UNANIMOUSLY 14/PLUC0133

4. DECISION REQUEST

Mayor Fortin withdrew from Council Chambers at 9:03 a.m. as he lives across the street from the subject property which creates a direct pecuniary interest.

Councillor Helps assumed the Chair.

4.1 Rezoning Application # 00417 and Development Permit with Variances for 1574 Bay Street

Committee received a report regarding a Rezoning Application and Development Permit with Variances for the property located at 1574 Bay Street. The application is to rezone the property from the R1-B Zone (Single Family Dwelling District) to the R1-S1 Zone to permit an existing one-storey house on a newly subdivided small lot fronting Bay Street, and to rezone the rear portion of the property to the R-1-S2 Zone (Restricted Small Lot Two Storey District) to permit one new two-storey small lot house fronting Victor Street, with three variances for front, rear and north side yard setbacks.

Councillor Alto joined the meeting at 9:06 a.m.

Committee discussed:

- If replacing the rock garden with a flat yard will include blasting.
 - Staff responded that in order to construct at this location blasting of the rock will be required.
- Whether blasting is necessary; are there are other alternatives? The topography is a feature of the neighbourhood.
- The variances being requested are inconsistent with the neighbours' houses.
- The application is supportable as this location is on a major arterial road and lends itself to densification; however, it should also respect the character of the neighbourhood and the diversity of architectural styles.
- Concerns that the Small Lot Petition may not accurately reflect the support of neighbours and the conflicting response from the CALUC.

Action:

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

1. a. That Council instruct the City Solicitor to prepare the necessary *Zoning Regulation Bylaw* amendments that would authorize the proposed development outlined in Rezoning Application # 00417 for 1574 Bay Street.
- b. That Council consider giving first and second reading to the bylaw amendments.
- c. That Council Schedule a Public Hearing after the bylaws have received first and second reading, subject to preparation, execution and registration of a Statutory Right-of-Way of 2.50m along Bay Street to the satisfaction of the Director of Engineering and Public Works and the City Solicitor.
2. a. That Council schedule a Hearing to consider a Development Permit with Variances application for 1574 Bay Street, concurrently with Rezoning Application # 00417.
- b. Following the Hearing and subject to the adoption of the bylaw amendments for 1574 Bay Street, that Council authorize the issuance of the Development Permit with Variances for 1574 Bay Street, in accordance with:
 - i. Plans for Rezoning Application # 00417, stamped May 21, 2014.
 - ii. Design refinements to the front elevation to reduce the visual prominence of the front garage and to increase green space, to the satisfaction of the Director of Sustainable Planning and Community Development.

- iii. Development meeting all Zoning Regulation Bylaw requirements, except for relaxation of front, rear and side yard setbacks:
 - Part 1.22 – R1-S1 Zone, Restricted Small Lot One Storey District
 - Minimum rear yard setback relaxed from 6.0m to 5.49m.
 - Part 1.23 – R1-S2 Zone, Restricted Small Lot Two Storey District
 - Minimum front yard setback relaxed from 6.0m to 4.00m
 - Minimum rear yard setback relaxed from 6.0m to 4.40m
 - Minimum side yard setback from a habitable room relaxed from 2.4m to 1.5m
- iv. Final plans to be in accordance with plans identified above.

DEFEATED 14/PLUC0134

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

Action: It was moved by Councillor Gudgeon, seconded by Councillor Alto, that Committee recommends that Council decline Rezoning Application # 00417 and Development Permit with Variances Application for 1574 Bay Street.

CARRIED 14/PLUC0135

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

Mayor Fortin returned to the meeting at 9:31 a.m.

4.2 Rezoning Application # 00434 and Development Permit with Variances for 703 Pine Street

Committee received a report regarding a Rezoning Application and Development Permit with Variances Application for the property located at 703 Pine Street. The proposal is to rezone the property from the R1-B Zone (Single Family Dwelling District) to the R1-S2 Zone (Restricted Small Lot Two Storey) in order to permit the retention of a single family dwelling on a subdivided lot and construction of a new small lot house with variances related to the front and rear yard setback requirements.

Committee discussed:

- The neighbours' fear that a secondary suite may be added in the future.
 - In response to these concerns the owner has removed an exterior access door and the basement has been reduced in size. A suite would also require a rezoning.
- The house seems large in contrast to the neighbouring houses and appears to overwhelm them. While the house will provide infill housing it should provide a better street presence.
- There is a worry that the small houses on each side will be dwarfed and eventually torn down and replaced by larger homes, which would change the character of the neighbourhood.

- Action:** It was moved by Councillor Helps, seconded by Councillor Alto, that Committee recommends that Council authorize:
1. a. That the City Solicitor be instructed to prepare the necessary Zoning Regulation Bylaw.
 - b. That Council consider giving first and second reading to the bylaw amendments.
 - c. That Council schedule a Public Hearing after the Zoning Regulation Bylaw amendments have received first and second reading.
 2. a. That Council schedule a hearing to consider a Development Permit with Variances application for 703 Pine Street, concurrently with Rezoning Application # 00434.
 - b. Following the hearing, and subject to adoption of the Zoning Regulation Bylaw amendments for 703 Pine Street, that Council authorize the issuance of the Development Permit with variances for 703 Pine Street in accordance with:
 - i. Plans for Rezoning Application # 00434, stamped May 14, 2014. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - Part 1.23, R1-S2 Zone, Restricted Small Lot (Two Storey)
District minimum front yard setback is relaxed from 6.0m to 4.0m.
 - ii. Final Plans to be in accordance with plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

CARRIED 14/PLUC0136

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

Against: Councillor Isitt

4.3 Development Permit Application # 00364 for 645 Dunedin Street

Committee received a report regarding a Development Permit Application for the property located at 645 Dunedin Street. The proposal is to construct a three-bay service garage with a storefront office area, a staff lounge above it on a mezzanine level and accessory office space/storage on a full second storey. Loading and garbage collection will be located along the east property boundary. Exterior materials include a combination of corrugated vertical metal siding and painted concrete block wall.

- Action:** It was moved by Councillor Thornton-Joe, seconded by Councillor Helps, that Committee recommends that Council authorize the issuance of Development Permit # 00364 for 645 Dunedin Street, in accordance with:
1. Plans date stamped May 21, 2014, for Development Permit # 00364.
 2. Development meeting all *Zoning Regulation Bylaw* requirements.
 3. The applicant providing landscape screening to the satisfaction of the Director of Sustainable Planning and Community Development.
 4. The applicant mitigating the effect of the west blank wall to the satisfaction of the Director of Sustainable Planning and Community Development.

5. Final plans to be in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

CARRIED UNANIMOUSLY 14/PLUC0137

4.4 Development Variance Permit Application for 1950 Foul Bay Road

Committee received a report regarding a Development Variance Application for 1950 Foul Bay Road. A change in ownership from a Safeway store to a Save-On-Foods store has resulted in an application to remove one existing fascia sign on the building and replace it with a new fascia sign. The proposed sign exceeds the City of Victoria *Sign Bylaw* regulations as the proposed fascia sign is subsequently large in display surface than would be permitted. The property owner is seeking a variance to Section 9.2(2) of the City of Victoria *Sign Bylaw* No. 92-30 which would restrict the size of the fascia sign to a maximum of 9m².

Committee discussed:

- Concerns regarding the size of the sign.
- Although the new sign is larger it is still within scale for the size of the building and is located a considerable distance from the public right-of-way.

Action:

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

1. That Council convene a Sign Development Variance Permit hearing for Application # 00135 located at 1950 Foul Bay Road.
2. Following the hearing, that Council consider the following resolution:
That Council authorize DVPSP # 00135 for 1950 Foul Bay Road to vary the size of the sign from 9m² to 16.52m².

CARRIED 14/PLUC0138

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

Against: Councillors Isitt and Young

4.5 Local Area Planning Program – Terms of Reference

Committee received a report regarding *Local Area Planning Program, Terms of Reference*, a guide for future local area planning. The proposed Terms of Reference draws directly from the local area planning-related policy direction in the *Official Community Plan (OCP)* and provides greater detail regarding the purpose, approach, products and process of local area planning, particularly those elements that are common across all plans. Establishing the Terms of Reference is identified as a short-term action in the *OCP Implementation Plan*.

The purpose of local area planning is to guide growth and change within a specific geographic area and contribute to a more liveable and sustainable future. Local area plans provide more direction to achieve City-Wide OCP objectives at a scale appropriate to the local area while responding to local issues. Local area planning will be strategically focused in locations of existing and potential change. The scope of each plan will be tailored to the geographic scale of local planning issues.

Action:

It was moved by Councillor Isitt, seconded by Councillor Alto, that Committee recommends that Council approve the *Local Area Planning Program Terms of Reference*, contained in Appendix A, to guide future local area planning in the City consistent with the *Official Community Plan* and based on the following:

1. Focusing on local area planning in areas of existing or anticipated growth and change, following the general priorities established in the *Official Community Plan*.
2. Assessing and regularly reviewing local area planning priorities as part of the OCP's Adaptive Management Framework.
3. Determining the specific type, scale and boundaries of each local area plan based on the geographic scope of planning issues being addressed.
4. Addressing six core content areas in all local area plans: Land Management and Development; Placemaking; Transportation and Mobility; Infrastructure; Parks and Public Space; and Amenities and Services, with the opportunity to add additional content areas in response to local needs and issues.
5. Following a common planning process, with opportunities to tailor the process to local needs and engagement opportunities.
6. Ensuring that the engagement of residents, businesses and organizations is central to the local area planning process.
7. Establishing a Process Advisory Committee to provide guidance on the planning process and delivery of public engagement.
8. Creating a realistic and achievable Action (Implementation) Plan as a key focus of local area planning.
9. Furthering collaboration, among City departments, businesses, citizens and external partners to support an effective plan process and facilitate the future implementation of the plans.
10. Piloting a "One City" approach to collaboratively respond to pressing issues that emerge through local area planning and fall within the City's existing services or roles.

Committee discussed the motion:

- The plan is a supportable framework for moving forward. The Transportation Plan will also be updated to reflect the changing neighbourhoods.
- It is important to have early and meaningful consultation.
- Concerns that some of the plans are not scheduled to be updated and if there was a way to expedite their review.
- There must be effective community representation and have the neighbours involved. The people who live there are the most important voices to be heard.
 - The Process Advisory Committees will be determined by the scale and type of each plan. Each project charter determines who would be on the committee and Council will make the appointments.
- Each plan should be aligned with the budget for future years to come. There should be a budget to implement each plan.
- Neighbourhood associations play a role in bringing the community together. The ultimate goal is that all voices are heard through the planning process.

- Council needs to ensure the right people are appointed to the Advisory Committees.

Councillor Coleman withdrew from the meeting at 10:43 a.m. and returned at 10:45 a.m.

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

That Council approve the *Local Area Planning Program Terms of Reference*, contained in Appendix A, to guide future local area planning in the City consistent with the *Official Community Plan* and based on the following:

1. Focusing on local area planning in areas of existing or anticipated growth and change, following the general priorities established in the *Official Community Plan*.
2. Assessing and regularly reviewing local area planning priorities as part of the OCP's Adaptive Management Framework.
3. Determining the specific type, scale and boundaries of each local area plan based on the geographic scope of planning issues being addressed.
4. Addressing six core content areas in all local area plans: Land Management and Development; Placemaking; Transportation and Mobility; Infrastructure; Parks and Public Space; and Amenities and Services, with the opportunity to add additional content areas in response to local needs and issues.
5. Following a common planning process, with opportunities to tailor the process to local needs and engagement opportunities.
6. Ensuring that the engagement of residents, businesses and organizations is central to the local area planning process.
7. Establishing a Process Advisory Committee appointed **by Council and open to members of the public**, to provide guidance on the planning process and delivery of public engagement.
8. Creating a realistic and achievable Action (Implementation) Plan as a key focus of local area planning.
9. Furthering collaboration, among City departments, businesses, citizens and external partners to support an effective plan process and facilitate the future implementation of the plans.
10. Piloting a "One City" approach to collaboratively respond to pressing issues that emerge through local area planning and fall within the City's existing services or roles.

On the amendment:
CARRIED UNANIMOUSLY 14/PLUC0139

On the main motion as amended:
CARRIED UNANIMOUSLY 14/PLUC0140

Action: It was moved by Councillor Gudgeon, seconded by Councillor Coleman that the Planning & Land Use Committee recess at 10:45 a.m.

CARRIED UNANIMOUSLY 14/PLUC0141

Action: It was moved by Councillor Helps, seconded by Councillor Coleman, that the Planning & Land Use Committee reconvene at 10:46 a.m.

CARRIED UNANIMOUSLY 14/PLUC0142

4.6 Approach to Priority 1 Local Area Planning

Committee received a report regarding a proposed approach to completing Local Area Plans within the Priority 1 areas identified in the *Official Community Plan* (OCP) and the OCP Implementation Strategy (2013).

The plan summarized the proposed approach including the number and types of plans to be completed, the general plan boundaries, timelines for completing the work program, resource needs and a rationale for the approach. Staff recommended initiating one Local Area Plan in 2014 as follows:

A Burnside-Douglas Area Plan with a focus on the following key areas:

- The Douglas Street Corridor including Mayfair Town Centre and Humber Green Urban Village.
- The residential and mixed use areas within the Burnside neighbourhood.
- The industrial and general employment lands within the Burnside neighbourhood including the Rock Bay District.

Staff anticipate the plan will be completed and presented for approval by 2016. It is anticipated that staff would then complete planning in the Priority 1 Area with a more focused Quadra Village Area plan, pending Council's future decisions on strategic priorities.

Councillor Helps withdrew from the meeting at 10:57 a.m. and returned at 10:58 a.m.

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

1. That Council approve the Approach to Priority 1 Local Area Planning as the basis to guide Local Area Planning for the Priority 1 area identified in the *Official Community Plan*.
2. That Council direct staff to commence a Burnside-Douglas Area Plan, begin the start-up phase (as described in the Local Area Planning Program Terms of Reference) and report back to Council with a detailed Project Charter.

Committee discussed the motion as follows:

- Residents of the Burnside Gorge area have concerns about the amount of public housing projects that have been placed in their neighbourhood. Council has approved more supportive housing in the Burnside-Gorge area than any other neighbourhood in the City.
- The Douglas Corridor is a major transportation route.
- Concern that the area is becoming a drive through neighbourhood. There is a need to educate the public where the neighbourhood boundaries are.

- The success of the plans are dependent on the resources that are made available to support their creation.

Action: It was moved by Mayor Fortin, seconded by Councillor Thornton-Joe, that the motion be amended as follows:

- ~~1. That Council approve the Approach to Priority 1 Local Area Planning as the basis to guide Local Area Planning for the Priority 1 area identified in the *Official Community Plan*.~~
1. That Council direct staff to commence a Burnside-Gorge / **Douglas** Area Plan;
 - a. **With specific emphasis on:**
 - i. **the Douglas Street Corridor including Mayfair Town Centre and Humber Green Urban Village**
 - ii. **the residential and mixed use areas within the Burnside neighbourhood**
 - iii. **the industrial and general employment lands within the Burnside neighbourhood including the Rock Bay District; and**
 - b. Begin the start-up phase (as described in the Local Area Planning Program Terms of Reference), and;
 - c. Report back to Council with a detailed Project Charter
2. **That staff report back on the resources needed for advancing the Quadra Local Area Plan and approach the Capital Regional District for additional resources.**
3. **Refer the issue of timelines for other Local Area Plans to the Annual Strategic Planning Session in November.**

On the amendment:

CARRIED UNANIMOUSLY 14/PLUC0143

On the main motion as amended:

CARRIED UNANIMOUSLY 14/PLUC0144

5. ADJOURNMENT

Action: It was moved by Councillor Alto seconded by Councillor Gudgeon, that Committee adjourn the Planning & Land Use meeting of June 19, 2014, at 11:42 a.m.

CARRIED UNANIMOUSLY 14/PLUC0145