

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD SEPTEMBER 6, 2018

For the Council Meeting of September 6, 2018, the Committee recommends the following:

1. 515 Chatham Street – Development Permit with Variance Application Permit No. 00085 (Downtown)

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 00085 for 515 Chatham Street, in accordance with:

1. Plans date stamped July 16, 2018.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - i. increase the height from 15m to 16.43m.
3. That Council authorize the Mayor and City Clerk to execute encroachment agreements, to be executed at time of the building permit approval, in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works for:
 - a. building encroachment(s) adjacent to Chatham Street and Store Street.
 - b. anchor-pinning in the City Right-of-Way.
4. Final plans to be in accordance with the plans date stamped July 16, 2018, to the satisfaction of City staff.
5. The Development Permit lapsing two years from the date of this resolution.”

Should the above resolution be endorsed, that Council consider the following motion:

“The previously approved Development Permit No. 00034 for 515 Chatham Street approved May 24, 2018, be rescinded.”

2. CRD Arts and Culture Support Service Establishment Amendment Bylaw

That Council consent to the adoption of CRD Arts and Culture Support Service Establishment Bylaw No. 1, 2001 Amendment Bylaw No. 5, 2018.

3. Bylaw Officers

That Council approve the appointment of Barrie Cockle:

1. as a Bylaw Officer pursuant to section 2(a) of the Inspection Bylaw (06-061);
2. as a Business Licence Inspector for the City of Victoria

4. Attendance at the Global Climate Action Summit for Mayor Helps, San Francisco

That Council authorize the attendance and associated costs for Mayor Lisa Helps to attend the Global Climate Action Summit to be held in San Francisco, September 13-14, 2018.

5. Attendance at the UBCM Conference for Councillor Isitt, Whistler

That Council authorize the attendance and associated costs for Councillor Isitt to attend the Union of BC Municipalities Conference to be held in Whistler, BC, in September 2018.

6. Attendance at the UBCM Conference for Mayor Helps, Whistler

That Council authorize the attendance and associated costs for Mayor Lisa Helps to attend the Union of BC Municipalities Conference to be held in Whistler, BC, in September 11-13, 2018.

7. Attendance at the UBCM Conference for Councillor Coleman, Whistler

That Council authorize the attendance and associated costs for Councillor Chris Coleman to attend the UBCM Conference to be held in Whistler, September 11-14, 2018.

8. Second Quarter 2018 Update

Victoria Police Report:

That Council receive this report for information.

Operation Plan Progress Report:

That Council receive this report for information.

Referred Motions:

Beepers in the Downtown:

That Council direct that this item be considered as a part of the 2019 budget process.

Residential Rental Zoning

That Council receive this report for information.

Recommendations from Advisory Committees:

That Council forward this report with the recommendations from Accessibility Working Group to the 2019 budget process to receive the financial implications of all of these.

Adoption of Canadian Code of Advertising Standards

That this report be received for information.

Safe consumption Sites

- A. That staff be directed to investigate, beginning in the first quarter of 2019, regulations in other jurisdictions governing consumption sites for cannabis use.
- B. That this review take into consideration the City and County of Denver, Colorado's Cannabis Consumption Pilot Program, as well as the regulatory context in the City of Victoria arising from regional, provincial and federal regulations.
- C. That staff report back to Council on the advisability of initiating a Pilot Program or introducing regulations for consumption sites for cannabis use.

Fair Trade Policy

That Council direct that this item be considered as a part of the 2019 budget process.

9. 210 Gorge Road- Development Permit with Variances Application No. 00076 (Burnside)

That Council, after giving notice and allowing for an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00620, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00076 for 210 Gorge Road East, in accordance with:

1. Plans date stamped August 17, 2018.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the required number of visitor parking spaces from 8 to 4
 - ii. locate a gazebo in the front yard
 - iii. reduce the separation space between the gazebo and the principal building from 2.40m to 1.55m.
3. The Development Permit lapsing two years from the date of this resolution.

4. The applicant entering into an agreement with a local car share company to secure 20 car share memberships to the satisfaction of City Staff.
5. The applicant providing two bikes and bike share parking spaces on-site, to the satisfaction of City Staff.”

10. 953 Balmoral Road – Rezoning Application No. 00598 and Development Permit with Variance Application No. 000506 (North Park)

Rezoning Application No. 00598

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00598 for 953 Balmoral Road, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set once the following conditions are met:

1. Preparation of the following documents, executed by the applicant to the satisfaction of City Staff:
 - a. Statutory Right-of-Way of 1.22m on Balmoral Road.
2. The applicant provide an amenity contribution in the amount of \$76,694.69 toward the Local Amenities Reserve Fund in accordance with the *City of Victoria Density Bonus Policy* to the satisfaction of City Staff.
3. Following consideration of Rezoning Application No. 00487, if approved, that Council authorize staff to prepare and enter into an Encroachment Agreement for a fee of \$750 plus \$25 per m² of exposed shored face during construction, to the satisfaction of the City staff.

Development Permit with Variance Application No. 000506

That, subject to review by the Advisory Design Panel and report back to the Committee of the Whole, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00598, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 000506 for 953 Balmoral Road, in accordance with:

1. Plans date stamped January 18, 2018
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the required number of parking spaces from 12 to 5
 - ii. Part 3.3(10): reduce the front yard setback from 10.50m to 2.00m
 - iii. Part 3.3 (10): reduce the side (east) yard setback from 6.10m to 1.52m
 - iv. Part 3.3(10): reduce the side (west) yard setback from 6.10m to 3.64m
 - v. Part 3.3(4)(1): increase the site coverage from 30% to 43%
 - vi. Part 3.3(4)(6)(1): reduce the open site space from 30% to 15.30%
3. Registration of legal agreements on the property’s title to secure the MODO Car Share Vehicle and parking space, car share memberships, one monthly transit pass for each unit over a period of three years (396 monthly passes), and one bicycle for each unit to the satisfaction of City Staff.
4. Revise the landscape plan to indicate floating pavement where the proposed parking spaces overlap with the tree’s critical root zone in accordance with the arborist report prepared by Talbot Mackenzie & Associates.
5. The Development Permit lapsing two years from the date of this resolution.”

11. 505, 517, 519/521 Quadra Street and 931 Convent Place – Rezoning Application No. 00610 & Development Permit with Variance No. 00088 (Fairfield)

Rezoning Application No. 00610

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00610 for 505, 517 and 519/521 Quadra Street and 931 Convent Place, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation and execution of the following legal agreements:
 - a. Statutory Right-of-Way to secure 1.59 metres of the site adjacent Southgate Street, to the satisfaction of the Director of Engineering and Public Works;
 - b. Statutory Right-of-Way to secure 2.02 metres of the site adjacent Convent Place, to the satisfaction of the Director of Engineering and Public Works; and
 - c. Housing Agreement to secure the residential units as rental for a 20 year period, to ensure that these units are not strata titled prior to the 20 year term of the agreement lapsing and to ensure that future strata bylaws cannot restrict the rental of units to non-owners, to the satisfaction of the Director of Sustainable Planning and Community Development.

Development Permit with Variances

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00610, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variances Application No, 00088 for 505, 517, 519/521 Quadra Street and 931 Convent Place, in accordance with:

1. Receipt of final plans generally in accordance with the plans date stamped August 20, 2018, with the following changes to the satisfaction of the Director of Sustainable Planning and Community Development:
 - i. correct minor inconsistencies between plans
 - ii. siting and design of the proposed fence and guardrail as shown on the landscape plan
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the required vehicle parking from 115 stalls to 95 stalls;
 - ii. reduce the required visitor parking from 9 stalls to 8 stalls
3. Receipt of a car share agreement that includes MODO car share memberships for 50% of the residential units to the satisfaction of the Director of Engineering and Public Works.
4. The Development Permit lapsing two years from the date of this resolution.”

That Council refer the application back to Advisory Design Panel for comment whether their concerns were addressed and that this letter be added to the Public Hearing.

12. 457 and 459 Kipling Street – Rezoning Application No. 00644 and Development Permit with Variance Application No. 00644 (Fairfield)

Rezoning Application No. 00644

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00644 for 457 and 459 Kipling Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set.

Development Permit with Variance Application No. 00644

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00644, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit Application No. 00644 for 457 and 459 Kipling Street in accordance with:

1. Plans date stamped July 3, 2018.
2. Development meeting all Zoning Regulation Bylaw requirements, except to increase the combined floor area maximum from 380m² to 389.78m².
3. The Development Permit lapsing two years from the date of this resolution.

13. Crystal Pool and Wellness Centre Replacement Project – Initial Parking Alternatives Review

That Council;

1. Direct staff to consult with stakeholders and residents from the North Park neighbourhood on neighbourhood street parking options associated with a distributed parking approach; and
2. Approve \$40,000 to be funded from 2018 Contingencies, to complete an investigation of underground parking options in Central Park and/or modular parking on the Save on Food Memorial Parking lot.