

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD MARCH 28, 2019

For the Council meeting of March 28, 2019, the Committee recommends the following:

1. 430 Parry Street - Update Report No.2 for Rezoning Application No. 00641 and Development Permit with Variances Application No. 000528 (James Bay)

That Council approve the following motion:

1. To rescind the second reading of Bylaw No. 19-006; amend bylaw 19-006 to delete the text "allocating an additional \$20,000 to the housing reserve fund" from Section 3.124.2.a; and give second reading to the bylaw as amended.

2. Micro Grants Application

That Council approve the eligible Micro Grant applications outlined in Appendix A.

3. 919 and 923 Caledonia - Rezoning Application No. 00622, Development Permit with Variance Application No. 000521 and Heritage Designation Application No. 000182 (North Park)

Rezoning Application No. 00622

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00622 for 919 and 923 Caledonia Avenue, 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. Prepare and execute a housing agreement to ensure that all dwelling units remain rental in perpetuity.
2. Prepare and execute a legal agreement to secure a 2.40m Statutory Right of Way on Caledonia Avenue.

Development Permit with Variance Application No. 000521

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. 00622, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 000521 for 919 and 923 Caledonia Avenue in accordance with:

1. Plans date stamped March 5, 2019.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the required number of residential parking spaces from 12 to 11.
3. The Development Permit lapsing two years from the date of this resolution."

Heritage Designation Application No. 000182

That Council approve the designation of the property located at 919 Caledonia Avenue, pursuant to Section 611 of the *Local Government Act*, as a Municipal Heritage Site, and that first and second reading of the Heritage Designation Bylaw be considered by Council and a Public Hearing date be set.

4. 210 Gorge Road East - Rezoning Application No. 00620 and Development Permit with Variances Application No. 00076 (Burnside)

Rezoning Application No. 00620

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00620 for 210 Gorge Road East, 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 to the satisfaction of City Staff:
 - a. Statutory Right-of-Way of 4.91m on Gorge Road East
 - b. Housing Agreement to ensure that all residential dwelling units would remain as rental and affordable in perpetuity.

Development Permit with Variances Application No. 00076

Subject to the applicant entering into an agreement with a local car share company to secure 20 car share memberships to the satisfaction of City Staff, 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. 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 March 11, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - ii. reduce the required number of visitor parking spaces from 7 to 4
 - iii. reduce the required number of commercial parking spaces from 1 to 0
 - iv. reduce the surface parking space setback from a street boundary from 7.50m to 2.68m
 - v. locate a gazebo in the front yard
 - vi. 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."

5. 1888 Gonzales Avenue - Development Permit Application No. 000533 (Gonzales)

1. That, subject to item 2 below, Council authorize the issuance of Development Permit Application No. 000533 for 1888 Gonzales Avenue, in accordance with the following terms:
 - a. Plans date stamped February 20, 2019.
 - b. Development meeting all *Zoning Regulation Bylaw* requirements.
 - c. The Development Permit lapsing two years from the date of this resolution.
2. That no development permit be issued until and unless the following agreements, in the form satisfactory to the City Solicitor, are registered against the title of the properties at 1888 Gonzales Avenue:
 - a. An easement to provide access to proposed Lot 1 and Lot 3 through proposed Lot 2 on the terms acceptable to the Director of Engineering and Public Works and a covenant preventing discharge of this easement without the City's consent; and
 - b. A restrictive covenant, on the terms acceptable to the Director of Parks, Recreation and Facilities, to establish a 3.0 metre wide no build area adjacent to Pemberton Park.

6. 832 Fort Street - Application for a Change to Hours and Occupant Load Increase for Refuge Tap Room's Liquor Primary License

That Council direct staff to provide the following response to the Liquor Licensing Agency:

1. Council, after conducting a review with respect to noise and community impacts, does support the application of Refuge Tap Room located at 832 Fort Street having hours of operation from 11:00 am to 12:00 am Sunday through Thursday and 11:00 am to 1:00 am Friday and Saturday with outdoor patio areas having hours not later than 10:00 pm on any day, and an occupant load of 66 persons.

Providing the following comments on the prescribed considerations:

1. The impact of noise on the community near the establishment was considered in relation to the request and assumptions are the noise impacts would be proportional in comparison to existing licence capacity and associated noise levels in the vicinity. The applicants original request to have closing hours common to both inside seating and outdoor patio seating has been adjusted following review and community input and the applicant supports closing their outdoor patio area by 10pm daily to minimize potential impacts on the adjacent residents. Hours requested for the interior space are similar to others in the area, and restricted outdoor hours support expectations that approval is less likely to result in a trend of significant negative impacts to neighbours and the community.
2. If the application is approved, the impact on the community is expected to be positive economically as the approval supports the business plan and long-term viability of the establishment.
3. The views of residents were solicited via a mail out to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. The City received ten letters in response to the request that included two in support of the application and eight opposed. One letter of opposition included 52 signatures from other tenants in the authors' building agreeing with the opposition stated.
4. Council recommends the license endorsements be approved.

7. 506 Herald Street - Application for a Lounge Endorsement to a Manufacturer's License (brewing) for Herald Street Brew Works

That Council direct staff to provide the following response to the Liquor Licensing Agency:

Council, after conducting a review with respect to noise and community impacts, does support the application of Herald Street Brew Works, located at 506 Herald Street, to have a lounge endorsement added to their manufacturing license, having hours of operation from 9:00 am to 1:00 am daily, and an occupant load of 178 persons.

Providing the following comments on the prescribed considerations:

1. The impact of noise on the community in the vicinity of the establishment has been considered in relation to the request and assumptions are the noise impacts would be proportional to existing licence capacity in the vicinity. The applicant and operator does not expect the establishment will have negative impacts on neighbours due to the operational concept and a commitment to minimize impacts through monitoring of, and communication to guests. The requested hours of operation and occupant load are not expected to result in disproportionately high negative impacts to the community.
2. If the application is approved, the impact on the community is expected to be positive economically as the approval supports the business plan and long term viability of the establishment. The business model is seen to align well with recent changes made to zoning bylaws which encourage this type of development. The establishment contributes to the richness, and diversity of offerings in the area.

3. The views of residents were solicited via a mail out which included 284 letters to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. The City received nine letters in response to the request, eight expressing opposition to the application and one expressing support. The eight expressing concern or opposition included one letter from the Downtown Residents Association (DRA).
4. Council recommends the license endorsements be approved.

8. Downtown Victoria Business Association - Business Improvement Area Renewal Request

That Council direct staff to:

1. Proceed on the Council Initiative basis, with the Alternate Approval Process for the Business Improvement Area.
2. Report back with results of the counter petition process, and if assent is achieved present the BIA Bylaw for introductory readings.

9. Enhancing Parkland and Community Services at 950 Kings Road

That Council:

1. Places itself on record favouring the retention of parkland and community services at 950 Kings Road, to provide a neighbourhood amenity and community amenity in an area that is seeing substantial current and future densification.
2. Places itself on record favouring the rapid creation of new nonmarket housing options on the Provincial government-owned parcel at 2505 Blanshard Street (Evergreen Terrace), subject to the following conditions:
 - a. Early, meaningful and ongoing engagement with existing residents of Evergreen Terrace and with the Downtown Blanshard Advisory Committee on the types of housing that is desired and the phasing of redevelopment.
 - b. No net loss of family townhouse units and apartment units at rent levels equivalent to existing rent levels, with a right of first refusal for existing residents to occupy newly created units at equivalent rent levels.
 - c. High quality design.
3. Directs staff to engage the Downtown Blanshard Advisory Committee and the Capital Regional District / Capital Regional Hospital District and report back to Council on a priority basis with options for creating City parkland and community services at 950 Kings Road.
4. Requests that the Mayor write, on behalf of Council, to the Provincial Rental Housing Management Corporation (BC Housing), requesting a meeting between BC Housing, City Council and City Staff at the earliest opportunity to identify options for expediting the creation of new nonmarket housing options at 2505 Blanshard Street (Evergreen Terrace), subject to the conditions noted above.

10. Advocacy for Provincial Climate Leadership

That Council endorses the following resolution and directs staff to forward electronic copies to Members of the Legislative Assembly of British Columbia on Friday, March 29, 2019:

Resolution: Advocacy for Provincial Climate Leadership

WHEREAS the Intergovernmental Panel on Climate Change has warned that humanity has eleven years to take action to limit global warming to 1.5 degrees Celsius in order to avoid the worst impacts of climate change;

AND WHEREAS local governments in British Columbia including the City of Richmond, City of Vancouver, City of Victoria, Town of View Royal and Capital Regional District have declared a climate emergency and committed to achieving carbon neutrality by 2030;

AND WHEREAS reducing the consumption of fossil fuels is central to limiting emissions of climate-changing greenhouse gases;

THEREFORE BE IT RESOLVED THAT that the City of Victoria urges Members of the Legislative Assembly of British Columbia to:

1. Declare a Provincial Climate Emergency;
2. Embrace provincial taxation and natural resource policies that reduce climate changing greenhouse gas emissions; and
3. Consider voting against the *Income Tax Amendment Act, 2019* and proposed tax subsidies to fossil-fuel corporations, focusing instead on economic incentives to expand renewable and low-carbon sources of employment, revenues and economic development.