

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD DECEMBER 12, 2019

For the Council meeting of December 12, 2019, the Committee recommends the following:

F.1 1881 Fort Street: Rezoning Application No. 00713 (South Jubilee)

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00713 for 1881 Fort Street, 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. Revised plans identifying the Statutory Right-of-Ways, to the satisfaction of the Director of Sustainable Planning and Community Development.
2. Preparation and execution of a Statutory Right-of-Way of 1.4m off Davie Street and 0.72m off Fort Street.
3. Council authorizing an Encroachment Agreement for the four parking stalls at the northern-most portion of the site that project into City property in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.

F.7 1029 Queens Avenue: Rezoning Application No. 00693 and Development Permit with Variance Application No. 00117 (North Park)

Rezoning Application No. 00693

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00693 for 1029 Queens 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. Placement of the existing duplex on the Heritage Register. (Refer to the Heritage Report on this application.)
2. Preparation and execution of legal agreement to secure the rental housing along with affordability considerations to the satisfaction of the Director of Sustainable Planning and Community Development.
3. A legal agreement to secure four car share memberships (one per dwelling unit) plus a \$100 usage credit for each membership to the satisfaction of the Director of Engineering and Public Works.

Development Permit with Variances Application No. 00117

That prior to setting the Public Hearing for the Rezoning Application, the applicant consider revisions to the proposed two-family dwelling to create a more direct relationship with the street to the satisfaction of the Director of Sustainable Planning and Community Development.

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. 00693, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00117 for 1029 Queens Avenue, in accordance with:

1. Plans date stamped July 26, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - a. reduce the required off-site vehicle parking from four stalls to one stall

- b. allow more than one principal building on a lot
- c. variances for front yard setback for the new building from 7.5m to 6.74m, and side yard setback from 3.0m to 2.24m with combined side yard setback from 4.5m to 3.29m.
- 3. The Development Permit lapsing two years from the date of this resolution.
- 4. Details of the bicycle parking (stall dimensions and security features) to be provided at building permit stage.

F.8 1029 Queens Avenue: Request to add 1029 Queens Avenue to the City of Victoria Register of Heritage Properties (North Park)

That, concurrent with Rezoning Application No. 00693, if it is approved, Council approve the request to add the property located at 1029 Queens Avenue to the City of Victoria Register of Heritage Properties pursuant to section 598 of the Local Government Act.

G.2 Local Government Recommendation for Burnside Buds at 3175 Harriet Road

1. That Council direct staff to advise the Liquor and Cannabis Regulation Branch:

Council supports the application of Burnside Buds at 3175 Harriet Road to receive a provincial cannabis retail store license with following comments on the prescribed considerations:

- a. The Council recommends that the LCRB issue a license to Burnside Buds at 3175 Harriet Road, subject to the condition that this license not be issued until after the applicant obtains a Delegated Development Permit for any proposed alterations to the building exterior.
- b. City staff did not raise any concerns about this application in terms of community impacts.
- c. The views of residents were solicited through a mail-out to property owners and occupiers within 100 meters of this address and the Burnside/Gorge Community Association.

The City sent 24 7 notices and received 9 responses. All respondents live within 100 metres of the property. The City did not receive correspondence from the Burnside/Gorge Community Association.

4 support issuing a license, 4 oppose issuing a license, and 1 did not provide comments about issuing a license. The concerned respondents raised issues related to traffic, parking, proximity to residential, nuisances (noise, smell, smoke), and public safety.

- d. A Delegated Development Permit may be required to ensure alterations to the building exterior do not diminish the pedestrian experience and create safety concerns by obstructing the view from the sidewalk or street into the store.
 - e. Council wishes the Province to make its own deliberations about the fact that this operation remained in operation for at least 6 months following legalization.
2. That Council direct staff to advise the LCRB of Council's recommendation subject to the applicant's compliance with City bylaws and permits.

F.2 1301 Hillside Avenue: Rezoning Application No. 00636 and Development Permit with Variances Application No. 00074 (Oaklands)

Rezoning Application No. 00636

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00636 for 1301 Hillside 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:

- a. Revised plans to the satisfaction of the Director of Sustainable Planning and Community Development to correct inaccuracies and omissions.
- b. Preparation and execution of the following legal agreements, with form and contents to the satisfaction of the City Solicitor and the Director of Engineering and Public Works:
 - i. A Statutory Right-of-Way of 3.24m off Cook Street
 - ii. A Statutory Right-of-Way of 3.57m off Hillside Avenue
 - iii. Legal agreements securing the purchase of a car share vehicle, on-site provision of a vehicle parking space for the car share vehicle, provision of car share memberships that run with the unit and \$100 in credits for each of the unit, and one year subscription for each unit to the BC Transit EcoPass Program.
- c. Preparation and execution of the following legal agreements, with form and contents to the satisfaction of the City Solicitor and the Director of Sustainable Planning and Community Development:
 - i. Such legal agreement(s) as may be required to secure seven studios, one one-bedroom and one two-bedroom through BC Housing's Affordable Home Ownership Program and prohibiting future stratas from restricting rentals.
 - ii. A legal agreement to secure the construction of the raingardens within the Cook Street and Hillside Avenue boulevards.
- d. Preparation and execution of the following legal agreements, with form and contents to the satisfaction of the City Solicitor and the Director of Parks, Recreation and Facilities:
 - i. Legal agreements that provides for replacement of removed Garry oaks at a ratio of 3 to 1 at 1190 Kings Road (Cridge Centre property), to implement measures such as irrigation to ensure newly planted Garry oaks grow to maturity, to enhance the existing Garry oak meadow on the Cridge Centre property and to install split rail fencing around the Garry oak meadow on the Cridge Centre property.
- e. An updated Arborist Report, to the satisfaction of the Director of Parks, Recreation and Facilities, confirming the tree locations and health of the trees on the eastern property line, and confirming that the construction and excavation work would damage two Garry oak trees to the point that the removal of the trees is necessary.

Development Permit with Variances Application No. 00074

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. 00636, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00074 for 1301 Hillside Avenue in accordance with:

1. Plans date stamped September 13, 2019.

2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the number of residential vehicle parking stalls from 48 to 19;
 - ii. reduce the number of visitor vehicle parking stalls from 5 to 4;
 - iii. increase the site coverage from 40% to 75.5%; and
 - iv. reduce the open site space from 50% to 20.9%.
3. The Development Permit lapsing two years from the date of this resolution."

F.3 2740 and 2742 Fifth Street: Rezoning Application No. 00709 and Development Variance Permit Application No. 00236 (Hillside/Quadra)

That Council decline Rezoning Application No. 00709 for the property located at 2740 & 2742 Fifth Street.

F.4 1050-1058 Pandora Avenue and 1508-1518 Cook Street: Rezoning Application No. 00695, Heritage Alteration Permit Application No. 00016, and Heritage Designation Application No. 000188 (North Park)

Rezoning Application No. 000695

That subject to the applicant committing to measures outlined in the District Correspondence outlining the summary of the Parkway Building flood from November 2 to December 10, Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00695 for 1050-1058 Pandora Avenue and 1508-1518 Cook Street, 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 appropriate legal agreements in order to secure the following:
 - a. all dwelling units remain rental in perpetuity;
 - b. a Statutory Right-of-Way of 3.083m along Cook Street, to the satisfaction of the Director of Engineering and Public Works;
 - c. pay for the construction of an asphalt pathway in Franklin Green Park to connect the proposed 3m wide pathway at the northwest corner of the site to an existing park pathway to the west to the satisfaction of the Director of Parks, Recreation and Facilities;
 - d. provide a bus shelter on Cook Street in accordance with the site plan dated November 22, 2019, and to the satisfaction of the Director of Engineering and Public Works and the Director of Sustainable Planning and Community Development;
 - e. provide two car share vehicles, two assigned car share parking spaces on-site, 118 car share memberships, a \$100 of driving credits for each resident, and 40 electric bicycle charging stations (11 OV wall outlets) in the underground parkade, to the satisfaction of the Director of Engineering and Public Works; and
 - f. purchase 100 transit passes through BC Transit's EcoPass program to the satisfaction of the Director of Engineering and Public Works.
2. Council authorizing street-level projecting canopies and cornices over the City Right-of-Way on 1050-1058 Pandora Avenue and 1508-1518 Cook Street, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.

Heritage Designation Application No. 000188 and Heritage Alteration Permit Application No. 00016

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. 00695, if it is approved, consider the following motions:

1. "That Council authorize the issuance of Heritage Alteration Permit Application No. 00016 for 1050-1058 Pandora Avenue and 1508-1518 Cook Street, in accordance with:
 - a. Plans, date stamped November 22, 2019.
 - b. The Conservation Plan for the Parkway Apartments, date stamped July 2019.
 - 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.
 - d. Heritage Alteration Permit lapsing two years from the date of this resolution.
2. That Council approve the designation of the heritage-registered property located at 1050-1058 Pandora Avenue and 1508-1516 Cook Street, pursuant to Section 611 of the Local Government Act, as a Municipal Heritage Site, consistent with the plans dated November 22, 2019."

F.5 2649-2659 Douglas Street and 735 Hillside Avenue: Rezoning Application No. 00664 and Development Permit Application No. 000123 (Burnside)

Rezoning Application No. 00664

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00664 for 2649-2659 Douglas Street and 735 Hillside 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. Preparation and execution of the appropriate legal agreements in order to secure the following:
 - a. All dwelling units remain rental in perpetuity.
 - b. A Statutory Right-of-Way of 3.57m on Hillside Avenue to the satisfaction of the Director of Engineering and Public Works.
 - c. Provide a bus shelter on Hillside Avenue in accordance with the site plans dated November 4, 2019, and to the satisfaction of the Director of Engineering and Public Works.
 - d. Provide two car share vehicles; two assigned car share parking spaces on-site; 151 car share memberships (one for each dwelling unit); a \$100 of driving credits for each resident; and 40 electric bicycle charging stations (11 OV wall outlets) in the underground parkade, to the satisfaction of the Director of Sustainable Planning and Community Development.
 - e. Purchase 100 transit passes through BC Transit's EcoPass program to the satisfaction of the Director of Sustainable Planning and Community Development.
2. Council authorizing street-level projecting canopies and cornices over the City Right-of-Way on 2649-2659 Douglas Street and 735 Hillside Avenue, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.

Development Permit Application No. 00123

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. 00123 if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00123 for 2649- 2659 Douglas Street and 735 Hillside Avenue, in accordance with:

1. Plans date stamped November 4, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements.
3. The Development Permit lapsing two years from the date of this resolution."

Heritage Designation Application No. 000180

That concurrent with Rezoning Application No. 00664, if it is approved, Council approve the designation of the property located at 2659 Douglas Street as a Municipal Heritage Site, consistent with plans dated November 4, 2019 and pursuant to Section 611 of the Local Government Act.

G.1 Urban Forest Master Plan Implementation

That Council;

1. Approve the reallocation of \$110,000 from the Tree Preservation Bylaw project to the priority Urban Forest Master Plan actions outlined in this report and;
2. Direct staff to amend the Urban Forest Master Plan to reflect the updated canopy cover estimates, shown in Attachment A.

G.3 2020 By-Election

That Council direct staff to proceed with Option 1 a modified by-election process and report back on final timing, cost estimates, appointment of a Chief Election Officer in January 2020, a voter information card mailed to each residence, and invite candidate profile information to be compiled and provided on the City's website.

G.4 Municipal Licensing and Regulating of Provincially Approved Taxis, Limousines, and Ride-Hailing Services

That Council direct staff to:

1. Bring forward amendments to the Vehicles for Hire Bylaw to Council that suspend taxi licensing conditions under Division 2, 3, 4, and 5, except section 70 and 71, of the Vehicles for Hire Bylaw.
2. Review City bylaws and bring forward bylaw amendments to align with provincial licensing requirements for taxis, limousines, and ride-hail vehicles.
3. Report back with further regulatory recommendations for passenger directed vehicles in conjunction with the Sustainable Mobility Strategy.

H.1 Council Member Motion - Welcoming City Strategy

That Council receives this report for information and considers allocating one-time funding from the 2019 surplus during January 2020 budget deliberations in order to develop a Welcoming City Strategy as identified in the 2019-2022 Strategic Plan.

H.2 Council Member Motion - Advocacy to Increase Tipping Fees for International Solid Waste to Preserve Capacity of the Hartland Landfill

That Council postpone consideration of this item to the January 9, 2020 COTW meeting:

That Council:

1. Requests that the Capital Regional District amend the Hartland Landfill Tipping Fee and Regulation Bylaw to increase the tipping fee for disposal of international solid waste from cruise ships and other sources, informed by the City of Prince Rupert's fee and bylaw.

2. Directs staff to engage the CRD on this potential bylaw amendment.
3. Requests that the Mayor write to the CRD Board, copying Mayors and Councils of municipalities in the region, requesting favourable consideration of this request.