

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD FEBRUARY 27, 2020

For the Council meeting of February 27th, 2020, the Committee recommends the following:

F.1 1913 & 1915 Fernwood Road: Rezoning Application No. 00626 and Development Permit with Variance Application No. 00073 (Fernwood)

Rezoning Application No. 00626 for 1913 and 1915 Fernwood Road

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in Rezoning Application No. 00626 for 1913 and 1915 Fernwood 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:

- a. Preparation and execution of the appropriate legal agreements in order to secure the following:
 - i. That future strata corporations could not pass bylaws that would prohibit or restrict the rental of units to non-owners, to the satisfaction of the Director of Sustainable Planning and Community Development; and
 - ii. A Statutory Right-of-Way of 1.40m on Fernwood Road, to the satisfaction of the Director of Engineering and Public Works.

Development Permit with Variances Application No. 00073 for 1913 and 1915 Fernwood Road

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. 00626, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variances Application No. 00073 for 1913 and 1915 Fernwood Road, in accordance with:”

1. Plans date stamped October 31, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the required number of parking spaces from 5 to 4;
 - ii. reduce the continuous landscaping screen between a surface vehicle parking area and an adjacent lot primarily for residential uses from 1 m to 0.60m;
 - iii. reduce the side yard setback for an accessory building from 0.60m to 0.17m.
3. The Development Permit lapsing two years from the date of this resolution.”

G.1 Emergency Support Services Modernization

That Council authorize and direct staff to apply for a grant worth up to \$25,000 through the Community Emergency Preparedness Fund for Emergency Support Services (ESS) modernization through equipment and training.

D.1 Coastal Communities Social Procurement Initiative Update and Proposed Purchasing Policy Amendments

That Council direct staff to amend the City's Purchasing Policy by expanding the Community Benefit section to include the following foundational factors and priorities for social procurement based on the Council endorsed values, principles and considerations for the equity lens:

1. Objective: Removing barriers
2. Guiding principles for policy application:

- a. Practical
 - b. Achievable
 - c. Transparent
 - d. Measurable
3. Evaluation criteria considerations as outlined in Appendix A: Descriptive rather than prescriptive using an intersectional approach.

F.2 1015 Cook Street: Rezoning Application No. 00670 and Development Permit with Variance Application No. 00131 (Fairfield)

Rezoning Application No. 00670 for 1015 Cook Street

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00670 for 1015 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. An executed legal agreement, with terms and in a form to the satisfaction of the Director of Engineering and Public Works and the City Solicitor, to secure Transportation Demand Management measures that include:
 - i. provision of three car share vehicles (different sizes);
 - ii. three dedicated on-site car share parking space with access to electric vehicle charging;
 - iii. one car share membership for each dwelling unit with an initial \$100 credit;
 - iv. two long term bike parking spaces in addition to what is required by the *Zoning Regulation Bylaw*; and
 - v. an at-grade bike parking room that includes a bike repair station, bike wash area, parking for oversized bikes and electric charging capabilities in addition to what is required by the *Zoning Regulation Bylaw*.
2. An executed legal agreement in a form to the satisfaction of the City Solicitor, to secure all of the dwelling units as rental in perpetuity.

Development Permit with Variance Application No. 00131 for 1015 Cook Street

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. 00679, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00131 for 1015 Cook Street, in accordance with:

1. Plans date stamped December 18, 2019.
2. Revisions to the landscape plan to identify the existing pear tree as "to be retained".
3. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the parking from 16 stalls to three stalls and the visitor parking from three stalls to one stall.
4. The Development Permit lapsing two years from the date of this resolution."

F.3 11 Chown Place: Development Permit with Variance Application No. 00132 (Burnside-Gorge)

That, subject to the preparation and execution of a legal agreement to ensure the dwelling units remain rental in perpetuity, 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, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00132 for 11 Chown Place, in accordance with:

1. Plans date stamped December 20, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. increase the building height from 11 m to 12.57m;
 - ii. increase the number of storeys from 2 to 4;
 - iii. reduce the horizontal distance between existing Building J and the proposed multi-unit residential building from 12.19m to 9.66m;
 - iv. reduce the horizontal distance between existing Building K and the proposed multi-unit residential building from 12.19m to 8.64m;
 - v. reduce the horizontal distance between existing Building L and the proposed multi-unit residential building from 12.19m to 10.34m;
 - vi. reduce the horizontal distance between the proposed multi-unit residential building and proposed cistern from 12.19m to 0.69m;
 - vii. reduce the horizontal distance between the west side of the proposed multi-unit residential building and surface parking spaces from 6m to 2.40m;
 - viii. reduce the horizontal distance between the east side of the proposed multi-unit residential building and surface parking spaces from 6m to 3.29m;
 - ix. reduce the horizontal distance between the north side of the proposed multi-unit residential building and surface parking spaces from 6m to 3.14m.
3. Discharge existing Section 219 Covenant (Registration No. L3326) from title, to the satisfaction of the Director of Sustainable Planning and Community Development.
4. The Development Permit lapsing two years from the date of this resolution."

F.4 330-336 Michigan Street: Development Permit with Variance Application No. 00122 (James Bay)

That, subject to the preparation and registration of legal agreements to secure the building as rental in perpetuity, to the satisfaction of the Director of Sustainable Planning and Community Development, and subject to securing a Statutory Right-of-Way of 2.44m off Superior Street to the satisfaction of the Director of Engineering, and subject to the applicant working with staff to explore design modifications to reduce the number of trees impacted by proposed landscaping changes and submitting updated and revised plans addressing inconsistencies between the Arborist Report and submitted plans to the satisfaction of the Director of Parks, Recreation and Facilities, 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. 00122 for 330-336 Michigan Street, in accordance with:

1. Plans date stamped January 21, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. increase the site coverage from 40% to 43.5%
 - ii. reduce the open site space from 60% to 55.5%
 - iii. reduce the setback from the street boundary (Michigan Street) from 10.5m to 5.5m
 - iv. reduce the rear yard setback from 7.38m to 5.78m
 - v. reduce the east side yard setback from 7.38m to 6.0m
 - vi. reduce the west side yard setback from 7.38m to 6.39m to the building face and 5.82m to the balcony.

3. Registration on the property's title of a Statutory Right-of-Way of 2.44m off Superior Street, to the satisfaction of the Director of Engineering.
4. The Development Permit lapsing two years from the date of this resolution."

F.5 Revised Victoria Housing Reserve Fund Grant Application for 330-336 Michigan Street (Michigan Square) (James Bay)

That Council:

1. Reduce the grant, approved on March 21, 2019, from the Victoria Housing Reserve Fund to the Capital Region Housing Corporation for the Michigan Square project located at 330-336 Michigan Street from \$1,395,000 to \$990,000 to reflect changes to the project, specifically reduction in number and composition of eligible units.
2. Confirm that all other terms and conditions of the grant approval continue to apply in accordance with the March 21, 2019 approval, except for the number and composition of proposed units.
3. Direct staff to discuss with the CRHC options to adjust the unit mix to include more affordable 3 bedroom units.
4. And explore options to reduce rents specifically for 3 bedroom units if the previous approved grant funding was offered.

F.6 359, 363, & 369 Tyee Road: Development Permit Application No. 000550 (Victoria West)

That Council authorize the issuance of Development Permit Application No. 000550 for 359-369 Tyee Road, in accordance with:

1. Plans date stamped January 29, 2020.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. The terms of the Master Development Agreement registered on title to the property, including:
 - i. Registration of Section 219 Covenant on the on the property's title requiring that noise reduction measures are incorporated into the design of the buildings and that the owner, or future owners, are prohibited from removing any noise reduction building components; and
 - ii. Registration of an easement over the proposed interim condition areas to ensure that the owner of the adjacent property has the legal right and authority to enter the land to complete any unfinished public amenities.
4. Preparation and execution of the appropriate legal agreements, in a form to the satisfaction of staff, in order to secure the following:
 - i. That future strata corporations cannot pass bylaws that would prohibit or restrict the rental of units to non-owners; and
 - ii. That all of the dwelling units in the proposed rental tower will be rental tenure only for a period of not less than 25 years.
5. The Development Permit lapsing two years from the date of this resolution.

F.7 Heritage Tax Incentive Program Overview and Update

That Council receive this report for information.

Motion arising:

That Council direct staff to provide the BC Assessment Authority with information on properties in the City that meet the following criteria as of February 27, 2020:

1. Eligible for a heritage tax exemption for residential purposes; and
2. in receipt of a "whole unit" / commercial short-term rental business license.

F.8 2615-2629 Douglas Street: Heritage Designation Application No. 00187 (Burnside-Gorge)

That Council approve the designation of the property located at 2615-2629 Douglas Street, specifically the original 1971 exterior of the historic building described in the attached Statement of Significance, in accordance with plans dated February 13, 2020, 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.

F.9 2615-2629 Douglas Street: Tax Incentive Program Application (Burnside-Gorge)

That Council instruct the City Solicitor to prepare a Tax Exemption Bylaw for 2615-2629 Douglas Street for land and improvements located within 66.1 metres of the front property line for 10 years, pursuant to Section 225 of the Community Charter, with the following conditions:

1. That the heritage designation of the property be completed.
2. That a covenant identifying the tax exemption be registered on the title of the property and any possible future strata titles.
3. That the final costs of seismic upgrading be verified by the Victoria Civic Heritage Trust.