

**COMMITTEE OF THE WHOLE REPORT**  
**FROM THE MEETING HELD APRIL 23, 2020**

For the Council meeting of May 28, 2020, the Committee recommends the following:

**F.2 1023 Tolmie Avenue: Rezoning Application No. 00672 and Development Permit with Variances Application No. 00097 (Hillside/Quadra)**

Rezoning Application No. 00672

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00672 for 1023 Tolmie Avenue, 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 Variances Application No. 00097

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. 00097, if it is approved, consider the following motion:

That Council authorize the issuance of Development Permit with Variance Application No. 00097 for 1023 Tolmie Avenue, in accordance with:

1. Plans date stamped April 6, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. reduce the front yard setback on the south lot from 6.0m to 4.2m to the building and 3.0m to the deck;
  - ii. reduce the rear yard setback on the south lot from 6.0m to 3.5m;
  - iii. reduce the south side yard setback on the south lot from 2.4m to 1.5m for any portion of a dwelling used for habitable space and which has a habitable window; and
  - iv. reduce the south side yard setback on the north lot from 2.4m to 1.73m for any portion of a dwelling used for habitable space and which has a habitable window.
3. The Development Permit lapsing two years from the date of this resolution.

**F.3 1820 Government Street: Update on Application for a new Food Primary License with Entertainment Endorsement for January Gin Joint & Eatery (Downtown)**

That Council receive this report for information.

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, as long as it meets the requirements of a food primary as written in the liquor control board policy, of the January Gin Joint & Eatery located at 1820 Government Street to have hours of operation from 9:00 am to 12:00 am Sunday through Wednesday and 9:00 am to 1:00 am Thursday through Saturday, an occupant load of 43 people and an entertainment endorsement.

Providing the following comments on the prescribed considerations:

- a. 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 comparable in proportion to existing licence capacity in the vicinity.
- b. If the application is approved, the impact on the community is expected to be positive economically as the approval supports this new business and the long-term viability of the establishment.

- c. The views of residents were solicited via a mail out which included 474 letters to neighbouring property owners and occupants within 100 metres of the licensed location and a notice posted at the property. The City received one letter from the Downtown Residents Association opposing the application in response to the request.
- d. Council recommends the hours supported for the establishment be approved.