

Mayor Helps withdrew from the meeting at 12:30 p.m. due to a potential pecuniary conflict of interest with the following item, as she lives in close proximity.

Councillor Loveday assumed the Chair in her absence.

H.1.a.d 1230 Grant Street, 1209, 1218, 1219, 1220, 1226 North Park Street, 1219 Vining Street, 1235 Caledonia Avenue and 1211 Gladstone Avenue: Rezoning Application No. 00715, Development Permit Application No. 00567 and Associated OCP Amendment (Fernwood)

Moved By Councillor Alto

Seconded By Councillor Potts

Rezoning Application No. 00715 and associated Official Community Plan Amendment

1. That Council instruct the Director of Sustainable Planning and Community Development to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the *Local Government Act* and the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00715 for 1230 Grant Street, 1209, 1218, 1219, 1220 and 1226 North Park Street, 1219 Vining Street, 1235 Caledonia Avenue and 1211 Gladstone Avenue, and change the OCP designation from Public Facilities, Institutions, Parks and Open Space and Traditional Residential to Urban Residential
2. That first and second reading of the Zoning Regulation Bylaw Amendments 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 executed by the applicant in order to secure the following:
 - i. a housing agreement to ensure the residential rental units remain affordable or below market in perpetuity in accordance with the City's definition of affordability and below market in the *Victoria Housing Strategy 2016-2025* (Phase Two: 2019-2022)
 - ii. that the applicant provides a minimum of 14 three-bedroom, eight four-bedroom dwelling units, 15 accessible dwelling units in accordance with in accordance with CAN/CSA-B651-95, the National Standard of Canada for barrier-free design, and private amenity space with a minimum floor area of 139m²
 - iii. a Statutory Right-of-Way of 3.928m on Grant Street and 1.90m on Vining Street be registered on title to the satisfaction of the Director of Engineering and Public Works
 - iv. a Statutory Right-of-Way of 10.85m along the proposed driveway at Grant Street be registered on title to the

- v. construction of a vehicle turnaround on Grant Street adjacent to the subject properties to the satisfaction of the Director of Engineering and Public Works
 - vi. construction of community gardens or contribution of cash in lieu equivalent to the installation of such gardens within the 145m² road closure area on the north side of North Park Street in consultation with the Fernwood Community Association and the Compost Education Centre and to the satisfaction of the Director of Sustainable Planning and Community Development and Director of Engineering and Public Works
 - vii. construction of an 8m wide greenway on the Victoria High lands adjacent to the development site in accordance with the plans dated April 6, 2020 to the satisfaction of the Director of Parks, Recreation and Facilities and the Director of Sustainable Planning and Community Development
- 3. That adoption of the zoning bylaw amendment will not take place until all of the required legal agreements that are registrable in the Land Title Office have been so registered
- 4. That the applicant provide a revised site plan and civil drawing showing a Grant Street turnaround to the satisfaction of the Director of Engineering and Public Works and the Director of Parks, Recreation and Facilities
- 5. That Council consider who is affected by the proposed changes to the Official Community Plan and determine, pursuant to Section 475(1) of the *Local Government Act* that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties.
- 6. That Council provide an opportunity for consultation pursuant to section 475 of the Local Government Act and direct the Director of Sustainable Planning and Community Development to:
 - i. mail a notice of the proposed OCP Amendment to the affected persons; and
 - ii. post a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration
- 7. That Council specifically consider whether consultation is required under Section 475(2)(b) of the *Local Government Act*, and determine that no referrals are necessary with the Capital Regional District Board, Councils of Oak Bay, Esquimalt and Saanich, the Songhees and Esquimalt First Nations, the School District Board, and the provincial and federal governments and their agencies because the proposed OCP amendment does not affect them

8. That Council direct the Director of Engineering and Public Works to bring forward for Council's consideration, a report and bylaws for road closures and necessary restructuring on Vining St and North Park St to accommodate the project
9. That Recommendations 1 to 8 be adopted on the condition that they create no legal rights for the applicant or any other person, no obligation on the part of the City or its officials, and any expenditure of funds is at the risk of the person making the expenditure.

Development Permit Application No. 000567

That, subject to:

1. the preparation and execution of legal agreements to secure housing affordability, unit types, accessible dwelling units, and amenity space, Statutory Right-of-Ways, and the construction of a greenway, to the satisfaction of the Director of Community Planning and Sustainable Development and Direction of Engineering and Public Works.
2. revisions to the driveway and underground parkade entrance of the four-storey, multi-unit residential building on Grant Street to accommodate the Grant Street turnaround, to the satisfaction of the Director of Community Planning and Sustainable Development and Director of Engineering and Public Works.

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 Application No. 000567 for 1230 Grant Street, 1209, 1218, 1219, 1220 and 1226 North Park Street, 1219 Vining Street, 1235 Caledonia Avenue and 1211 Gladstone Avenue, in accordance with:

1. Plans date stamped April 6, 2020.
2. The Development Permit lapsing two years from the date of this resolution."

FOR (6): Councillor Alto, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe

OPPOSED (1): Councillor Young

CARRIED (6 to 1)