

**COMMITTEE OF THE WHOLE REPORT**  
**FROM THE MEETING HELD SEPTEMBER 23, 2021**

For the Council meeting of October 7, 2021, the Committee recommends the following:

**E.1. 539-545½ Fisgard Street and 16-20 Fan Tan Alley: Heritage Alteration Permit Application No. 00242 (Downtown)**

That Council authorize the issuance of the Heritage Alteration Permit Application No. 00242 for 539-545½ Fisgard Street and 16-20 Fan Tan Alley in accordance with:

1. Plans, date stamped July 12, 2021.
2. Conservation Plan by Donald Luxton and Associates Inc., dated July 2020
3. Development meeting all Zoning Regulation Bylaw requirements.
4. Council authorizing decorative features, cornices and balconies to project over the City Right-of Way on 539-545½ Fisgard Street and 16-20 Fan Tan Alley, 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.
5. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Director, Development Services Division, Sustainable Planning and Community Development.
6. Heritage Alteration Permit lapsing two years from the date of this resolution.

**F.4 Royal Canadian Legion Permissive Tax Exemption Application**

That Council receive this report for information.

**D.1 Letter from the Attorney General and Minister Responsible for Housing**

That Council receive the letter for information.

**E.2. 110 Menzies Street, 111 Croft Street & 450-458 Niagara Street: Rezoning Application No. 00742 and Development Permit with Variances Application No. 00153 (James Bay)**

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment and Land Use Contract Discharge Bylaw that would authorize the proposed development outlined in Rezoning Application No. 00742 for 110 Menzies Street, 111 Croft Street & 450-458 Niagara Street, that first and second reading of the Zoning Regulation Bylaw Amendment and Land Use Contract Discharge Bylaw be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Revised plans to address minor data inconsistencies, to the satisfaction of the Director of Sustainable Planning and Community Development.
2. Confirmation of BC Hydro approval of the proposed design for power supply to the development, both in the City right-of-way and on-site, to the satisfaction of the Director of Engineering and Public Works.
3. Revised site servicing plan showing a driveway crossing slope from the curb to 6 metres into the property consistent with City bylaws, to the satisfaction of the Director of Engineering and Public Works.

4. Preparation of the following legal agreements, executed by the applicant, in a form satisfactory to the City Solicitor to:
  - a. Secure the rental units for the greater of 60 years or the life of the building, to the satisfaction of the Director of Sustainable Planning and Community Development.
  - b. Secure future access from the proposed parkade and the proposed courtyard to the future Phase 2 site to the satisfaction of the Director of Sustainable Planning and Community Development.
  - c. Secure TDM measures including 233 long term bicycle stalls six of which are dimensioned for cargo bicycles, two car share parking stalls with EV charging capability, two car share vehicles and a car share membership for each of the residential units, to the satisfaction of the Director of Engineering and Public Works and the Director of Sustainable Planning and Community Development.
  - d. Secure streetscape improvements in the plaza area in the City right-of-way at the corner of Menzies Street and Niagara Street, including the provision and installation of furnishings, materials, decorative single globe pedestrian light and concrete scoring pattern, as approved by the Director of Engineering and Public Works.
5. Secure a contribution of \$75,000 to the Housing Reserve Fund.

Development Permit with Variances Application No. 00153 for 110 Menzies Street, 111 Croft Street and 450-458 Niagara 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. 00742, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 00153 for 110 Menzies Street, 111 Croft Street and 450-458 Niagara Street in accordance with:

1. Plans date stamped July 9, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - a. reduce the street boundary setback on Niagara Street from 7.0m to 1.3m to the building face, to 0.33m to the stairs and to 0.21m to the balconies.
  - b. reduce the rear yard setback from 7.0m to 5.15m to the balcony and to 4.24m to the stairs
  - c. reduce the Menzies Street side yard setback from 7.0m to 1.37m to the building face and to 0m to the balconies
  - d. reduce the northwest side yard setback from 7.0 to 2.31m
  - e. reduce the residential vehicle parking from 146 stalls to 91 stalls
  - f. reduce the visitor vehicle parking from 14 stalls to 9 stalls.
3. The Development Permit lapsing two years from the date of this resolution.”

## **F.1 Victoria Housing Reserve Fund Guidelines**

That Council direct staff to maintain the current Victoria Housing Reserve Fund guidelines for applications based on gross new units associated with the project and require applicants to provide additional rationale where the project is redeveloping existing affordable housing.

## **F.2 Proposed Neighbourhood Boundaries Adjustments**

1. That Council receive this report as information pertaining to the results of the proposed neighbourhood boundaries Have Your Say engagement survey and correspondence from residents and neighbourhood associations.
2. That Council refer the following resolution for public comment at a non-statutory public hearing, to take place prior to November 30, 2021:

“That the City recognize the 2700-block to 3000-block of the east side of Shelbourne Street as part of the Oaklands neighbourhood, with the Oaklands Community Association acting as the Community Association Land Use Committee (CALUC) for land use matters in the area.”

3. That Council refer the following resolution for public comment at a non-statutory public hearing, to take place prior to November 30, 2021:

“That the City recognize the 800-block between Fort Street and Academy Close, and Blanshard Street and Quadra Street, as part of the Downtown neighbourhood, with the Downtown Residents Association acting as the Community Association Land Use Committee (CALUC) for land use matters in the area.”

4.
  1. That Council encourages the Gonzales Neighbourhood Association and Fairfield Gonzales Community Association to consider entering into a mediation process, for the purpose of:
    - a. Building good will and reducing acrimony within the Gonzales neighbourhood;
    - b. Exploring opportunities for recognizing the Gonzales Neighbourhood Association in municipal and / or FGCA processes; and
    - c. Honouring the FGCA's long-standing role in the Fairfield and Gonzales neighbourhoods.
  2. And that staff provide funding to the Fairfield Gonzales Community Association and Gonzales Neighbourhood Association to undertake a mediation process that is suitable to the FGCA and the GNA.
  3. And that staff provide an update to Council by the end of Q1 2022 with any information arising from this mediation process and appending this original staff report and public engagement results.

5. That the Downtown Residents Association and Burnside Gorge Community Association be requested to meet and then provide their views on a suitable boundary between the downtown and Burnside Gorge.
6. That the City recognizes the area currently described as “Harris Green” as part of the Downtown neighbourhood, with the Downtown Residents Association continuing to act as the Community Association Land Use Committee (CALUC) for land use matters in the area.

And that the City recognizes Harris Green as a district within the Downtown neighbourhood, similar to Chinatown and Old Town.

7. That Council refer the following resolution for public comment at a non-statutory public hearing, to take place prior to November 30, 2021:

“That the City recognizes a unified Jubilee neighbourhood for land use matters, and invites the North Jubilee Neighbourhood Association and South Jubilee Neighbourhood Association to work with the city on developing terms of reference for a unified Jubilee Community Association Land Use Committee.”

#### **H.1 Council Member Motion: Developing an Accessible and Adaptable Housing Policy**

1. That Council include the following action in the Victoria Housing Strategy:  
Develop specific policy to mandate and encourage accessibility, adaptability, and universal design in new developments.
2. That Council direct to staff report back as part of the next Victoria Housing Strategy update with the resource and workplan implications of doing this work and with a timeline for drafting this policy.
3. That council direct staff to encourage applicants to consider accessibility and universal design as part of their design process, as a voluntary practice until the new policy is in place.