

Councillor Thornton-Joe recused herself from the meeting due to a non-pecuniary conflict of interest at 10:43 a.m.

F.2 822 Catherine Street - Rezoning Application No. 00782, Development Permit with Variances Application No. 00173 and Associated Official Community Plan Amendment (Vic West)

Council received a report dated April 14, 2022 from the Director of Sustainable Planning and Community Development regarding an application to construct a three-and-a-half storey mixed-use building with two commercial units and approximately 31 residential rental units.

Committee discussed the following:

- *Proposed tenant assistance plan*
- *Use of electric vehicles in the car share agreement*
- *Loss of affordable units as a result of the application*
- *Aesthetic fit with the neighbourhood*
- *Additional precautions which may be implemented to assist existing tenants*
- *Commercial opportunities for residents on the first floor*

Moved By Mayor Helps

Seconded By Councillor Potts

Rezoning Application

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00782 for 822 Catherine 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. Submission of revised plans to:
 - a. Clarify that only the Langford Street boulevard and one new tree on Catherine Street are irrigated from a City water source.
2. Preparation of legal agreements executed by the applicant to secure the following with the form and contents to the satisfaction of the Director of Sustainable Planning and Community Development and the City Solicitor:
 - a. Secure the building as rental in perpetuity.
 - b. Secure two one-bedroom units and one studio unit as affordable for a minimum of ten years and allocated to median income households (or lower) as defined in the Victoria Housing Strategy, to the satisfaction of the Director of Sustainable Planning and Community Development.
 - c. Secure the proposed Tenant Assistance Plan, including Right of First Refusal in the new development for eligible tenants at 20% below market.

3. Preparation of legal agreements executed by the applicant to secure the following with the form and contents to the satisfaction of the Director of Engineering and Public Works and the City Solicitor:
 - a. Secure the purchase of one car share vehicle, one on-site parking stall for the car share vehicle and public access to the parking stall, car share memberships for each of the dwelling units, a minimum of 40 long-term bicycle stalls including three cargo bicycle stalls, 50% of which will be equipped with 110V outlets, a bicycle repair station and enrolment in the BC Transit EcoPass Program for a minimum of three years for the two commercial units and 21 of the residential units.
 - b. Secure the construction of an east-west pedestrian crossing of Catherine Street at Langford Street.
 - c. Secure the installation of an on-street electric vehicle charger capable of charging two vehicles.
 - d. Secure a Statutory Right-of-Way of 0.84m on Bella Street.
4. Determination from the project engineer of the extent of the excavation which will be required for the underground parking structure and sidewalk along the shared property lines with the west neighbours and for the Project Arborist to undertake exploratory excavation work to determine the impacts to the bylaw protected Leyland Cypress hedge and make recommendations on how to protect and retain them in good health through the project, to the satisfaction of the Director of Parks, Recreation and Facilities.

Development Permit with Variances Application

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. 00782, if it is approved, consider the following motion:

1. That Council authorize the issuance of Development Permit with Variances Application No. 00173 for 822 Catherine Street, in accordance with:
 - a. Plans date stamped February 14, 2022.
 - b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the front yard setback from 3.0m to 1.5m on the first storey and 6.0to 0m on the upper storeys
 - ii. reduce the rear yard setback from 6.0m to 2.3m
 - iii. increase the height from 3 storeys to 3.5 storeys
 - iv. reduce the residential vehicle parking from 30 stalls to 10 stalls
 - v. reduce the commercial vehicle parking from 6 stalls to 0 stalls.
2. That the Development Permit, if issued, lapses in two years from the date of this resolution.

Amendment:

Moved By Councillor Andrew

That the applicant ensure that the car-share vehicle is zero emissions or electric.

Failed to proceed due to no seconder

On the motion:

FOR (7): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts

OPPOSED (1): Councillor Young

CARRIED (7 to 1)