



MINUTES - COMMITTEE OF THE WHOLE

January 19, 2023, 9:00 A.M.

COUNCIL CHAMBERS, CITY HALL, 1 CENTENNIAL SQUARE

**The City of Victoria is located on the homelands of the Songhees and Esquimalt People
Meeting will recess for a lunch break between 12:00 p.m. and 1:00 p.m.**

PRESENT: Mayor Alto in the Chair, Councillor Caradonna, Councillor Coleman, Councillor Dell, Councillor Gardiner, Councillor Hammond, Councillor Kim, Councillor Loughton, Councillor Thompson

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Chief Financial Officer, C. Kingsley - City Clerk, C. Anderson - Deputy City Clerk, T. Zworski - City Solicitor, T. Soulliere - Director of Parks, Recreation & Facilities, J. Jensen - Director, People and Culture, K. Hoese - Director of Sustainable Planning and Community Development, A. Meyer - Assistant Director of Development Services, J. O'Connor - Deputy Director of Finance, K. Moore - Head of Business and Community Relations, C. Mycroft - Manager of Executive Operations, P. Bellefontaine - Director of Engineering & Public Works, D. Atkinson - Acting Fire Chief, S. Johnson - Director of Communications and Engagement, C. Wain - Senior Planner, R. Kenny - Assistant Director of Transportation, S. Verjinschi - Assistant Director of Facilities Management, S. Stoltz - Committee Secretary, M. Heiser - Council Secretary

A. APPROVAL OF AGENDA

Moved By Councillor Dell
Seconded By Councillor Coleman

That the agenda be approved.

CARRIED UNANIMOUSLY

B. CONSENT AGENDA

Moved By Councillor Dell
Seconded By Councillor Kim

That the following items be approved without further debate.

Amendment:

Moved By Councillor Coleman
Seconded By Councillor Gardiner

That item **355 Catherine Street and 210 Kimta Road: Temporary Use Permit with Variances Application No. 00026 (Victoria West)** be added to the Consent Agenda.

CARRIED UNANIMOUSLY

On the main motion as amended:

CARRIED UNANIMOUSLY

C. READING OF MINUTES

C.1 Minutes from the meeting held January 5, 2023

Moved By Councillor Dell

Seconded By Councillor Kim

That the minutes from the Committee of the Whole meeting held January 5, 2023 be adopted.

CARRIED UNANIMOUSLY

E.4 355 Catherine Street and 210 Kimta Road: Temporary Use Permit with Variances Application No. 00026 (Victoria West)

Council received a report dated December 19, 2022 from the Director of Sustainable Planning and Community Development regarding information, analysis and recommendations for a Temporary Use Permit Application for the property located at 355 Catherine Street and 210 Kimta Road in order to allow for a commercial Beyond Van Gogh arts exhibition within a large tent for a period of 130 days, and recommending that it proceed to an opportunity for public comment.

Moved By Councillor Dell

Seconded By Councillor Kim

1. 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 Temporary Use Permit Application 00026 for 355 Catherine Street and 210 Kimta Road, in accordance with:
 - a. Plans date stamped November 21, 2022.
 - b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. increase the maximum floor area for non-residential uses within DA-4 from 1180m² to 2400m²;
 - ii. reduce the long term bicycle parking from 5 stalls to 0 stalls.
 - c. The Temporary Use Permit lapsing 130 days from the date of this resolution."
2. That Council authorize placement of a temporary structure, for a period of no more than 130 days, within the area of the Statutory Right-of-Way registered as CA3962388.

3. That Council ratify the decision at the daytime session immediately following the Committee of the Whole Meeting.

CARRIED UNANIMOUSLY

F.2 Delegation of Minor Variances associated with Development Variance Permits, Development Permits and Heritage Alteration Permits

Committee received a report dated January 5, 2023 from the Director of Sustainable Planning and Community Development related to delegating minor variances associated with Development Variance Permits, Development Permits, and Heritage Alteration Permits.

Moved By Councillor Dell
Seconded By Councillor Kim

That Council direct staff to:

1. Seek input from the Urban Development Institute and Community Association Land Use Committees relating to the delegation of minor variances.
2. Prepare draft Land Use Procedures Bylaw amendments to delegate minor variances associated with Development Variance Permits, Development Permits and Heritage Alteration Permits to the Director of Sustainable Planning and Community Development.
3. Bring forward the draft Land Use Procedures Bylaw amendments for Council's consideration along with any feedback received.

CARRIED UNANIMOUSLY

E. LAND USE MATTERS

E.1 2848 and 2852 Shelbourne Street: Rezoning Application No. 00768 and Development Permit with Variances Application No. 000595 (Oaklands)

Committee received a report dated January 5, 2023 from the Director of Sustainable Planning and Community Development regarding information, analysis and recommendations for a Rezoning Application and Development Permit with Variance Application for the properties located at 2848 and 2852 Shelbourne Street in order to rezone from the R1-B Zone to the RT Zone so as to permit the construction of a seven-unit townhouse, and recommending that it be declined.

Moved By Councillor Gardiner
Seconded By Councillor Hammond

That Council decline Rezoning Application No. 00768 and associated Development Permit with Variances Application No. 000595 for the properties located at 2848 and 2852 Shelbourne Street.

Council discussed the following:

- *Statutory Right-of-Ways and how they are often part of a long term vision*
- *Human scale within urban design*
- *Concerns regarding the orientation and privacy of the proposed development*

FOR (2): Councillor Gardiner, Councillor Hammond

OPPOSED (7): Mayor Alto, Councillor Caradonna, Councillor Coleman, Councillor Dell, Councillor Kim, Councillor Loughton, Councillor Thompson

DEFEATED (2 TO 7)

Moved By Councillor Dell

Seconded By Councillor Caradonna

Rezoning Application

1. That Council instruct the Director of Sustainable Planning and Community Development to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00768 for 2848 and 2852 Shelbourne Street.
2. That first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the applicant provided the following items:
 - a. corrections to the data table to accurately reflect the maximum exclusion for parking stalls and to ensure the visitor stall meets the minimum required drive aisle clearance in the Zoning Regulation Bylaw to the satisfaction of the Director of Planning and Sustainable Development;
 - b. an updated shadow study to accurately reflect the current design to the satisfaction of the Director of Planning and Sustainable Development;
 - c. revised plans to clearly label the solar panels and EV chargers as referenced in the applicant letter;
 - d. revised plans to include a sight triangle on each side of the driveway crossing that meets the requirements of Schedule C of the Highway Access Bylaw, to the satisfaction of the Director of Engineering and Public Works;
 - e. a revised site plan to indicate that any signage proposed in the Statutory Right of Way (SRW) is temporary until such a time that the SRW will be utilized by the City, to the satisfaction of the Director of Engineering and Public Works;
 - f. an updated Arborist Report and Tree Management Plan to accurately reflect the proposed landscape plan to the satisfaction of the Director of Parks, Recreation and Facilities;
 - g. a revised site plan and landscape plan that comply with the Tree Protection Bylaw with respect to tree identification, critical root zones, soil volumes and tree replacement to the satisfaction of the Director of Parks, Recreation and Facilities;
 - h. a revised civil plan to show the extent of curb to be retained adjacent to the municipal street trees and accurate tree protection fencing to the satisfaction of the Director of Parks, Recreation and Facilities; and

- i. revised plans to ensure the proposed guardrails meet the requirements of the BC Building Code (BCBC).
3. That subject to approval in principle at the public hearing, the applicant prepare and execute the following legal agreements, with form satisfactory to the City Solicitor, prior to final adoption of the bylaw:
 - a. that a future strata cannot restrict long-term rental to non-owners, with contents satisfactory to the Director of Sustainable Planning and Community Development;
 - b. a Statutory Right of Way (SRW) of 7.0 metres width along the Shelbourne Street frontage, with contents satisfactory to the Director of Engineering and Public Works; and
 - c. to ensure the delivery and installation of green building features including solar panels and construction to the standard of Step 4 of the BC Energy Step Code, with contents satisfactory to the Director of Sustainable Planning and Community Development.
4. 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 to the satisfaction of the City Solicitor.
5. That the above Recommendations be adopted on the condition that they create no legal rights for the applicant or any other person, or 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 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. 00768, if it is approved, consider the following motion:

1. That subject to the adoption of Zoning Regulation Bylaw Amendment, Council authorize the issuance of Development Permit with Variance Application No.000595 for 2848 and 2852 Shelbourne Street, in accordance with:
 - a. Plans date stamped November 16, 2021.
 - b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. increase the number of units in an attached dwelling from four to seven;
 - ii. reduce the setback to the west side of Shelbourne Street from 10.7m to 8.27m.
2. That the Development Permit, if issued, lapses in two years from the date of this resolution.

Council discussed the following:

- *The high demand for increased residential units in this area*
- *The fact that the Oaklands Neighbourhood Plan was implemented in 1993, and therefore is considered to be outdated by many*

On the main motion:

FOR (6): Mayor Alto, Councillor Caradonna, Councillor Dell, Councillor Kim, Councillor Loughton, Councillor Thompson

OPPOSED (3): Councillor Coleman, Councillor Gardiner, Councillor Hammond

CARRIED (6 TO 3)

Committee recessed at 10:25 a.m. and reconvened at 10:35 a.m.

E.2 633 Belton Avenue: Rezoning Application No. 00811 and Development Permit with Variances Application No. 00196 (Victoria West)

Committee received a report dated January 5, 2023 from the Director of Sustainable Planning and Community Development regarding information, analysis and recommendations for a Rezoning Application and Development Permit with Variances Application for the property located at 633 Belton Avenue in order to rezone from the R1-B Zone, Single Family Dwelling District to a new zone in order to construct a six-unit houseplex, and recommending that it be declined.

Moved By Councillor Gardiner
Seconded By Councillor Hammond

That Council decline Rezoning Application No. 00811 for the property located at 633 Belton Avenue.

Council discussed the following:

- *The fact that the proposed development will only have on-street parking*
- *The general design and area of the proposed development*

FOR (3): Councillor Coleman, Councillor Gardiner, Councillor Hammond
OPPOSED (6): Mayor Alto, Councillor Caradonna, Councillor Dell, Councillor Kim, Councillor Loughton, Councillor Thompson

DEFEATED (3 TO 6)

Moved By Councillor Caradonna
Seconded By Councillor Thompson

Rezoning

That Council instruct the Director of Sustainable Planning and Community Development to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in the staff report dated November 17, 2022 for 633 Belton Avenue.

1. That first and second reading of the zoning bylaw amendment be considered by Council and a public hearing date be set once the following conditions are met:
 - a. Revised plans and Arborist Report, to the satisfaction of the Director of Parks, Facilities and Recreation, providing further information from the arborist on the feasibility of retaining the existing trees and the viability of the proposed trees.
2. That subject to approval in principle at the public hearing, the applicant prepare and execute the following legal agreements, with contents

satisfactory to the Director of Sustainable Planning and Community Development and form satisfactory to the City Solicitor prior to adoption of the bylaw:

- a. Provision of no less than two adaptable units, in accordance with the standards in the British Columbia Building Code and BC's Building Accessibility Handbook.
3. That subject to approval in principle at the Public Hearing, the applicant prepare and execute the following legal agreements, with contents satisfactory to the Director of Engineering and Public Works and form satisfactory to the City Solicitor prior to adoption of the bylaw:
 - a. Provision of transportation demand management measures including:
 - i. Six car share memberships,
 - ii. One car share vehicle
 - iii. One bicycle repair station
 - iv. A minimum of seven cargo bicycle stalls
 - b. Provision of a dual on-street level 2 electric vehicle charging station for use by both the car share vehicle and the public.
4. 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 to the satisfaction of the City Solicitor.
5. That the above Recommendations be adopted on the condition that they create no legal rights for the applicant or any other person, or 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 with Variance 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. 0811, if it is approved, consider the following motion:

1. That subject to the adoption of the necessary Zoning Regulation Bylaw amendment, Council authorize the issuance of Development Permit with Variances No. 00196 for 633 Belton Avenue, in accordance with plans submitted to the Planning department and date stamped by Planning on May 24, 2022, subject to:
 - a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
 - i. reduce the east side yard setback from 1.85m to 1.37m;
 - ii. reduce the residential vehicle parking from 9 stalls to 0 stalls; and,
 - iii. reduce the visitor vehicle parking from 1 stall to 0 stalls.
2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution."

Council discussed the following:

- *Support for the proposal's innovation and alignment with sustainable urbanism*
- *The rising demand for car-free developments such as this one, and the support for increased density without increased cars*
- *Support for the fact that the proposed development consists of multiple bedrooms for each unit*

- *The fact that this development would support climate change action, affordability, and mental & physical health through increased active transportation*
- *Both support and concerns from neighboring residents*

On the main motion:

FOR (6): Mayor Alto, Councillor Caradonna, Councillor Dell, Councillor Kim, Councillor Loughton, Councillor Thompson

OPPOSED (3): Councillor Coleman, Councillor Gardiner, Councillor Hammond

CARRIED (6 TO 3)

Committee recessed at 12:00 p.m. and reconvened at 1:00 p.m.

E.3 349 Kipling Street and 1400 Fairfield Road: Rezoning Application No. 00702 and Development Permit with Variances Application No. 00219 (Fairfield)

Council received a report dated December 22, 2022 from the Director of Sustainable Planning and Community Development regarding updated information, analysis and recommendations pertaining to the revised application for the properties located at 349 Kipling Street and 1400 Fairfield Road in order to rezone from the R1-B Zone, Single Family Dwelling District, to a new site-specific zone in order to consolidate two lots and construct townhouses with a total of nine dwelling units, and recommending that it proceed to bylaws readings.

Moved By Councillor Gardiner
Seconded By Councillor Dell

Rezoning Application

1. That Council instruct the Director of Sustainable Planning and Community Development to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in the staff report dated December 12, 2022, for 349 Kipling Street and 1400 Fairfield Road, such bylaw to include density bonus provisions related to a \$67,500 contribution towards the City of Victoria's Housing Reserve Fund and a \$10,000 contribution towards the Local Amenities Fund.
2. That first and second reading of the zoning bylaw amendment be considered by Council and a public hearing date be set.
3. That subject to approval in principle at the public hearing, the applicant prepare and execute the following legal agreements, with form satisfactory to the City Solicitor prior to adoption of the bylaw:
 - a. Secure a 0.86m wide statutory right of way along Fairfield Road to the satisfaction of the Director of Engineering and Public Works.
4. 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 to the satisfaction of the City Solicitor.

5. That the above Recommendations be adopted on the condition that they create no legal rights for the applicant or any other person, or 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 with Variance 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. 00702, if it is approved, consider the following motion:

1. That subject to the adoption of the necessary Zoning Regulation Bylaw amendment, Council authorize the issuance of Development Permit with Variances No. 00219 for 1400 Fairfield Road and 349 Kipling Street, generally in accordance with plans submitted to the Planning department and date stamped by Planning on November 15, 2022, subject to:
 - a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
 - i. reduce the flanking street setback (Kipling Street) from 6m to 1.67m;
 - ii. reduce the rear yard setback (Fairfield Road) from 6m to 3.36m;
 - iii. reduce the front yard setback (Thurlow Road) from 6m to 4.80m;
 - iv. reduce the south side setback from 4m to 1.66m;
 - v. permit roof decks in the form of balconies;
 - vi. locate the accessory building (garbage) in the rear/side yard, increase the height from 3.50m to 4.05m and reduce the separation space from the main building from 2.40m to 1.32m;
 - vii. increase site coverage from 50% to 51.1%;
 - viii. decrease the floor area per attached dwelling unit from 100m² to 92.3m² ;
 - ix. reduce the number of residential vehicle parking stalls from 9 to 8;
 - x. reduce the number of visitor parking stalls from 1 to 0;
 - xi. reduce the required aisle depth clearance behind the two garage parking stalls along Thurlow Road from 7m to 5.27m at the centre and to 3.43m at both ends.
2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution”.

Committee discussed the following:

- *Future plans for Fairfield Road and the surrounding areas regarding bike lanes, and how the proposed Statutory Right-of-Way could affect these plans*
- *Plans for existing trees on the proposed development site*

Amendment:

Moved By Councillor Dell

Seconded By Councillor Gardiner

Rezoning Application

1. That Council instruct the Director of Sustainable Planning and Community Development to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in the staff report dated December 12, 2022, for 349 Kipling Street and 1400 Fairfield Road, such bylaw to include density bonus provisions **at the amounts of \$38,750 towards the City of Victoria's Housing Reserve Fund and \$38,750 towards the Local Amenities Fund** ~~related to a \$67,500 contribution towards the City of Victoria's Housing Reserve Fund and a \$10,000 contribution towards the Local Amenities Fund.~~
2. That first and second reading of the zoning bylaw amendment be considered by Council and a public hearing date be set.
3. That subject to approval in principle at the public hearing, the applicant prepare and execute the following legal agreements, with form satisfactory to the City Solicitor prior to adoption of the bylaw:
 - a. Secure a 0.86m wide statutory right of way along Fairfield Road to the satisfaction of the Director of Engineering and Public Works.
4. 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 to the satisfaction of the City Solicitor.
5. That the above Recommendations be adopted on the condition that they create no legal rights for the applicant or any other person, or 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 with Variance 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. 00702, if it is approved, consider the following motion:

1. That subject to the adoption of the necessary Zoning Regulation Bylaw amendment, Council authorize the issuance of Development Permit with Variances No. 00219 for 1400 Fairfield Road and 349 Kipling Street, generally in accordance with plans submitted to the Planning department and date stamped by Planning on November 15, 2022, subject to:
 - a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
 - i. reduce the flanking street setback (Kipling Street) from 6m to 1.67m;
 - ii. reduce the rear yard setback (Fairfield Road) from 6m to 3.36m;
 - iii. reduce the front yard setback (Thurlow Road) from 6m to 4.80m;
 - iv. reduce the south side setback from 4m to 1.66m;
 - v. permit roof decks in the form of balconies;
 - vi. locate the accessory building (garbage) in the rear/side yard, increase the height from 3.50m to 4.05m and reduce the separation space from the main building from 2.40m to 1.32m;
 - vii. increase site coverage from 50% to 51.1%;
 - viii. decrease the floor area per attached dwelling unit from 100m² to 92.3m² ;
 - ix. reduce the number of residential vehicle parking stalls from 9 to 8;
 - x. reduce the number of visitor parking stalls from 1 to 0;

- xi. reduce the required aisle depth clearance behind the two garage parking stalls along Thurlow Road from 7m to 5.27m at the centre and to 3.43m at both ends.
2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution”.

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Caradonna

Seconded By Councillor Kim

Rezoning Application

1. That Council instruct the Director of Sustainable Planning and Community Development to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in the staff report dated December 12, 2022, for 349 Kipling Street and 1400 Fairfield Road, such bylaw to include density bonus provisions at the amounts of \$38,750 towards the City of Victoria's Housing Reserve Fund and \$38,750 towards the Local Amenities Fund.
2. That first and second reading of the zoning bylaw amendment be considered by Council and a public hearing date be set **subject to the developer building the core mechanical systems by electrification.**
3. That subject to approval in principle at the public hearing, the applicant prepare and execute the following legal agreements, with form satisfactory to the City Solicitor prior to adoption of the bylaw:
 - a. Secure a 0.86m wide statutory right of way along Fairfield Road to the satisfaction of the Director of Engineering and Public Works.
4. 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 to the satisfaction of the City Solicitor.
5. That the above Recommendations be adopted on the condition that they create no legal rights for the applicant or any other person, or 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 with Variance 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. 00702, if it is approved, consider the following motion:

1. That subject to the adoption of the necessary Zoning Regulation Bylaw amendment, Council authorize the issuance of Development Permit with Variances No. 00219 for 1400 Fairfield Road and 349 Kipling Street, generally in accordance with plans submitted to the Planning department and date stamped by Planning on November 15, 2022, subject to:
 - a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:

- i. reduce the flanking street setback (Kipling Street) from 6m to 1.67m;
 - ii. reduce the rear yard setback (Fairfield Road) from 6m to 3.36m;
 - iii. reduce the front yard setback (Thurlow Road) from 6m to 4.80m;
 - iv. reduce the south side setback from 4m to 1.66m;
 - v. permit roof decks in the form of balconies;
 - vi. locate the accessory building (garbage) in the rear/side yard, increase the height from 3.50m to 4.05m and reduce the separation space from the main building from 2.40m to 1.32m;
 - vii. increase site coverage from 50% to 51.1%;
 - viii. decrease the floor area per attached dwelling unit from 100m² to 92.3m² ;
 - ix. reduce the number of residential vehicle parking stalls from 9 to 8;
 - x. reduce the number of visitor parking stalls from 1 to 0;
 - xi. reduce the required aisle depth clearance behind the two garage parking stalls along Thurlow Road from 7m to 5.27m at the centre and to 3.43m at both ends.
2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution”.

Committee discussed the following:

- *The desire for the developer to build the core mechanical systems by electrification, therefore supporting modern sustainability initiatives*
- *Support for this amendment regarding the fact that electric core mechanical systems have a lower operating cost overall*
- *The multiple pathways that the developer could use in order to achieve these sustainability goals*

On the amendment:

FOR (7): Mayor Alto, Councillor Caradonna, Councillor Dell, Councillor Kim, Councillor Loughton, Councillor Thompson

OPPOSED (2): Councillor Gardiner, Councillor Hammond

CARRIED (7 TO 2)

On the main motion as amended:

Rezoning Application

1. That Council instruct the Director of Sustainable Planning and Community Development to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in the staff report dated December 12, 2022, for 349 Kipling Street and 1400 Fairfield Road, such bylaw to include density bonus provisions at the amounts of \$38,750 towards the City of Victoria's Housing Reserve Fund and \$38,750 towards the Local Amenities Fund.
2. That first and second reading of the zoning bylaw amendment be considered by Council and a public hearing date be set subject to the developer building the core mechanical systems by electrification.

3. That subject to approval in principle at the public hearing, the applicant prepare and execute the following legal agreements, with form satisfactory to the City Solicitor prior to adoption of the bylaw:
 - a. Secure a 0.86m wide statutory right of way along Fairfield Road to the satisfaction of the Director of Engineering and Public Works.
4. 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 to the satisfaction of the City Solicitor.
5. That the above Recommendations be adopted on the condition that they create no legal rights for the applicant or any other person, or 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 with Variance 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. 00702, if it is approved, consider the following motion:

1. That subject to the adoption of the necessary Zoning Regulation Bylaw amendment, Council authorize the issuance of Development Permit with Variances No. 00219 for 1400 Fairfield Road and 349 Kipling Street, generally in accordance with plans submitted to the Planning department and date stamped by Planning on November 15, 2022, subject to:
 - a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
 - i. reduce the flanking street setback (Kipling Street) from 6m to 1.67m;
 - ii. reduce the rear yard setback (Fairfield Road) from 6m to 3.36m;
 - iii. reduce the front yard setback (Thurlow Road) from 6m to 4.80m;
 - iv. reduce the south side setback from 4m to 1.66m;
 - v. permit roof decks in the form of balconies;
 - vi. locate the accessory building (garbage) in the rear/side yard, increase the height from 3.50m to 4.05m and reduce the separation space from the main building from 2.40m to 1.32m;
 - vii. increase site coverage from 50% to 51.1%;
 - viii. decrease the floor area per attached dwelling unit from 100m² to 92.3m² ;
 - ix. reduce the number of residential vehicle parking stalls from 9 to 8;
 - x. reduce the number of visitor parking stalls from 1 to 0;
 - xi. reduce the required aisle depth clearance behind the two garage parking stalls along Thurlow Road from 7m to 5.27m at the centre and to 3.43m at both ends.
2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution”.

CARRIED UNANIMOUSLY

F. STAFF REPORTS

F.1 Park Washrooms Accessibility Assessment

Committee received a report dated January 3, 2023 from the Director of Parks, Recreation and Facilities regarding the results of an accessibility audit of the City's 18 public washroom buildings in municipal parks and outlining the approach to addressing the barriers identified.

Moved By Councillor Dell
Seconded By Councillor Thompson

That Council direct staff to implement a workplan to address the barriers identified in the Park Washroom Accessibility Audit Report (Attachment A), by the end of 2030, with funding to be considered for approval through the annual Financial Plan.

Committee discussed the following:

- *Ongoing maintenance of public park washrooms*
- *The cost of upgrading the washrooms and implementing the suggested changes*
- *How staff is addressing the needed balance when addressing accessibility concerns within the City*
- *The overall timeline and financial impact of the project*

Moved By Councillor Thompson
Seconded By Councillor Caradonna

That the meeting be extended to 2:45 p.m.

CARRIED UNANIMOUSLY

On the main motion:

FOR (8): Mayor Alto, Councillor Caradonna, Councillor Dell, Councillor Gardiner, Councillor Hammond, Councillor Kim, Councillor Loughton, Councillor Thompson
OPPOSED (1): Councillor Coleman,

CARRIED (8 TO 1)

I. ADJOURNMENT OF COMMITTEE OF THE WHOLE

Moved By Councillor Thompson
Seconded By Councillor Caradonna

That the Committee of the Whole Meeting be adjourned at 2:33 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR

DRAFT