



MINUTES - COMMITTEE OF THE WHOLE

June 29, 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 Kim, Councillor Thompson

ABSENT: Councillor Hammond, Councillor Loughton

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Chief Financial Officer, C. Kingsley - City Clerk, C. Anderson - Deputy City Clerk, S. Johnson - Director of Communications and Engagement, T. Zworski - City Solicitor, T. Soulliere - Director of Parks, Recreation & Facilities, A. Meyer - Assistant Director of Development Services, A. Hudson - Assistant Director of Community Planning, C. Mycroft - Manager of Executive Operations, C. Medd - Planner, M. Angrove - Planner, R. Kenney - Assistant Director of Transportation, P. Carroll - Senior Planner, J. Edney - Housing Planner, D. Atkinson - Fire Chief, S. Stoltz - Committee Secretary

A. APPROVAL OF AGENDA

Moved By Councillor Dell
Seconded By Councillor Coleman

That the agenda be approved.

CARRIED UNANIMOUSLY

B. CONSENT AGENDA

Councillor Thompson requested that item ***C.1 - 419 and 421 Stannard Avenue: Rezoning Application No. 00787 and Development Permit with Variances Application No. 000603 (Fairfield)*** be removed from the Consent Agenda.

Councillor Gardiner requested that item ***C.7 - 480 and 492 Esquimalt Road: Update Report on Rezoning Application No. 00794 and Development Permit with Variances Application No. 00183 (Victoria West)*** be removed from the Consent Agenda.

Councillor Dell requested that item **C.9 - 1516 Camosun Street and 1270 and 1286 Pandora Avenue: Rezoning Application No. 00805 and Development Permit with Variances Application No. 00190 (Fernwood)** be removed from the Consent Agenda.

Moved By Councillor Coleman

Seconded By Councillor Gardiner

That the following items be approved without further debate:

CARRIED UNANIMOUSLY

C.2 623/625 Avalon Road: Rezoning Application No. 00744 and Development Permit with Variances Application No. 00223 (James Bay)

Committee received a report dated June 15, 2023 from the Director of Sustainable Planning and Community Development regarding a Rezoning Application and Development Permit with Variances Application for the property located at 623/625 Avalon Road in order to allow for a garden suite by converting an existing accessory building and recommending that it move forward to a Public Hearing.

Moved By Councillor Coleman

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 June 15, 2023 for 623/625 Avalon Road.
2. That first and second reading of the zoning bylaw amendment be considered by Council and a public hearing date be set.
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 to the satisfaction of the City Solicitor.
4. 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. 00744, if it is approved, consider the following motion:

1. "That subject to the adoption of the necessary Zoning Regulation Bylaw amendment, Council authorizes the issuance of Development Permit with Variance No. 00223 for 623/625 Avalon Road, in accordance with plans submitted to the Planning department and date stamped by Planning on January 11, 2023, subject to:

- a. Proposed development meeting all City zoning bylaw requirements, Schedule M – Garden Suites, except for the following variances:
 - i. increase the rear yard site coverage from 25% to 28.10%.
- b. Secure the provision of three car share memberships including credits for each membership with contents satisfactory to the Director of Engineering and Public Works and form satisfactory to the City Solicitor.
- c. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.”

CARRIED UNANIMOUSLY

C.3 903 Sherk Street: Development Permit Application No. 000628 (Victoria West)

Committee received a report dated June 15, 2023 from the Director of Sustainable Planning and Community Development regarding a Development Permit Application for the property located at 903 Sherk Street in order to allow for an addition and alteration to an existing single-family dwelling and recommending that it be approved.

Moved By Councillor Coleman
Seconded By Councillor Gardiner

- 1. That Council authorize the issuance of Development Permit No. 000628 for 903 Sherk Street, in accordance with plans submitted to the Sustainable Planning and Community Development department and date stamped May 17, 2023.
- 2. That the Development Permit, if issued, lapses two years from the date of this resolution.

CARRIED UNANIMOUSLY

C.4 429 Vancouver Street: Development Permit with Variances No. 00194 (Fairfield)

Committee received a report dated June 15, 2023 from the Director of Sustainable Planning and Community Development regarding a Development Permit with Variances Application for the property located at 429 Vancouver Street in order to add two new rental units through minor modifications to the existing eight-unit apartment building and recommending that the standard practice of holding an opportunity for public comment be waived.

Moved By Councillor Coleman
Seconded By Councillor Gardiner

- 1. “That Council waive the standard practice of holding an opportunity for public comment for this application but direct staff to continue other standard practices related to sign posting and public notification, including a request for written commentary to come back to Council for consideration prior to issuing the Development Permit with Variances.

2. And subject to the required notice and advertising, that Council consider authorizing the issuance of Development Permit with Variances Application No. 00194 for 429 Vancouver Street, in accordance with plans submitted to the Planning department and date stamped April 24, 2023, subject to:
 - a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
 - i. decrease the interior (east) side setback from 4.72m to 3.39m;
 - ii. decrease the open site space between a parking space and the street from 4.72m to 1.00m;
 - iii. decrease the setback from off-street parking to the street from 6.00m to 1.00m from Vancouver Street and from 6.00m to .90m from Harling Lane;
 - iv. decrease off-street parking from 14 stalls to 8 stalls;
 - v. decrease the street setback from 7.50m to 0.60 for an accessory building for long-term bike parking.
3. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution”.

CARRIED UNANIMOUSLY

C.5 206 St. Charles Street: Development Permit with Variances Application No. 00218 (Gonzales)

Committee received a report dated June 15, 2023 from the Director of Sustainable Planning and Community Development regarding a Development Permit with Variances Application for the property located at 206 St. Charles Street in order to allow for a habitable window and recommending the standard practice of holding an opportunity for public comment be waived.

Moved By Councillor Coleman
Seconded By Councillor Gardiner

1. “That Council waive the standard practice of holding an opportunity for public comment for this application but direct staff to continue other standard practices related to sign posting and public notification, including a request for written commentary to come back to Council for consideration prior to issuing the Development Permit with Variances.
2. And subject to the required notification and advertising, Council consider authorizing the issuance of Development Permit with Variances No. 00218 for 206 St. Charles Street, in accordance with:
 - a. Plans date stamped by Planning on May 11, 2023.
 - b. Proposed development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - i. reduce the north side yard setback to a habitable window from 2.4m to 1.58m.
3. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.”

CARRIED UNANIMOUSLY

C.6 1555 Hillside Avenue: Development Permit Application No. 00615 (Oaklands)

Committee received a report dated June 15, 2023 from the Director of Sustainable Planning and Community Development regarding a Development Permit Application for the property located at 1555 Hillside Avenue in order to allow for a one-storey retail commercial building on a vacant lot and recommending that it be approved.

Moved By Councillor Coleman
Seconded By Councillor Gardiner

“That Council authorize the issuance of Development Permit No. 00615 for 1555 Hillside Avenue, in accordance with Plans date stamped May 31, 2023, subject to:

- a. Development meeting all Zoning Regulation Bylaw requirements.
- b. That the applicant prepare and execute a 1.6m Statutory Right of Way as indicated on the plans date stamped May 31, 2023, with contents satisfactory to the Director of Engineering, Transportation and Public Works, and form satisfactory to the City Solicitor.
- c. That the Development Permit, if issued, lapses two years from the date of this resolution.”

CARRIED UNANIMOUSLY

C. LAND USE MATTERS

C.1 419 and 421 Stannard Avenue: Rezoning Application No. 00787 and Development Permit with Variances Application No. 000603 (Fairfield)

Committee received a report dated June 15, 2023 from the Director of Sustainable Planning and Community Development regarding a Rezoning Application and Development Permit with Variances Application for the property located at 419 and 421 Stannard Avenue in order to allow for a duplex with a garden suite and recommending that it move forward to a Public Hearing.

Committee discussed the following:

- *Support for garden suites throughout the City*
- *The fact that this application is considered an appropriate size for the neighbourhood*
- *Support for this style of gentle densification*

Moved By Councillor Thompson
Seconded By Councillor Coleman

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 June 15, 2023 for 419 and 421 Stannard Avenue.

2. That first and second reading of the zoning bylaw amendment be considered by Council and a public hearing date be set.
3. 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. 00787, 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. 000603 for 419 and 421 Stannard Avenue, in accordance with plans submitted to the Planning department and date stamped by Planning on December 2, 2022, subject to:
 - a. securing the provision of three car share memberships including car share credits for each membership with contents satisfactory to the Director of Engineering and Public Works and form satisfactory to the City Solicitor.
 - b. receipt of a revised arborist report and tree management plan to the satisfaction of the Director of Parks, Recreation and Facilities.
 - c. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
 - i. reduce the number of required off-street parking spaces from 2 to 1 for the existing duplex; and
 - ii. increase the maximum floor area for accessory buildings from 37 square metres to 42 square metres.
2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution."

CARRIED UNANIMOUSLY

C.7 480 and 492 Esquimalt Road: Update Report on Rezoning Application No. 00794 and Development Permit with Variances Application No. 00183 (Victoria West)

Committee received an update report dated June 15, 2023 from the Director of Sustainable Planning and Community Development regarding a Rezoning Application and Development Permit with Variances Application for the property located at 480 and 492 Esquimalt Road in order to construct a six-storey mixed-use building with commercial, industrial, residential and live-work uses with a approximately 95 rental residential units and recommending that it move forward to a Public Hearing.

Moved By Councillor Caradonna
Seconded By Councillor Thompson

Rezoning and Official Community Plan Amendment Application No. 00794

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00794 for 480 and 492 Esquimalt Road, 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. That the Zoning Regulation Bylaw Amendment limit the form of tenure to residential rental tenure within the entire zone.
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 a minimum of 29 two-bedroom units and five three-bedroom units.
 - b. Secure a Statutory Right of Way over the courtyard for public use.
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 provision of car share memberships and usage credits for all residential units, two car share vehicles, two dedicated car share vehicle stalls and public access to these stalls, a minimum of 20 long term bicycle stalls above the minimum requirements of Schedule C of the Zoning Regulation Bylaw, 10% of which are cargo bicycle stalls, a bicycle wash and repair station, electrical outlets for 50% of the bicycle parking stalls, enrollment in the BC Transit EcoPass program for five years for each of the commercial units and 10% of the residential units, and end of trip facilities for the commercial tenants.
 - b. Secure a sidewalk to City standards on Russell Street north of the development site connecting to Dundas Street.
 - c. Secure a Statutory Right-of-Way of between 0.95m and 1.75m along the Esquimalt Road frontage to accommodate a sidewalk and boulevard to City standard widths.
 - d. Secure a Statutory Right-of-Way of 1.63m along the Russell Street frontage.
 - e. Secure a Statutory Right-of-way of no greater than 4.0m by 4.0m along Esquimalt Road for the purpose of water meter vault.
 - f. Release of the existing triangular-shaped Statutory Right-of-Way at 492 Esquimalt Road, numbered 175468-G.
4. Revised Arborist Report and Landscape Plans to the satisfaction of the Director of Parks, Recreation and Facilities to address outstanding Parks comments provided June 13, 2023.

Development Permit with Variances Application No. 00183

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. 00794 if it is approved, consider the following motion:

1. That Council authorize the issuance of Development Permit with Variances Application No. 00183 for 480 and 492 Esquimalt Road, in accordance with:
 - a. Plans date stamped June 6, 2023.
 - b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:

- i. increase the height from six storeys to seven storeys to accommodate the rooftop amenity access and mechanical room
 - ii. decrease the rear yard setback from 3.0m to 0.12m;
 - iii. decrease the residential vehicle parking from 95 stalls to 25 stalls;
 - iv. decrease the visitor vehicle parking from 10 stalls to 4 stalls;
 - v. decrease the commercial vehicle parking from 11 stalls to 5 stalls;
 - vi. permit long-term bicycle parking to be in a stacked format.
2. That the Development Permit, if issued, lapses in two years from the date of this resolution.

CARRIED UNANIMOUSLY

C.8 182 Wilson Street: Rezoning Application No. 00847 (Victoria West)

Committee received a report dated June 15, 2023 from the Director of Sustainable Planning and Community Development report regarding a Rezoning Application for the property located at 182 Wilson Street in order to allow for the retail sale of cannabis at this location and recommending that it be declined.

Moved By Councillor Dell
Seconded By Councillor Gardiner

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00847 for 182 Wilson Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and that a Public Hearing date be set.

Committee discussed the following:

- *Support for existing family-owned cannabis shops in the area*

On the main motion:

FOR (6): Mayor Alto, Councillor Coleman, Councillor Dell, Councillor Gardiner, Councillor Kim, Councillor Thompson
OPPOSED (1): Councillor Caradonna

CARRIED (6 TO 1)

Motion arising:

Moved By Councillor Caradonna
Seconded By Councillor Kim

That Staff review the storefront cannabis retail rezoning policy.

Committee discussed the following:

- *The desire to review the policy and take more considerations under review as the City receives more applications*

On the motion arising:

CARRIED UNANIMOUSLY

C.9 1516 Camosun Street and 1270 and 1286 Pandora Avenue: Rezoning Application No. 00805 and Development Permit with Variances Application No. 00190 (Fernwood)

Committee received a report dated May 18, 2023 from the Director of Sustainable Planning and Community Development regarding a Rezoning Application and Development Permit with Variances Application for the property located at 1516 Camosun Street and 1270 and 1286 Pandora Avenue in order to increase the density and recommending that it move forward to a Public Hearing.

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 May 1, 2023, for 1516 Camosun Street, 1270 and 1286 Pandora Avenue.
2. 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. Plan revisions, to the satisfaction of the Director of Engineering and Public Works, to ensure Accessible Parking requirements for the proposal are met.
3. That subject to approval in principle at the Public Hearing, the applicant prepares and executes the following legal agreement, 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. Secure no less than two junior one-bedroom and one studio units as 15% below market ownership units through the Capital Regional District.
4. That subject to approval in principle at the Public Hearing, the applicant prepares and executes 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. A Public Realm Agreement securing the works for improved bicycle lanes along the Pandora Avenue frontage, an improved pedestrian crossing of Pandora Avenue at Camosun Street, and provision of a dual on-street level 2 electric vehicle charging station for use by both the car share vehicle and the public.
 - b. Provision of transportation demand management measures including:
 - i. Car share memberships for all units
 - ii. One car share vehicle
 - iii. One bicycle repair and wash station
 - iv. A minimum of two cargo bike stalls
 - v. Electrical outlets for e-bikes

- vi. Weather protection for short-term bike parking
5. 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.
6. 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 subject to the design refinements as noted above and with any subsequent updates to the variances reflecting those refinements 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. 00805 if it is approved, consider the following motion:

1. That subject to the adoption of the necessary Zoning Regulation Bylaw Amendment, Council authorizes the issuance of Development Permit with Variances No. 00190 for 1516 Camosun Street, 1270 and 1286 Pandora Avenue in accordance with plans submitted to the Planning department and date stamped by Planning on February 23, 2023 subject to:
 - a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
 - i. reduce the front lot line setback from 12.00m to 0.00 m for the parkade and to 1.18m for the building
 - ii. reduce the rear lot line setback from 9.90m to 0.33m for the parkade and to 4.86m for the building
 - iii. reduce the east side lot line setback from 9.90m to 0.00m for the parkade and to 2.12m for the building
 - iv. reduce the west side lot line setback from 9.90m to 1.75m for the parkade and as adjusted based on potential design changes
 - v. reduce the east side lot line canopy setback from 3.00m to 0.15m
 - vi. increase the site coverage maximum from 24.00 percent to 56.70 percent
 - vii. reduce the open space minimum from 60.00 percent to 40.00 percent; and,
 - viii. reduce the required number of residential vehicle parking stalls from 49 stalls to 35 stalls.
 - ix. permit long-term bicycle parking to be in a stacked format.
2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.

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 May 1, 2023, for 1516 Camosun Street, 1270 and 1286 Pandora Avenue.

2. 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. Plan revisions, to the satisfaction of the Director of Engineering and Public Works, to ensure Accessible Parking requirements for the proposal are met.
3. That subject to approval in principle at the Public Hearing, the applicant prepares and executes the following legal agreement, 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. Secure no less than two junior one-bedroom and one studio units as 15% below market ownership units through the Capital Regional District.
4. That subject to approval in principle at the Public Hearing, the applicant prepares and executes 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. A Public Realm Agreement securing the works for improved bicycle lanes along the Pandora Avenue frontage, an improved pedestrian crossing of Pandora Avenue at Camosun Street, and provision of a dual on-street level 2 electric vehicle charging station for use by both the car share vehicle and the public.
 - b. Provision of transportation demand management measures including:
 - i. Car share memberships for all units
 - ii. One car share vehicle
 - iii. One bicycle repair and wash station
 - iv. A minimum of two cargo bike stalls
 - v. Electrical outlets for e-bikes
 - vi. Weather protection for short-term bike parking
5. 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.
6. 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.
7. **That the \$150,000 offered by the applicant be split with 70% going to the local amenities fund, and 30% going to the Victoria Housing Reserve Fund, as reflected in the 2023 updates to the Inclusionary Housing Policy.**

Development Permit with Variances Application

That subject to the design refinements as noted above and with any subsequent updates to the variances reflecting those refinements 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. 00805 if it is approved, consider the following motion:

1. That subject to the adoption of the necessary Zoning Regulation Bylaw Amendment, Council authorizes the issuance of Development Permit with Variances No. 00190 for 1516 Camosun Street, 1270 and 1286 Pandora Avenue in accordance with plans submitted to the Planning department and date stamped by Planning on February 23, 2023 subject to:
 - a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
 - i. reduce the front lot line setback from 12.00m to 0.00 m for the parkade and to 1.18m for the building
 - ii. reduce the rear lot line setback from 9.90m to 0.33m for the parkade and to 4.86m for the building
 - iii. reduce the east side lot line setback from 9.90m to 0.00m for the parkade and to 2.12m for the building
 - iv. reduce the west side lot line setback from 9.90m to 1.75m for the parkade and as adjusted based on potential design changes
 - v. reduce the east side lot line canopy setback from 3.00m to 0.15m
 - vi. increase the site coverage maximum from 24.00 percent to 56.70 percent
 - vii. reduce the open space minimum from 60.00 percent to 40.00 percent; and,
 - viii. reduce the required number of residential vehicle parking stalls from 49 stalls to 35 stalls.
 - ix. permit long-term bicycle parking to be in a stacked format.
2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.

Councillor Kim declared a conflict of interest with the above amendment and left the meeting at 10:21 a.m.

Committee recessed at 10:23 am and reconvened at 10:35 a.m.

On the amendment:

FOR (6): Mayor Alto, Councillor Caradonna, Councillor Coleman, Councillor Dell, Councillor Gardiner, Councillor Thompson
CONFLICT (1): Councillor Kim

CARRIED UNANIMOUSLY

Councillor Kim rejoined the meeting at 10:38 a.m.

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 May 1, 2023, for 1516 Camosun Street, 1270 and 1286 Pandora Avenue.

2. 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. Plan revisions, to the satisfaction of the Director of Engineering and Public Works, to ensure Accessible Parking requirements for the proposal are met.
3. That subject to approval in principle at the Public Hearing, the applicant prepares and executes the following legal agreement, 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. Secure no less than two junior one-bedroom and one studio units as 15% below market ownership units through the Capital Regional District.
4. That subject to approval in principle at the Public Hearing, the applicant prepares and executes 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. A Public Realm Agreement securing the works for improved bicycle lanes along the Pandora Avenue frontage, an improved pedestrian crossing of Pandora Avenue at Camosun Street, and provision of a dual on-street level 2 electric vehicle charging station for use by both the car share vehicle and the public.
 - b. Provision of transportation demand management measures including:
 - i. Car share memberships for all units
 - ii. One car share vehicle
 - iii. One bicycle repair and wash station
 - iv. A minimum of two cargo bike stalls
 - v. Electrical outlets for e-bikes
 - vi. Weather protection for short-term bike parking
5. 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.
6. 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.
7. That the \$150,000 offered by the applicant be split with 70% going to the local amenities fund, and 30% going to the Victoria Housing Reserve Fund, as reflected in the 2023 updates to the Inclusionary Housing Policy.

Development Permit with Variances Application

That subject to the design refinements as noted above and with any subsequent updates to the variances reflecting those refinements 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. 00805 if it is approved, consider the following motion:

1. That subject to the adoption of the necessary Zoning Regulation Bylaw Amendment, Council authorizes the issuance of Development Permit with Variances No. 00190 for 1516 Camosun Street, 1270 and 1286 Pandora

Avenue in accordance with plans submitted to the Planning department and date stamped by Planning on February 23, 2023 subject to:

- a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
 - i. reduce the front lot line setback from 12.00m to 0.00 m for the parkade and to 1.18m for the building
 - ii. reduce the rear lot line setback from 9.90m to 0.33m for the parkade and to 4.86m for the building
 - iii. reduce the east side lot line setback from 9.90m to 0.00m for the parkade and to 2.12m for the building
 - iv. reduce the west side lot line setback from 9.90m to 1.75m for the parkade and as adjusted based on potential design changes
 - v. reduce the east side lot line canopy setback from 3.00m to 0.15m
 - vi. increase the site coverage maximum from 24.00 percent to 56.70 percent
 - vii. reduce the open space minimum from 60.00 percent to 40.00 percent; and,
 - viii. reduce the required number of residential vehicle parking stalls from 49 stalls to 35 stalls.
 - ix. permit long-term bicycle parking to be in a stacked format.
2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.

CARRIED UNANIMOUSLY

C.10 1326 Pandora Avenue: Rezoning Application No. 00767 and Development Permit with Variances Application No. 000594 (Fernwood)

Committee received a report dated May 4, 2023 from the Director of Sustainable Planning and Community Development regarding a Rezoning Application and Development Permit with Variances Application for the property located at 1326 Pandora Avenue in order to permit the construction of a four-unit residential townhouse and recommending that it be declined.

That Council decline Rezoning Application No. 00767 and Development Permit with Variances Application No. 000594 for the property located at 1326 Pandora Avenue.

Moved By Councillor Caradonna

Seconded By Councillor Dell

Rezoning Application

1. That subject to the following revisions, that Council instructs 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 May 4, 2023 for 1326 Pandora Avenue:
 - a. applicant revising the plans to ensure that a minimum height clearance of 2.1m is met for vehicle parking and access
 - b. the Arborist Report, Civil, and Landscape Plans are revised to the satisfaction of the Director of Parks, Recreation, and Facilities to address outstanding Parks comments including:

- i. retention of tree NT2, or;
 - ii. or if tree NT2 is to be removed, clarification regarding ownership of the tree and updated plans and documentation to meet the Tree Protection Bylaw
 - iii. Inclusion of proposed municipal tree on civil drawings
 - iv. Site servicing plan showing
 - a. Hardscape surfaces and treatments
 - b. Utility services: sanitary sewer, storm drain, water, gas, BC Hydro, and telecommunications
 - v. Removal of cedar fence from future site triangles
 - vi. Designation of two additional trees as replacement trees.
2. That first and second reading of the zoning bylaw amendment be considered by Council and a public hearing date be set once the above conditions are met.
 3. 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. 00767, if it is approved, consider the following motion:

1. That subject to the adoption of the necessary Zoning Regulation Bylaw amendment, Council authorizes the issuance of Development Permit with Variances No. 000594 for 1326 Pandora Avenue, in accordance with plans submitted to the Planning department and date stamped by Planning on October 31, 2022, subject to:
 - a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
 - i. reduce the minimum front setback from 7.50m to 6.00m
 - ii. reduce the minimum rear setback from 14.41m to 4.00m
 - iii. reduce the minimum lot width from 15.00m to 13.39m
 - iv. increase the height from 7.60m to 10.50m
 - v. increase the number of storeys from 1.5 to 3
2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.

CARRIED UNANIMOUSLY

C.11 1737 Rockland Avenue: Update Report for Rezoning Application No. 00755 and Development Permit with Variances Application No. 00226 (Rockland)

Committee received a report dated June 15, 2023 from the Director of Sustainable Planning and Community Development regarding a Rezoning Application and Development Permit with Variances Application for the property located at 1737 Rockland Avenue in order to allow for subdivision to create a new Panhandle Lot and for construction of two single-family dwellings on the proposed Panhandle Lot and recommending that it move forward to a Public Hearing.

Moved By Councillor Dell
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 June 15, 2023 for 1737 Rockland Avenue.
2. That first and second reading of the zoning bylaw amendment be considered by Council, concurrent with introductory readings of a heritage designation bylaw for 1737 Rockland Avenue, 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 agreement, with contents satisfactory to the Director of Engineering, Transportation and Public Works, and form satisfactory to the City Solicitor prior to adoption of the bylaw:
 - a. A Road Dedication for highway purposes as indicated on the plans date stamped June 14, 2023.
4. That adoption of the Zoning Regulation Bylaw amendment will not take place until the required legal agreement is registrable in the Land Title Office and has been so registered to the satisfaction of the City Solicitor.
5. That the above recommendation 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.00755, 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 Variance Application No. 000226 for Proposed Lot 2, 1737 Rockland Avenue, to allow the subdivision of a Panhandle Lot in accordance with plans submitted to the Sustainable Planning and Community Development Department and date stamped on June 14, 2023, subject to:
 - a. The proposed development meeting all zoning bylaw requirements, except for the following variances:
 - i. increase the height from 5.00m to 6.60m for Building A
 - ii. increase the number of storeys from 1 to 1.5 for Building A
 - iii. decrease the west setback (habitable window) from 7.50m to 2.27m for Building A
 - iv. increase the height from 5.00m to 5.30m for Building B
 - v. increase the number of storeys from 1 to 2 for Building B
 - vi. decrease the north setback (habitable window) from 7.50m to 1.50m for Building B
 - vii. increase maximum fence height from 1.8m to 2.4m.

- b. The Development Permit lapsing two years from the date of this resolution.”

Committee discussed the following:

- *Square footage of strata buildings on the property*
- *Landscape plans for the parcel in question*
- *The fact that if there were to be a reduction in the size of the building, an altered floor plan would likely be necessary*
- *Challenges with the grade of the parcel in question*

On the main motion:

FOR (5): Mayor Alto, Councillor Caradonna, Councillor Dell, Councillor Kim, Councillor Thompson

OPPOSED (2): Councillor Coleman, Councillor Gardiner

CARRIED (5 TO 2)

D. ADJOURNMENT OF COMMITTEE OF THE WHOLE

Moved By Councillor Coleman

Seconded By Councillor Dell

That the Committee of the Whole Meeting be adjourned at 11:33 a.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR