



## MINUTES - COMMITTEE OF THE WHOLE

September 14, 2023, 9:01 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 (arrived at 1:25 p.m.), Councillor Dell, Councillor Gardiner, Councillor Hammond, Councillor Kim, Councillor Loughton,

PRESENT ELECTRONICALLY: 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, S. Johnson - Director of Communications and Engagement, T. Zworski - City Solicitor, P. Rantucci - Director of Strategic Real Estate, T. Soulliere - Director of Parks, Recreation & Facilities, J. Jensen - Director, People and Culture, K. Hoese - Director of Sustainable Planning and Community Development, C. Mycroft - Manager of Executive Operations, S. Maichen - Legislative Coordinator

GUESTS: D. Manak - Chief Constable - Victoria Police Department, E. Cull - Chair - Victoria and Esquimalt Police Board Finance Committee, S. Hurcombe - Victoria Police Department Controller

### **A. TERRITORIAL ACKNOWLEDGEMENT**

Mayor Alto acknowledged that the City of Victoria is located on the homelands of the Songhees First Nations and Esquimalt First Nations communities, and thanked them for allowing us to live, work and play on their lands.

### **C. APPROVAL OF AGENDA**

**Moved By** Councillor Dell  
**Seconded By** Councillor Caradonna

That the agenda be approved.

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

ABSENT (1): Councillor Coleman

**CARRIED UNANIMOUSLY**

**D. CONSENT AGENDA**

**Moved By** Councillor Dell  
**Seconded By** Councillor Gardiner

That the following items be approved without further debate:

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

**CARRIED UNANIMOUSLY**

**E. CONSIDERATION OF MINUTES**

**E.1 Minutes from the COTW meeting held June 22, 2023**

**Moved By** Councillor Dell  
**Seconded By** Councillor Gardiner

That the minutes from the COTW meeting held June 22, 2023 be approved.

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

**CARRIED UNANIMOUSLY**

**G. LAND USE MATTERS**

**G.1 539-545 1/2 Fisgard Street: Temporary Use Permit Application No. 00030 (Downtown)**

Committee received a report dated August 23, 2023 from the Director of Sustainable Planning and Community Development regarding a Temporary Use Permit application for the property located at 539-545 1/2 Fisgard Street in order to allow for the operation of four units as a limited-service hotel and recommending that Council waive the standard practice of holding an opportunity for public comment.

**Moved By** Councillor Dell  
**Seconded By** Councillor Gardiner

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 Temporary Use Permit

And subject to the required notification and advertising, Council consider issuing the Temporary Use Permit as follows:

1. "That Council authorize the issuance of Temporary use Permit No. 00030 for 539-545 ½ Fisgard Street, in accordance with plans submitted to the Planning department and date stamped by Planning on August 14, 2023 to permit the additional use of a limited-service hotel.
2. That limited-service hotel means "the rental of four or more dwelling units, located in the same building, to tourists where no other hotel services or amenities are provided."
3. That the Temporary use Permit, if issued, expires three years from the date of this resolution."

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

ABSENT (1): Councillor Coleman

**CARRIED UNANIMOUSLY**

**G.2 539-541 Fisgard Street: Heritage Alteration Permit Application No. 00259 (Downtown)**

Committee received a report dated August 24, 2023 from the Director of Sustainable Planning and Community Development regarding a Temporary Use Permit application for the property located at 539-545 1/2 Fisgard Street in order to provide an outdoor covered space in the rear courtyard and recommending that Council authorize the issuance of the Heritage Alteration Permit.

**Moved By** Councillor Dell

**Seconded By** Councillor Gardiner

1. That Council authorize the issuance of the Heritage Alteration Permit No. 00259 for 539-541 Fisgard Street in accordance with plans submitted and date stamped May 29, 2023 (the "Plans"), subject to:
  - a. Proposed development meeting all City zoning bylaw requirements.
  - b. Final plans to be generally in accordance with the Plans to the satisfaction of the Director of Sustainable Planning and Community Development.
2. That the Heritage Alteration Permit, if issued, lapses two years from the date of this resolution.

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

**CARRIED UNANIMOUSLY**

**F. Presentation**

**F.1 Victoria Police Department - Budget Consultations**

Committee engaged in consultation with Elizabeth Cull, Chair of the Victoria and Esquimalt Police Board Finance Committee, regarding councils' priorities for public safety.

*Committee discussed the following:*

- *expanding the foot patrol program*
- *concerns with increasing bike theft downtown*
- *Increasing coordination with the Peer Assisted Care Team for dispatch*
- *Having officers equipped with resource cards to address social issues on foot patrols*
- *Rehabilitation of Victoria Police Department's relationships with residents and regaining public trust*
- *Fiscal prudence in the budget and centering around keeping taxes at a low rate*

**G. LAND USE MATTERS**

**G.3 1702 Quadra Street/ 862 Fisgard Street: Rezoning Application No. 00806 and associated Development Permit with Variances Application No. 00193 (North Park)**

Committee received a report dated August 31, 2023 from the Director of Sustainable Planning and Community Development regarding a Rezoning Application and associated Development Permit with Variances for the property located at 1702 Quadra Street and 862 Fisgard Street in order to construct a 13 storey mixed-use residential rental building with 88 residential units, three live-work units, and one commercial unit and recommending that Council waive the requirement for the holding of a public hearing.

*Committee discussed the following:*

- *Accommodation of pets in the building and pet green space usage*
- *Recycling bins in the units*
- *Difference between long term and short-term bicycle stalls*
- *Minimum square footage per unit and estimated rental costs for the building*

**Moved By** Councillor Dell  
**Seconded By** Councillor Kim

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 August 31, 2023, for 1702 Quadra Street/862 Fisgard Street.
2. That, pursuant to section 30 of the Land Use Procedures Bylaw, Council waives the requirement for the holding of a public hearing.
3. That, after publication of notification in accordance with section 467 of the Local Government Act, first, second, and third reading of the zoning bylaw amendment be considered by Council once the following conditions are met:
  - a. That the applicant makes the following revisions to the plans satisfactory to the Director of Sustainable Planning and Community Development:
    - i. incorporation of a 2.0m wide Statutory Right of Way on the Quadra Street frontage
    - ii. provision of one accessible vehicle stall, one van accessible vehicle stall, one visitor stall, and one car share vehicle stall
    - iii. addition of a servicing/loading area for garbage collection
    - iv. provision of a bicycle repair facility
    - v. inclusion of rooftop amenity space
    - vi. revision of the materials and/or colour palette to better respond to the heritage context
    - vii. sidewalk grades through the driveway not exceeding 3%
    - viii. a driveway crossing in compliance with the Highway Access Bylaw
    - ix. functional vertical long term bicycle parking racks
    - x. manoeuvring aisle for the short-term bicycle parking a minimum of 1.5m wide
    - xi. maximum grade of the driveway at 6% for the first 6.0m and 15% beyond the first 6.0m.
  - b. Adjustments to the proposed variances necessary to accommodate the required plan revisions.
  - c. 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. confirm the retention of trees OS1, OS2, and OS3
  - ii. review and discuss feasibility of retention for Tree M1
  - iii. revise the Arborist report and Tree Management Plan to be consistent with the revised building design
  - iv. provide a tree impact summary
  - v. provide a tree preservation summary.
4. That following the third reading of the zoning amendment bylaw, the applicant prepares 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. The property shall be rental in perpetuity or the greater of 60 years or the life of the building.
  - b. Provision of transportation demand management measures including
    - i. one care share vehicle
    - ii. one car share vehicle parking stall
    - iii. car share memberships for all units
    - iv. end of trip facilities including a bicycle repair facility
    - v. a minimum of 12 cargo bike stalls
    - vi. 20 percent of long-term stalls with charging capability.
    - vii. BC Transit EcoPasses for 10 percent of dwelling units secured for 5 years
5. That That following the third reading of the zoning amendment bylaw, the applicant prepares 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(s):
- a. 2.0m wide Statutory Right of Way along Quadra Street for highway purposes
  - b. Section 219 covenant to secure upgrades to existing sidewalk conditions, addition of street furniture and upgrades to Fisgard Green, and soil cells for any new trees proposed on the Quadra Street frontage.

6. 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
7. 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

### **Development Permit with Variance Application**

That Council, after giving notice, 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. 00193 for 1702 Quadra Street/862 Fisgard Street in accordance with revised plans submitted to the Planning department subject to:
  1. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
    - i. reduce vehicle parking from 60 stalls to 4 stalls
    - ii. reduce the Quadra Street setback from 4.5m to 2.0m for the base and 4.0m for the tower
    - iii. reduce the Fisgard Street setback from 4.5m to 0m for the base and 3.5m for the tower
    - iv. reduce the north lot line setback from 6.0m to 0.3m for the bike enclosure and 4.2m for the tower
    - v. reduce the west lot line setback from 6.0m to 0.0m for the bike enclosure, 3.8m for the base, and 6.5m for the tower
    - vi. increase the site coverage from 50.0 percent to 78.7 percent
    - vii. reduce the open site space from 40.0 percent to 22.0 percent
    - viii. increase the height from 37.0m to 42.7.
  2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.

*Committee recessed at 10:28 a.m. and reconvened at 10:40 a.m.*

### **Amendment:**

**Moved By** Councillor Dell  
**Seconded By** Councillor Caradonna

3. That, after publication of notification in accordance with section 467 of the Local Government Act, first, second, and third reading of the zoning bylaw amendment be considered by Council once the following conditions are met:
  - a. That the applicant makes the following revisions to the plans satisfactory to the Director of Sustainable Planning and Community Development:
    - i. incorporation of a 2.0m wide Statutory Right of Way on the Quadra Street frontage
    - ii. provision of one accessible vehicle stall, one van accessible vehicle stall, one visitor stall, and one car share vehicle stall
    - iii. addition of a servicing/loading area for garbage collection
    - iv. provision of a bicycle repair facility
    - v. inclusion of rooftop amenity space
    - vi. **consider** revision of the materials and/or colour palette to better respond to the heritage context
    - vii. sidewalk grades through the driveway not exceeding 3%
    - viii. a driveway crossing in compliance with the Highway Access Bylaw
    - ix. functional vertical long term bicycle parking racks
    - x. manoeuvring aisle for the short-term bicycle parking a minimum of 1.5m wide
    - xi. maximum grade of the driveway at 6% for the first 6.0m and 15% beyond the first 6.0m.

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

**CARRIED UNANIMOUSLY**

**On the main motion as amended:**

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 August 31, 2023, for 1702 Quadra Street/862 Fisgard Street.



2. That, pursuant to section 30 of the Land Use Procedures Bylaw, Council waives the requirement for the holding of a public hearing.
3. That, after publication of notification in accordance with section 467 of the Local Government Act, first, second, and third reading of the zoning bylaw amendment be considered by Council once the following conditions are met:
  - a. That the applicant makes the following revisions to the plans satisfactory to the Director of Sustainable Planning and Community Development:
    - i. incorporation of a 2.0m wide Statutory Right of Way on the Quadra Street frontage
    - ii. provision of one accessible vehicle stall, one van accessible vehicle stall, one visitor stall, and one car share vehicle stall
    - iii. addition of a servicing/loading area for garbage collection
    - iv. provision of a bicycle repair facility
    - v. inclusion of rooftop amenity space
    - vi. revision of the materials and/or colour palette to better respond to the heritage context
    - vii. sidewalk grades through the driveway not exceeding 3%
    - viii. a driveway crossing in compliance with the Highway Access Bylaw
    - ix. functional vertical long term bicycle parking racks
    - x. manoeuvring aisle for the short-term bicycle parking a minimum of 1.5m wide
    - xi. maximum grade of the driveway at 6% for the first 6.0m and 15% beyond the first 6.0m.
  - b. Adjustments to the proposed variances necessary to accommodate the required plan revisions.
  - c. 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. confirm the retention of trees OS1, OS2, and OS3
    - ii. review and discuss feasibility of retention for Tree M1
    - iii. revise the Arborist report and Tree Management Plan to be consistent with the revised building design

- iv. provide a tree impact summary
  - v. provide a tree preservation summary.
4. That following the third reading of the zoning amendment bylaw, the applicant prepares 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. The property shall be rental in perpetuity or the greater of 60 years or the life of the building.
  - b. Provision of transportation demand management measures including
    - i. one care share vehicle
    - ii. one car share vehicle parking stall
    - iii. car share memberships for all units
    - iv. end of trip facilities including a bicycle repair facility
    - v. a minimum of 12 cargo bike stalls
    - vi. 20 percent of long-term stalls with charging capability.
    - vii. BC Transit EcoPasses for 10 percent of dwelling units secured for 5 years
5. That That following the third reading of the zoning amendment bylaw, the applicant prepares 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(s):
- a. 2.0m wide Statutory Right of Way along Quadra Street for highway purposes
  - b. Section 219 covenant to secure upgrades to existing sidewalk conditions, addition of street furniture and upgrades to Fisgard Green, and soil cells for any new trees proposed on the Quadra Street frontage.
6. 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
7. 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, 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. 00193 for 1702 Quadra Street/862 Fisgard Street in accordance with revised plans submitted to the Planning department subject to:
  - a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
    - i. reduce vehicle parking from 60 stalls to 4 stalls
    - ii. reduce the Quadra Street setback from 4.5m to 2.0m for the base and 4.0m for the tower
    - iii. reduce the Fisgard Street setback from 4.5m to 0m for the base and 3.5m for the tower
    - iv. reduce the north lot line setback from 6.0m to 0.3m for the bike enclosure and 4.2m for the tower
    - v. reduce the west lot line setback from 6.0m to 0.0m for the bike enclosure, 3.8m for the base, and 6.5m for the tower
    - vi. increase the site coverage from 50.0 percent to 78.7 percent
    - vii. reduce the open site space from 40.0 percent to 22.0 percent
    - viii. increase the height from 37.0m to 42.7.
2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.

**CARRIED (6 TO 2)**

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

OPPOSED (2): Councillor Gardiner, Councillor Hammond

ABSENT (1): Councillor Coleman

**G.4 1900 Richmond Road, 1921, 1929, 1931/1933, and 1935 Ashgrove Street: Rezoning Application No. 00830 and Development Permit Application with Variance Application No. 00247 (North Jubilee)**

Committee received a report dated August 31, 2023 from the Director of Sustainable Planning and Community Development regarding a Rezoning Application and Development Permit with Variances for the properties located at 1900 Richmond Road, 1921, 1929, 1931/1933, and 1935 Ashgrove Street in order to facilitate the second phase of the development, which involves the construction of a multi-unit rental building for seniors and recommending that Council waive the requirement for the holding of a public hearing.

**Moved By** Councillor Dell  
**Seconded By** Councillor Caradonna

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 August 31, 2023 for 1900 Richmond Road, 1921, 1929, 1931/1933, and 1935 Ashgrove Street, such bylaw to include density bonus provisions related to a \$1,000,000 contribution with 70% going towards the Local Amenities Fund and 30% going towards Victoria Housing Reserve Fund
2. That, pursuant to section 30 of the Land Use Procedures Bylaw, Council waives the requirement for the holding of a public hearing.
3. That, after publication of notification in accordance with section 467 of the Local Government Act, first, second, and third reading of the zoning bylaw amendment be considered by Council once the following conditions are met:
  - a. Updates to the Tenant Assistance Plan(s) including further details related to tenant needs and relocation assistance following consultation with existing tenants, to the satisfaction of the Director of Sustainable Planning and Community Development.
  - b. That the applicant makes the following revisions to the satisfaction of the Director of Sustainable Planning and Community Planning:
    - i. Enhance the entry materials to differentiate it from the rest of the building and improve the entry plaza with seating and landscaping.
    - ii. Consider enhancing the screening around the Pad Mounted Transformer with landscaping.
    - iii. Coordinate elevations and floor plan window and door openings.
    - iv. Revise the site plan to meet Schedule C – Off Street Parking Regulations
    - v. Revise Landscape Plan and Site Plan, and ensure consistency regarding the building location, landscaping, furniture, and bike racks.
    - vi. Correct material board inconsistencies and identify quality louvred screen material.
    - vii. Provide the material of the surface parking, considering high quality, durable and decorative paving that adds visual interest.
    - viii. Correct minor setback inconsistencies for the Phase 1 building.
    - ix. Any other corrections as a result of the revisions or as identified by staff

- c. That the applicant makes the following revisions to the satisfaction of the Director of Parks, Recreation and Facilities:
  - i. Revisions to the Tree Management Plan to ensure that replacement tree species comply with the Tree Protection Bylaw.
  - ii. Confirmation that an additional municipal tree can be planted.
  - iii. Written confirmation from neighbouring property owners consenting to the removal of shared trees #215 and #246.
  - iv. Indicate how 30% of the vegetation proposed on private property is comprised of native plants, food-bearing plants or provides pollinator habitat as outlined in the Design Guidelines for: Multi-Unit Residential, Commercial, and Industrial.
- d. That the applicant makes the following revisions to the satisfaction of the Director of Engineering and Public Works:
  - i. Revise the Civil Plan to coordinate with the Site Plan.
- 4. That following the third reading of the zoning amendment bylaw, the applicant prepares 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. Housing Agreement to secure the building as rental in perpetuity
  - b. 1.45m wide statutory right of way along Ashgrove Street
- 5. That adoption of the zoning bylaw amendment will not take place until all 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**

That Council, after giving notice, 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. 00247 for 1900 Richmond Road, 1921, 1929, 1931/1933, and 1935 Ashgrove Street, in accordance with plans submitted to the Planning department and date stamped by Planning on July 12, 2023, subject to

- a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
    - i. Increase the number of stories from 5 to 7;
    - ii. Increase the height from 20.64m to 26.58m;
    - iii. Increase the site coverage from 51.00% to 53.30%.
  - b. The property being consolidated into one lot.
2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.”

*Committee recessed for lunch at 12:00 p.m. and reconvened at 1:04 p.m.*

**Amendment:**

**Moved By** Councillor Gardiner  
**Seconded By** Councillor Hammond

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 August 31, 2023 for 1900 Richmond Road, 1921, 1929, 1931/1933, and 1935 Ashgrove Street, such bylaw to include density bonus provisions related to a \$1,000,000 contribution with 70% going towards the Local Amenities Fund **to be expended in the North Jubilee Neighborhood** and 30% going towards Victoria Housing Reserve Fund

**Amendment to the amendment:**

**Moved By** Mayor Alto  
**Seconded By** Councillor Caradonna

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 August 31, 2023 for 1900 Richmond Road, 1921, 1929, 1931/1933, and 1935 Ashgrove Street, such bylaw to include density bonus provisions related to a \$1,000,000 contribution with 70% going towards the Local Amenities Fund **to be expended in the northern portion of the Jubilee Neighborhood** and 30% going towards Victoria Housing Reserve Fund

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

ABSENT (1): Councillor Coleman

**CARRIED UNANIMOUSLY**

**On the amendment as amended:**

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 August 31, 2023 for 1900 Richmond Road, 1921, 1929, 1931/1933, and 1935 Ashgrove Street, such bylaw to include density bonus provisions related to a \$1,000,000 contribution with 70% going towards the Local Amenities Fund **to be expended in the northern portion of the Jubilee Neighborhood** and 30% going towards Victoria Housing Reserve Fund

FOR (8): Mayor Alto, Councillor Caradonna, Councillor Dell, Councillor Gardiner, Councillor Hammond, Councillor Hammond, Councillor Loughton,  
OPPOSED (2): Councillor Kim, Councillor Thompson  
ABSENT (1): Councillor Coleman

**CARRIED (6 TO 2)**

**On the main motion as amended:**

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 August 31, 2023 for 1900 Richmond Road, 1921, 1929, 1931/1933, and 1935 Ashgrove Street, such bylaw to include density bonus provisions related to a \$1,000,000 contribution with 70% going towards the Local Amenities Fund to be expended in the northern portion of the Jubilee Neighborhood and 30% going towards Victoria Housing Reserve Fund
2. That, pursuant to section 30 of the Land Use Procedures Bylaw, Council waives the requirement for the holding of a public hearing.
3. That, after publication of notification in accordance with section 467 of the Local Government Act, first, second, and third reading of the zoning bylaw amendment be considered by Council once the following conditions are met:
  - a. Updates to the Tenant Assistance Plan(s) including further details related to tenant needs and relocation assistance following consultation with existing tenants, to the satisfaction of the Director of Sustainable Planning and Community Development.
  - b. That the applicant makes the following revisions to the satisfaction of the Director of Sustainable Planning and Community Planning:
    - i. Enhance the entry materials to differentiate it from the rest of the building and improve the entry plaza with seating and landscaping.
    - ii. Consider enhancing the screening around the Pad Mounted Transformer with landscaping.
    - iii. Coordinate elevations and floor plan window and door openings.

- iv. Revise the site plan to meet Schedule C – Off Street Parking Regulations
  - v. Revise Landscape Plan and Site Plan, and ensure consistency regarding the building location, landscaping, furniture, and bike racks.
  - vi. Correct material board inconsistencies and identify quality louvred screen material.
  - vii. Provide the material of the surface parking, considering high quality, durable and decorative paving that adds visual interest.
  - viii. Correct minor setback inconsistencies for the Phase 1 building.
  - ix. Any other corrections as a result of the revisions or as identified by staff
- c. That the applicant makes the following revisions to the satisfaction of the Director of Parks, Recreation and Facilities:
- i. Revisions to the Tree Management Plan to ensure that replacement tree species comply with the Tree Protection Bylaw.
  - ii. Confirmation that an additional municipal tree can be planted.
  - iii. Written confirmation from neighbouring property owners consenting to the removal of shared trees #215 and #246.
  - iv. Indicate how 30% of the vegetation proposed on private property is comprised of native plants, food-bearing plants or provides pollinator habitat as outlined in the Design Guidelines for: Multi-Unit Residential, Commercial, and Industrial.
- d. That the applicant makes the following revisions to the satisfaction of the Director of Engineering and Public Works:
- i. Revise the Civil Plan to coordinate with the Site Plan.
4. That following the third reading of the zoning amendment bylaw, the applicant prepares 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. Housing Agreement to secure the building as rental in perpetuity
  - b. 1.45m wide statutory right of way along Ashgrove Street



5. That adoption of the zoning bylaw amendment will not take place until all 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**

That Council, after giving notice, 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. 00247 for 1900 Richmond Road, 1921, 1929, 1931/1933, and 1935 Ashgrove Street, in accordance with plans submitted to the Planning department and date stamped by Planning on July 12, 2023, subject to
  - a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
    - i. Increase the number of stories from 5 to 7;
    - ii. Increase the height from 20.64m to 26.58m;
    - iii. Increase the site coverage from 51.00% to 53.30%.
  - b. The property being consolidated into one lot.
2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution."

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

### **CARRIED UNANIMOUSLY**

*Mayor Alto withdrew from the meeting at 1:25 p.m. due to a non-pecuniary conflict of interest with the following item of business.*

*Councillor Caradonna assumed the role of Chair.*

*Councillor Coleman joined the meeting at 1:25 p.m.*

### **G.5 3145 Balfour Avenue: Rezoning Application No. 00778 and Development Permit with Variances Application No. 00171 and Development Permit No. 635 (Burnside)**

Committee received a report dated August 25, 2023 from the Director of Sustainable Planning and Community Development regarding a Rezoning Application, Development Permit with Variances application, and Development Permit for the property located at 3145 Balfour Avenue in order to place the existing single-family dwelling on a new small lot and create a new panhandle lot for a new single-family dwelling with a suite, and recommending that Council waive the requirement for the holding of a public hearing.

**Moved By** Councillor Kim

**Seconded By** Councillor Gardiner

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 August 25, 2023 for 3145 Balfour Avenue.
2. That, pursuant to Section 30 of the Land Use Procedures Bylaw, Council waives the requirement for the holding of a public hearing.
3. That after publication of notification in accordance with Section 467 of the Local Government Act, first, second, third and fourth reading of the Zoning Bylaw Amendment be considered by Council.
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 (Small Lot)**

That Council, after giving notice 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. 00171 for 3145 Balfour Avenue, in accordance with plans submitted to the Planning department and date stamped by Planning on December 19, 2022, subject to:
  - a. Proposed development meeting all City zoning bylaw requirements, except for the following variance
    - i. reduce the rear yard setback from 6.0m to 2.54m;
2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.”

#### **Development Permit (Panhandle Lot)**

That Council consider the following motion:

1. That subject to the adoption of the necessary Zoning Regulation Bylaw amendment, Council authorize the issuance of Development Permit No. 00635 for 3145 Balfour Avenue for the subdivision of the panhandle lot and subsequent construction of a single family dwelling, in accordance with plans submitted to the Planning department and date stamped by Planning on December 19, 2022.
2. That the Development Permit, if issued, lapses two years from the date of this resolution.”

FOR (8): Councillor Caradonna, Councillor Coleman, Councillor Dell, Councillor Gardiner, Councillor Hammond, Councillor Kim, Councillor Loughton, Councillor Thompson

CONFLICT (1): Mayor Alto

### **CARRIED UNANIMOUSLY**

*Mayor Alto rejoined the meeting at 1:30 p.m. and assumed the role of Chair.*

## **H. STAFF REPORTS**

### **H.1 Ship Point Master Plan Update**

Committee received a report dated September 1, 2023 from the Director of Sustainable Planning and Community Development and the Acting Director of Engineering and Public Works seeking Council direction to update initial phases of the Master Plan for Ship Point as a distinctive people place and signature cultural destination in the heart of Downtown and the Inner Harbour.

*Committee discussed the following:*

- Budget of the project
- Potential unexpected work and the contingency plan
- Implications of long-term phasing

**Moved By** Mayor Alto

**Seconded By** Councillor Gardiner

That Council Direct staff to:

1. Report back with a revised design concept for seawall and site remediation and landscape improvements prior to proceeding with detailed design and costing, and
2. Explore other potential funding opportunities.

### **Motion to extend:**

**Moved By** Councillor Coleman

**Seconded By** Councillor Kim

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

## **CARRIED UNANIMOUSLY**

### **Amendment:**

**Moved By** Councillor Thompson

**Seconded By** Councillor Gardiner

1. Report back with a revised design concept for seawall and site remediation and landscape improvements prior to proceeding with detailed design and costing, and
2. **in developing the overall and longer-term vision for the site, to shift the emphasis on the space toward uses such as shoreline access, pedestrian space, greenspace, active transportation, arts, patios, and recreational and other amenities, and reduce the amount of surface parking and the paved, car-dominated character of the 2017 design.**
3. Explore other potential funding opportunities.

### **Amendment to the amendment:**

**Moved By** Councillor Gardiner

**Seconded By** Councillor Thompson

1. Report back with a revised design concept for seawall and site remediation and landscape improvements prior to proceeding with detailed design and costing, and
2. **in developing the overall and longer-term vision for the site, to shift the emphasis on the space toward uses such as shoreline access, pedestrian space, (including harbour pathway) greenspace, active transportation, arts, patios, and recreational and other amenities, and reduce the amount of surface parking and the paved, car-dominated character of the 2017 design.**
3. Explore other potential funding opportunities.

### **On the amendment to the amendment:**

## **CARRIED UNANIMOUSLY**

### **On the amendment as amended:**

1. Report back with a revised design concept for seawall and site remediation and landscape improvements prior to proceeding with detailed design and costing, and
2. **in developing the overall and longer-term vision for the site, to shift the emphasis on the space toward uses such as shoreline access, pedestrian space, (including harbour pathway) greenspace, active**

transportation, arts, patios, and recreational and other amenities, and reduce the amount of surface parking and the paved, car-dominated character of the 2017 design.

3. Explore other potential funding opportunities.

**CARRIED UNANIMOUSLY**

**Amendment:**

**Moved By** Councillor Loughton

**Seconded By** Councillor Kim

1. Report back with a revised design concept for seawall and site remediation and landscape improvements prior to proceeding with detailed design and costing, and
2. in developing the overall and longer-term vision for the site, to shift the emphasis on the space toward uses such as shoreline access, pedestrian space, (including harbour pathway) greenspace, active transportation, arts, patios, and recreational and other amenities, and reduce the amount of surface parking and the paved, car-dominated character of the 2017 design.
3. **Eliminate parking on the festival pier to enhance landscape improvements and pop up activities for public use in the immediate term.**
4. Explore other potential funding opportunities.

**Amendment to the amendment:**

1. Report back with a revised design concept for seawall and site remediation and landscape improvements prior to proceeding with detailed design and costing, and
2. in developing the overall and longer-term vision for the site, to shift the emphasis on the space toward uses such as shoreline access, pedestrian space, (including harbour pathway) greenspace, active transportation, arts, patios, and recreational and other amenities, and reduce the amount of surface parking and the paved, car-dominated character of the 2017 design.
3. **Eliminate Reduce parking on the festival pier to enhance landscape improvements and pop up activities for public use in the immediate term.**
4. Explore other potential funding opportunities.

**CARRIED UNANIMOUSLY**

**Motion to extend:**

**Moved By** Councillor Kim  
**Seconded By** Councillor Dell

That the meeting be extended to 3:00 p.m.

**CARRIED UNANIMOUSLY**

**On the amendment as amended:**

1. Report back with a revised design concept for seawall and site remediation and landscape improvements prior to proceeding with detailed design and costing, and
2. in developing the overall and longer-term vision for the site, to shift the emphasis on the space toward uses such as shoreline access, pedestrian space, (including harbour pathway) greenspace, active transportation, arts, patios, and recreational and other amenities, and reduce the amount of surface parking and the paved, car-dominated character of the 2017 design.
3. **Reduce parking on the festival pier to enhance landscape improvements and pop up activities for public use in the immediate term.**
4. Explore other potential funding opportunities.

**CARRIED UNANIMOUSLY**

**H.2 Deferred**

This item was moved to the September 28, 2023 COTW meeting.

**H.3 Deferred**

This item was moved to the September 28, 2023 COTW meeting.

**K. ADJOURNMENT OF COMMITTEE OF THE WHOLE**

**Moved By** Councillor Kim  
**Seconded By** Councillor Dell

That the Committee of the Whole Meeting be adjourned at 2:56 p.m.

**CARRIED UNANIMOUSLY**

---

CITY CLERK

---

MAYOR