

**COMMITTEE OF THE WHOLE REPORT  
FROM THE MEETING HELD OCTOBER 17, 2024**

For the Council meeting of November 07, 2024, the Committee recommends the following:

**F.1 2002 Richmond Road, 1903, 1909 Birch Street, and 1769 Pembroke Street:  
Rezoning Application No. 00862 and Development Permit with Variances  
Application No. 00252 (Jubilee)**

Rezoning Application

1. That Council instruct the Director of Planning and Development to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in the staff report dated October 3, 2024, for 2002 Richmond Road, 1903/1909 Birch Street, and 1769 Pembroke Street.
2. 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. The following revisions to the plans:
    - i. revise site and landscape plans to meet tree minimum, siting and soil volume requirements in accordance with the Tree Protection Bylaw No. 21-035, to the satisfaction of the Director of Parks, Recreation and Facilities
    - ii. revise parking layout to the satisfaction of the Director of Planning and Development to include:
      1. all accessible parking required under Schedule C for all on-site uses
      2. a landscaping buffer
      3. two on-site stalls dedicated to car share vehicles equipped with level two charging stations.
  - b. The following inclusions to the Transportation Demand Management program to the satisfaction of the Director of Planning and Development:
    - i. provision of two on-site or on-street stalls dedicated to car share vehicles and equipped with level two charging stations installed by the applicant
    - ii. provision of two electric car share vehicles
    - iii. car share memberships and usage credits for all units
    - iv. provision of fifty percent of long-term bicycle parking spaces with access to an electrical outlet to enable E-bicycle charging
    - v. provision of a bicycle wash station with a functioning spigot and drain in a dedicated bicycle maintenance area.
  - c. Any revisions to the variances necessary as a result of plan changes outlined above.
3. That subject to third reading of the zoning amendment bylaw, the applicant prepare and execute the following legal agreements, with contents satisfactory to the Director of Planning and Development and form satisfactory to the City Solicitor prior to adoption of the bylaw:
  - a. A housing agreement securing rental in perpetuity and a unit mix consisting of a minimum of twenty-two two-bedroom units.

- b. Transportation Demand Management agreement including:
  - i. provision of two on-site or on-street stalls dedicated to car share vehicles and equipped with level two charging stations
  - ii. a car share membership and usage credit for each residential unit
  - iii. purchase of two electric car share vehicles
  - iv. fifty percent of long-term bicycle parking spaces to have access to an electrical outlet to enable e-bicycle charging
  - v. provision of fifteen at grade on-site long-term oversized cargo bicycle sized stalls 2.4m long x 0.9m wide
  - vi. provision of a dedicated bicycle maintenance and wash station with a functioning spigot and drain
  - vii. a contribution of at least \$40,000 to the BC Transit EcoPASS program for use by residents and employees of the commercial units.
- 4. That subject to third reading of the zoning amendment bylaw, 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. A 2.50m wide volumetric statutory right of way along Richmond Road for highway purposes.
  - b. A 1.38 m wide volumetric statutory right of way along Birch Street Road for highway purposes.
  - c. A 1.98 m wide road dedication along Richmond Road for highway purposes to be deposited prior to building
  - d. A 1.78 m wide road dedication along Pembroke Street for highway purposes to be deposited prior to building permit.
  - e. Provision of the following public realm improvements in accordance with plans dated May 2, 2024:
    - i. City of Victoria standard tree guards for all street trees in grates
    - ii. soil cells to achieve recommended soil volumes for all new street trees
    - iii. design and installation of a grade-raised protected bicycle lane on Richmond Road.
- 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 Council endorses the construction of the Birch Street public plaza, and requires a report with a detailed cost estimate showing that portion that is constructed by the developer and that portion that may require funding by the City for the construction of the Birch Street plaza, complete with funding options, prior to final adoption of the rezoning bylaw.
- 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 Variances Application

That Council, after giving notice, consider the following motion:

1. That subject to the adoption of the Zoning Regulation Bylaw amendment, Council authorize the issuance of Development Permit with Variances No. 00252 for 2002 Richmond Road, 1903/1909 Birch Street, and 1769 Pembroke Street, in accordance with revised plans submitted to the Planning and Development department subject to:
  - a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
    - i. reduce the front (Birch Street) setback from 3.0m for the first storey to 1.38m and from 6.0m above the first storey to 0.0m
    - ii. reduce the flanking street (Richmond Road) setback from 2.4m to 0.00m
    - iii. reduce the west side setback from 2.40m above the first storey to 0.59m
    - iv. reduce the east side setback from 2.40m above the first storey to 0.0m
    - v. reduce the internal north and west lot line setbacks from 2.40m above the first storey to 0.0m
    - vi. reduce the parking minimum from eighty-seven stalls to thirteen stalls
    - vii. increase maximum distance for bike parking from building entrance from 15m to 17.5m
2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.

**I.2 Council Member Motion: Advocacy to Province to Support Small Businesses and other Commercial Tenants**

That Council direct the Mayor to write an advocacy letter to appropriate ministries, and the Premier, following the election, to request the following:

1. Greater supports for small businesses and other commercial tenants experiencing high commercial rents and the impacts of current economic conditions;
2. For the Province to consider impacts to downtown Victoria when making decisions about remote and hybrid work arrangements;
3. For a renewed focus on addressing street disorder and its underlying causes, such as insufficient regionwide supportive housing, affordable housing, deeply subsidized housing, and health and social services, including for mental health and addictions, all of which sit with the provincial government.