

**MINUTES OF THE  
PLANNING & LAND USE COMMITTEE MEETING  
HELD THURSDAY, SEPTEMBER 10, 2015, 9:00 A.M.**

**1. THE CHAIR CALLED THE MEETING TO ORDER AT 9:00 A.M.**

**Committee Members Present:** Mayor Helps (Chair); Councillors Alto, Isitt, Loveday, Lucas, Madoff, and Young.

**Absent:** Councillors Coleman and Thornton-Joe

**Staff Present:** J. Johnson – City Manager; J. Jenkyns – Deputy City Manager; J. Tinney – Director, Sustainable Planning & Community Development; A. Hudson – Assistant Director, Community Planning; R. Battalas – Senior Planner; A. Brett – Planner; M. Miller – Heritage Planner; R. Woodland – Director, Legislative & Regulatory Services; J. Appleby - Recording Secretary.

**2. APPROVAL OF AGENDA**

**Action:** It was moved by Councillor Loveday, seconded by Councillor Alto, that the Agenda of the September 10, 2015, Planning and Land Use Committee meeting be approved.

CARRIED UNANIMOUSLY 15/PLUC199

**3. MINUTES**

**3.1 Minutes from the Meeting held on August 27, 2015.**

**Action:** It was moved by Councillor Alto, seconded by Councillor Isitt, that the Minutes from the Planning and Land Use Committee meeting held August 27, 2015, be adopted.

CARRIED UNANIMOUSLY 15/PLUC200

**4. DEVELOPMENT APPLICATION REPORTS**

**4.1 Heritage Designation Application No. 000153 for 727-729 Johnson Street**

Committee received a report regarding an application for 727-729 Johnson Street. The proposal is an owner request to designate the exterior of the property as a Municipal Heritage Site.

Committee discussed:

- The lack of a heritage conservation plan to identify what is underneath the current façade.

- If the owner is willing to remove improvements to restore the original elements.

**Action:** It was moved by Councillor Madoff, seconded by Councillor Alto, that Committee recommends that Council support Heritage Designation Application No. 000153 for the property located at 727-729 Johnson Street subject to the applicant undertaking the following steps:

1. Working with staff to develop a conservation plan that details the restoration/rehabilitation work to be carried out in accordance with the Standards and Guidelines, to the satisfaction of the Director, Sustainable Planning and Community Development.
2. Making/obtaining application for the appropriate permits to undertake the restoration/rehabilitation of the Johnson Street façade.
3. Undertaking the restoration/rehabilitation of the Johnson Street façade in accordance with the Standards and Guidelines, to the satisfaction of the Director, Sustainable Planning and Community Development.
4. Revising Heritage Designation Application No. 00053 to reflect the restoration/rehabilitation work undertaken that would reinstate its architectural integrity for Council's consideration of the revised application for designation.

CARRIED UNANIMOUSLY 15/PLUC201

*Councillor Young excused himself from the meeting at 9:07 a.m. due to a non-pecuniary conflict of interest as his landlord owns a property that could be affected by the proposed seismic upgrading bylaw.*

## 5. POLICY REPORTS

### 5.1 Mandatory Seismic Upgrading Bylaw

Committee received a report proposing amendments to the *Provincial Building Act* that would allow the City of Victoria to require seismic upgrading to vulnerable buildings.

Committee discussed:

- The risk of driving investment to other municipalities and isolating the City.
- The potential to create a major disincentive for ownership of heritage/unreinforced buildings.
- The need to ensure heritage and unreinforced structures are up to code to perform better in the case of an earthquake.

**Action:** It was moved by Councillor Alto, seconded by Councillor Isitt, that Committee recommends that Council engage with the Union of British Columbia Municipalities (UBCM) to advocate to the Provincial Government to examine the following:

1. Provincial policy changes that would support seismic upgrading of existing buildings within earthquake-prone regions.

2. Examination of policy tools to ensure regulations do not create an excessive financial disincentive for property-owners to upgrade heritage and unreinforced structures.

Committee discussed:

- Concern that owners would be required to empty their buildings in order to complete a seismic upgrade.
- Financial strategies that could be employed to help with the costs of those affected.
- Policy changes that could be explored at the Provincial level to support seismic upgrading.
- Insurance costs and if there is a way to lobby for reduced rates based on seismic upgrading of vulnerable buildings.

**Amendment:** Councillor Isitt moved that the motion be amended as follows:

That Committee recommends that Council engage with the Union of British Columbia Municipalities (UBCM) to advocate to the Provincial Government to examine the following:

1. Provincial policy changes that would support seismic upgrading of existing buildings within earthquake-prone regions.
2. Examination of policy tools to ensure regulations do not create an excessive financial disincentive for property-owners to upgrade heritage and unreinforced structures.
3. **Report back on options for specific actions the City could take to encourage or require the seismic upgrading of buildings in the City.**

Motion failed due to no seconder.

**Amendment:** It was moved by Councillor Isitt, seconded by Councillor Lucas, that the motion be amended as follows:

Committee recommends that Council engage with the Union of British Columbia Municipalities (UBCM) to advocate to the Provincial Government to examine the following:

1. Provincial policy changes that would support seismic upgrading of existing buildings within earthquake-prone regions.
2. Examination of policy tools to ensure regulations do not create an excessive financial disincentive for property-owners to upgrade heritage and unreinforced structures.
3. **Report back on options for specific actions the City could take to encourage the seismic upgrading of buildings in the City.**

On the amendment:

CARRIED UNANIMOUSLY 15/PLUC202

Committee discussed the main motion as amended:

- The importance of being mindful of the financial impacts and the need to work with the landowners to make upgrading viable.
- The Old Town and heritage buildings are one of the City's greatest assets for liveability and tourism.
- The need to focus on collaboration with both the UBCM and the Province. Victoria as the Capital has a unique relationship with the Province and the City

needs to work with the Province to try to put a process in place that will take care of those important structures.

On the main motion as amended:  
CARRIED UNANIMOUSLY 15/PLUC203

**Action:** It was moved by Councillor Madoff, seconded by Councillor Isitt, that Committee recommends that Council refer the Mandatory Seismic Upgrading Bylaw report to the Heritage Advisory Panel for review and comment.

CARRIED UNANIMOUSLY 15/PLUC204

**Action:** It was moved by Councillor Madoff, seconded by Councillor Isitt, that Committee recommends that Council request that the Victoria Civic Heritage Trust make a presentation to Council regarding current programs related to seismic upgrading.

CARRIED UNANIMOUSLY 15/PLUC205

Councillor Young returned to the meeting at 9:30 a.m.

## **5.2 Delegated Authority and Exemptions for Development Permits**

Committee received a report dated August 27, 2015 regarding proposed amendments to the *Official Community Plan (OCP) Bylaw* and the *Land Use Procedures Bylaw* that would allow staff to review and approve certain types of applications.

Committee discussed:

- The report arose from the Development Summit as a request to streamline application processes and increase turnaround time for minor applications.
- The type of applications that would be delegated and how that information would be made available to Council.
- The importance of stakeholder engagement and comment before moving forward.

**Action:** It was moved by Councillor Isitt, seconded by Councillor Madoff, that Council refer the Delegated Authority and Exemptions for Development Permits report to the Heritage Advisory Panel, Advisory Design Panel, Community Association Land Use Committees (CALUCs), and the Urban Development Institute, inviting comment on the report and recommendations by October 30th and that staff report back to the Planning and Land Use Committee in November on input received and any proposed adjustments to the recommendations.

CARRIED UNANIMOUSLY 15/PLUC206

## **6. ADJOURNMENT**

**Action:** It was moved by Councillor Alto, seconded by Councillor Madoff, that the Planning and Land Use Committee meeting of September 10, 2015, be adjourned at 10:00 a.m.

CARRIED UNANIMOUSLY 15/PLUC207

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Mayor Helps, Chair