

**MINUTES OF THE  
PLANNING & LAND USE COMMITTEE MEETING  
HELD THURSDAY, AUGUST 27, 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, Coleman, Isitt, Loveday, Lucas, Madoff, Thornton-Joe and Young

**Staff Present:** J. Johnson – City Manager; J. Tinney – Director, Sustainable Planning & Community Development; S. Thompson – Director, Finance; A. Hudson – Assistant Director, Community Planning; A. Meyer – Assistant Director, Development Services; R. Morhart – Supervisor-Building Inspections, L. Baryluk – Senior Process Planner; B. Sikstrom – Senior Planner; J. Handy – Senior Planner; R. Bateman – Planner; J. Reilly – Senior Planner; C. Wain – Senior Planner; R. Woodland – Director, Legislative & Regulatory Services; C. Mycroft – Executive Assistant to the City Manager; A. Ferguson - Recording Secretary.

**2. APPROVAL OF AGENDA**

**Action:** It was moved by Councillor Loveday, seconded by Councillor Alto, that the Agenda of the August 27, 2015, Planning and Land Use Committee meeting be approved.

The Chair canvassed Committee, who approved bringing forward the following items for approval:

- Item # 1 Minutes from the Meeting held July 23, 2015
- Item # 8 Development Permit Application No. 000435 for 254 Belleville Street
- Item # 9 Development Variance Permit No. 00153 for 239 Menzies Street

**Amendment:** It was moved by Councillor Coleman, seconded by Councillor Alto, that the agenda of the August 27, 2015 meeting be approved as amended.

On the amendment:  
CARRIED UNANIMOUSLY 15/PLUC/183

On the main motion as amended:  
CARRIED UNANIMOUSLY 15/PLUC/184

### 3. CONSENT AGENDA

It was moved by Councillor Coleman, seconded by Councillor Alto, that the following items be approved without further debate:

#### 3.1 Minutes from the Meeting held on July 23, 2015.

**Action:** It was moved by Councillor Coleman, seconded by Councillor Alto, that the Minutes from the Planning & Land Use Committee meeting held July 23, 2015, be adopted.

CARRIED UNANIMOUSLY 15/PLUC/185

#### 3.2 Development Permit Application No. 000435 for 254 Belleville Street

Committee received a report dated August 13, 2015 from Sustainable Planning & Community Development regarding an application for 254 Belleville Street requesting authorization to locate a refrigeration unit at the Victoria Clipper Ferry Terminal.

**Action:** It was moved by Councillor Coleman, seconded by Councillor Alto, that Committee recommends that Council consider the following motion:

“That Council authorize the issuance of Development Permit Application No. 000435 for 254 Belleville Street, in accordance with:

1. Plans date stamped July 13, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY 15/PLUC/186

#### 3.3 Development Variance Permit No. 00153 for 239 Menzies Street

Committee received a report dated August 13, 2015 from Sustainable Planning & Community Development for an application to increase the number of seats in a restaurant located at 239 Menzies Street.

**Action:** It was moved by Councillor Coleman, seconded by Councillor Alto, that Committee recommends that after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

“That Council authorize the issuance of Development Variance Permit Application No. 00153 for 239 Menzies Street, in accordance with:

1. Plans date stamped June 19, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
  - Schedule C Section 16.C.12 – Parking requirement for an additional 20 seats in the existing restaurant relaxed from 6 parking stalls to 2 parking stalls.
3. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY 15/PLUC/187

**Action:** It was moved by Councillor Isitt, seconded by Councillor Loveday, that item #10, Development Variance Permit Application No. 00154 for 1610 Hillside Avenue, be moved up on the agenda to be considered after item #2.

#### 4. DEVELOPMENT APPLICATION REPORTS

##### 4.1 Development Permit with Variances Application No. 000382 for 2560 Quadra Street

Committee received a report dated August 13, 2015 from Sustainable Planning & Community Development for a development permit for 2560 Quadra Street. The proposal is to construct a four-storey, 15-unit residential building with ground-floor commercial.

Committee discussed:

- Visitor parking requirements for the site, including the provision of one visitor stall.
- Concerns also raised by the adjacent property owner in regards to the lack of visitor parking spaces and if there is a way to mitigate this.
  - One of the residential stalls could be allocated for visitor parking and would not affect the design of the building.

**Action:**

It was moved by Councillor Isitt, seconded by Councillor Thornton-Joe, that Committee recommends that after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

“That Council authorize the issuance of Development Permit Application No. 000382 with Variances for 2560 Quadra Street, in accordance with:

1. Plans date stamped June 11, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements except for the following variances:
  - a. Schedule C, total number of parking stalls reduced from 21 to 9, with the provision for one visitor parking space.
  - b. Setback from Quadra Street reduced from 6.0m to 3.2m for the third floor (C1-QV Zone, Section 4.52).
  - c. Setback from the south side yard reduced from 3.55m to nil (C1-QV Zone, Section 4.52).
3. Review by Advisory Design Panel.
4. The applicant entering into a Car Share agreement with MODO to secure car share membership for each unit of the project.
5. Final plans to the satisfaction of the Director of Engineering and Public Works for any works within the Statutory Right-of-Way.
6. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director of Development Services.
7. The Development Permit lapsing two years from the date of this resolution.”

Committee discussed the motion:

- If the public feels there is a need for more dedicated residential parking stalls this can be addressed at the public hearing.
- Public comment indicates that this is a significantly better proposal than the previous one.
- Greater density may have been appropriate for this site but there is appreciation for working within the zone.

- Appreciation for the efforts made to work with the residents who raised concerns.
- Redevelopment in Quadra Village is long overdue.
- Concerns that single loaded corridors are not calculated as part of the floor space ratio and how this makes for bulkier buildings.

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

That Committee recommends that after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

“That Council authorize the issuance of Development Permit Application No. 000382 for 2560 Quadra Street, in accordance with:

1. Plans date stamped June 11, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements except for the following variances:
  - a. Schedule C, total number of parking stalls reduced from 21 to 9, with the provision for one visitor parking space.
  - b. Setback from Quadra Street reduced from 6.0m to 3.2m for the third floor (C1-QV Zone, Section 4.52).
  - c. Setback from the south side yard reduced from 3.55m to nil (C1-QV Zone, Section 4.52).
3. Review by Advisory Design Panel **with particular attention to the single loaded corridors as a design approach.**
4. The applicant entering into a Car Share agreement with MODO to secure car share membership for each unit of the project.
5. Final plans to the satisfaction of the Director of Engineering and Public Works for any works within the Statutory Right-of-Way.
6. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director of Development Services.
7. The Development Permit lapsing two years from the date of this resolution.”

Committee discussed the amendment:

- Significant issue that could be dealt with by the Planning Department in the future rather than addressing it with specific proposals.
- Changing the name of the building to the originally proposed “Seto” instead of the “Urbanite”.
- Long record of contribution from the Seto family which is significant to the Chinese culture.
- Concerns of removing a residential parking stall.
- The new design fits better with the neighbourhood.
- Privacy screening for the balconies looking into the works yard.

On the amendment:  
CARRIED 15/PLUC/189

On the main motion as amended:  
CARRIED 15/PLUC/190

For: Mayor Helps; Councillors Alto, Coleman, Isitt, Loveday, Madoff, and Thornton-Joe  
Against: Councillors Lucas and Young

## 5. LIQUOR LICENCE APPLICATION REPORT

### 5.1 Application for a Permanent Change to the Hours of Licensee Retail Store – Cascadia Fine Wines, Ales & Spirits – 2631 Quadra Street

Committee received a report from Legislative & Regulatory Services regarding an application for a permanent change to the hours of a retail liquor store at 2631 Quadra Street.

*Councillor Lucas withdrew from the meeting at 9:24 a.m. due to a potential pecuniary conflict as she oversees all operations of a liquor retail store located at the Hotel Rialto.*

**Action:** It was moved by Councillor Loveday, seconded by Councillor Isitt, that Committee recommends that Council, after conducting a review with respect to noise and community impacts regarding the application to amend liquor sales hours for the Licensee Retail Store business of Cascadia Fine Wines Ales and Spirits, Liquor License No. 195499, located at 2631 Quadra Street, approves:

1. The application of Cascadia Fine Wines Ales and Spirits to operate their Licensee Retail Store business during the hours of 9:00am to 11:00pm daily.
2. Instructs the Corporate Administrator to notify the General Manager of the Liquor Control and Licensing Branch (LCLB) of this decision so that the LCLB can amend the provincial Retail Store Liquor Licence accordingly.

Committee discussed:

- The Fairway Market adjacent to the liquor store is also open nightly until 11:00 p.m., so the application is consistent with the main business in the plaza.
- Activity in the plaza at the proposed hours will alleviate safety concerns.
- A response from the applicant would be appreciated in regards to the letter received from a concerned member of the public.

CARRIED UNANIMOUSLY 15/PLUC/191

*Councillor Lucas returned to the meeting at 9:28 a.m.*

## 6. DEVELOPMENT APPLICATION REPORTS

### 6.1 Development Variance Permit Application No. 00154 for 1610 Hillside Avenue

Committee received a report dated August 13, 2015 from Sustainable Planning & Community Development for 1610 Hillside Avenue outlining an application to allow the placement of a sign facing Hillside Avenue for the Canadian Tire store.

Committee discussed:

- Giving community associations adequate time to respond.
- The Oaklands Community Association had no concerns regarding the size of the sign as this is a reduction in size compared to the previous Target sign.
- Concerns of ignoring the intent of the *Sign Bylaw* at it was put in place to allow signs of less than 9m<sup>2</sup>.

**Action:** It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that Committee recommends that after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

“That Council authorize the issuance of Development Variance Permit Application No. 00154 for 1610 Hillside Avenue, in accordance with:

1. Plans date stamped July 29, 2015.
2. The following variances to the *Sign Bylaw*:
  - Vary the size allowance for two of the Canadian Tire signs from 9m<sup>2</sup> each to 12.9m<sup>2</sup> and 14.2m<sup>2</sup> each.”

Committee discussed the motion:

- A 9m<sup>2</sup> sign may not be clearly visible from Hillside Avenue.
- Larger signage will make it easier for people to locate the store, which reduces driving and improves convenience.

CARRIED 15/PLUC/192

**For:** Mayor Helps; Councillors Alto, Coleman, Loveday, Lucas, Madoff, Thornton-Joe and Young

**Against:** Councillor Isitt

## 6.2 Rezoning Application No. 00444 for 1745 Rockland Avenue

Committee received a report dated August 14, 2015 from Sustainable Planning & Community Development outlining a proposal to rezone the property at 1745 Rockland Avenue to allow four new houses behind a Heritage-Designated home in the Rockland neighbourhood.

Committee discussed:

- The complexity of the site with consideration of the requirements of the R1-B and R1-A Zones and the panhandle lot regulations in reviewing the application.
- Possibilities for development without rezoning.

**Action:** It was moved by Councillor Alto, seconded by Councillor Lucas, that Committee recommends that Council instruct staff to prepare the necessary *Zoning Regulation Bylaw Amendment* that would authorize the proposed development outlined in Rezoning Application No. 00444 for 1745 Rockland Avenue, that first and second reading of the *Zoning Regulation Bylaw Amendment* be considered by Council and a Public Hearing date be set.

CARRIED 15/PLUC/193

**For:** Mayor Helps; Councillors Alto, Coleman, Lucas, and Thornton-Joe

Against: Councillors Isitt, Loveday, Madoff and Young

### **6.3 Development Permit Application No. 000357 for 1745 Rockland Avenue**

Committee received a report dated August 13, 2015 from Sustainable Planning & Community Development outlining a request to authorize the design of four new single family houses behind an existing Heritage-Designated house.

**Action:** It was moved by Councillor Alto, seconded by Councillor Lucas, that Committee forward this report to Council and that Council consider the following motion, after the Public Hearing for Rezoning Application No. 00444, if it is approved:  
“That Council authorize the issuance of Development Permit Application No. 000357 for 1745 Rockland, in accordance with:

1. Plans date stamped June 25, 2015.
2. Development meeting all *Zoning Regulation bylaw* requirements.
3. The Development Permit lapsing two years from the date of this resolution.
4. That Council authorize the Mayor and Corporate Administrator to execute the documents, in the form satisfactory to the City Solicitor, necessary to remove the Right-of-Way from the title of the property located at 1745 Rockland Avenue, prior to the issuance of a Building Permit.”

Committee discussed:

- The lack of community support for the proposal.
- The monetary loss for the applicant if the application is denied at the Public Hearing.
- The need for redevelopment at this site and whether there can be further design refinements to better fit its context.
- Applicants’ multiple revisions to the proposal based on Council’s recommendations and input from the neighbours.
- Residents’ concerns that existing zoning be respected within the Rockland neighbourhood.
- The rationale for a site specific zone.
- Moving the application to a public hearing as it has already been through several iterations.
- The applicant’s awareness of the risks associated with proceeding to Public Hearing at this stage.
- The possibility of further refinement prior to Public Hearing based on the discussion today.

CARRIED 15/PLUC/193

For: Mayor Helps; Councillors Alto, Coleman, Lucas, and Thornton-Joe

Against: Councillors Isitt, Loveday, Madoff and Young

*Councillor Isitt withdrew from the meeting at 10:19 a.m.*

#### **6.4 Rezoning Application No. 00483 for 2550 Rock Bay Avenue**

Committee received a report dated August 14, 2015 from Sustainable Planning & Community Development outlining a proposal to rezone the property at 2550 Rock Bay Avenue to authorize the design of a second floor office and ground floor showroom.

Committee discussed:

- Whether increasing the range of permitted uses would have a negative impact on industrial uses in the area.

Jonathan Tinney, Director – Sustainable Planning & Community Development advised that the office is to be an ancillary use to the industrial (mill work shop). The office is proposed on the second floor and there is a strong preference for industrial to be on the ground floor.

Committee discussed:

- Requiring the proposed office space and any future office space to be ancillary to an industrial space in order to mitigate Council members concerns.

**Action:** It was moved by Councillor Lucas seconded by Councillor Alto, that Committee recommends that Council instruct staff to prepare the necessary *Zoning Regulation Bylaw Amendment* that would authorize the proposed development outlined in Rezoning Application No. 00483 for 2550 Rock Bay Avenue, that first and second reading of the *Zoning Regulation Bylaw Amendment* be considered by Council and a Public Hearing date be set.

CARRIED UNANIMOUSLY 15/PLUC/194

#### **6.5 Development Variance Permit Application No. 00155 for 2550 Rock Bay Avenue**

Committee received a report dated August 14, 2015 from Sustainable Planning & Community Development outlining a request to authorize the design of a second floor office and ground floor showroom.

**Action:** It was moved by Councillor Lucas, seconded by Councillor Alto, that Committee recommends that after giving notice and allowing an opportunity for public comment, that Council consider the following motion:  
“That Council authorize the issuance of Development Variance Permit Application No. 00155 for 2550 Rock Bay Avenue, in accordance with:

1. Plans date stamped July 30, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
  - Schedule C Section 16 – Required parking spaces relaxed from 8 parking spaces (3 for manufacturing, 2 for offices and 3 for cabinet display and sales) to 5 parking spaces
3. The Development Variance Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY 15/PLUC/195

*Councillor Coleman withdrew from the meeting at 10:28 a.m.*

## 6.6 Development Permit with Variances Application No. 000426 for 951 Johnson Street

Committee received a report dated August 13, 2015 from Sustainable Planning & Community Development regarding a development application for 951 Johnson Street to authorize a design of a mixed-use building comprising two towers and a total of 209 residential units.

**Action:** It was moved by Councillor Lucas, seconded by Councillor Thornton-Joe, that Committee recommends that Council refer the Application to the Advisory Design Panel, with a request that the Panel pay particular attention to the following:

- The appropriateness of the height of the street walls, with particular emphasis on the transition to the adjacent building to the west of Johnson Street.
- The height of the podium corner at the intersection of Johnson Street and Vancouver Street, with opportunities to increase the building mass in this location.
- Potential CPTED concerns associated with the primary residential entrance on Johnson Street.
- The appropriateness of the building separation distances between the proposed building and the adjacent four-storey residential building to the west.

Following this referral and after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

“That Council authorize the issuance of Development Permit Application No. 000426 with Variances for 951 Johnson Street, in accordance with:

1. Plans date stamped August 4, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - a. Section 3.67.5(2) - increase the building height from 30m to 50m;
  - b. Section 3.67.5(2) - increase the number of storeys from 10 storeys to 17 storeys;
3. The submission of revised plans that address comments from the Advisory Design Panel to the satisfaction of City staff.
4. Council authorizing anchor-pinning into the City Right-of-Way, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City staff.
5. Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff.
6. The Development Permit lapsing two years from the date of this resolution.”

Committee discussed the motion:

- Concentration of similar buildings being developed downtown.
- Having stronger variations in height between buildings downtown.
- The Downtown Residents Association expressed that the proposal would be a positive attribute and addition to the downtown and had few concerns.

CARRIED UNANIMOUSLY 15/PLUC/196

## 7. VICTORIA HOUSING FUND GRANT APPLICATION REPORT

### 7.1 Victoria Housing Fund Application for 3211 – 3223 Quadra Street (Cottage Grove)

Committee received a report dated August 11, 2015 from Sustainable Planning & Community Development regarding a Victoria Housing Fund Application for 3211 – 3223 Quadra Street. The application by the Victoria Cool Aid Society is for a grant from the Victoria Housing Fund in the amount of \$112,000 to assist in the development of 45 units of supportive rental housing.

John Reilly, Senior Planner-Social Issues, advised there had been a change to the staff recommendation that was listed in the report. Point number five should be amended to read: “The Victoria Cool Aid Society enter into an unregistered agreement to use the full grant amount to fund the construction of the Cottage Grove project as per its grant application and to return the grant funds to the City of Victoria should the project not be completed and operating within 36 months of approval of this grant request.” This amendment is needed as the City cannot secure a Housing Agreement on a property outside of the Victoria boundary.

**Action:** It was moved by Councillor Thornton-Joe, seconded by Councillor Loveday, that Committee recommends that Council approve a grant from the Victoria Housing Fund in the amount of \$112,000 to the Victoria Cool Aid Society to assist in the development of 45 units of affordable rental housing within the project to be constructed at 3211 – 3223 Quadra Street, on the following conditions:

1. The grant will be eligible for payment to the Victoria Cool Aid Society upon approval of the grant by Council.
2. The grant is to be repaid by the Victoria Cool Aid Society if the project does not proceed.
3. The Victoria Cool Aid Society will ensure that the City of Victoria receives public recognition for its role as a financial contributor to this housing project by identifying the City of Victoria as a contributor on publications and documents related to the project and at public events related to the development, completion and operation of this project.
4. Upon project completion, the applicant submits a final report to the Sustainable Planning & Community Development department.
5. The Victoria Cool Aid Society enter into an unregistered agreement to use the full grant amount to fund the construction of the Cottage Grove project as per its grant application and to return the grant funds to the City of Victoria should the project not be completed and operating within 36 months of approval of this grant request.

Committee discussed:

- Considering funding outside of the City’s boundaries as we are moving towards the strategic goal of ending homelessness.
- Housing is a regional issue that needs more support from other municipalities.
- That a vast majority of supportive and low-cost housing has been built in Victoria with a large amount throughout the Burnside Gorge neighbourhood.

- Celebrating the addition of 45 more low-cost housing units.
- The focus on seniors with this particular proposal.
- Collaboration with Saanich and the CRD for the funding.
- Hopes that in assisting Saanich with funding for this proposal they will in future reciprocate.
- Concern over using funds from the residents of Victoria for projects outside the City boundaries.
- Limits for spending money outside the municipal boundaries.
- A press release celebrating the historical step in working together with Saanich, Cool Aid and the CRD on this funding.

*Mayor Helps withdrew from the meeting at 11:00 a.m. and Councillor Young assumed the Chair.*

- Supportive and low-cost housing is a long-term solution.
- The concentration of supportive housing in Victoria as a consequence of funding incentives.
- Alternatives to the concentration of social housing in one area.

CARRIED 15/PLUC/197

For: Councillors Alto, Loveday, Lucas, Madoff and Thornton-Joe  
Against: Councillor Young

## 8. ADJOURNMENT

**Action:** It was moved by Councillor Madoff, seconded by Councillor Alto, that Committee adjourn the Planning & Land Use Committee meeting of August 27, 2015, 11:03 a.m.

CARRIED UNANIMOUSLY 15/PLUC/198

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Mayor Helps, Chair