

COMMITTEE OF THE WHOLE MOTIONS
FROM THE MEETING HELD DECEMBER 14, 2017

For the Council Meeting of December 14, 2017, the Committee recommends the following:

1. Rezoning Application No. 00578 & Development Permit with Variances Application No. 00578 for 1410 Myrtle Avenue

Rezoning Application No. 00578

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No.00578 for 1410 Myrtle Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Development Permit with Variances Application No. 00578

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. 00578, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit No. 00578 for 1410 Myrtle Avenue, in accordance with:

1. Plans date stamped October 16, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, R1-S2 Zone, Restricted Small Lot (Two Storey District) except for the following variances:
 - i. reduce the front yard setback for Lot A (new house) from 6.00m to 3.14m;
 - ii. reduce the rear yard setback for Lot B (existing house) from 6.00m to 2.40m.
3. The Development Permit lapsing two years from the date of this resolution."

2. Development Variance Permit No. 00200 for 2695 Capital Heights

That Council after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00200 for 2695 Capital Heights, in accordance with:

1. Plans date stamped October 30, 2017.
2. Development meeting all *Victoria Subdivision and Development Servicing Bylaw* requirements, except for the following variances:
 - i. remove the requirement to construct frontage improvements as described within the *Victoria Subdivision and Development Servicing Bylaw*.
3. Provision of a \$36,000 security equivalent to the costs of installing frontage improvements. The \$36,000 would be applied to frontage improvements, following public consultation completed within one year of the date of this resolution, on an alternate design.
4. References to a split rail fence removed from the submitted plans.
5. The Development Permit lapsing two years from the date of this resolution.

3. Development Permit with Variances Application No. 00057 for 1105 Caledonia Avenue

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motions:

"That Council authorize the issuance of Development Permit Application No. 00057 for 1105 Caledonia Avenue, in accordance with:

1. Plans date stamped November 16, 2017.

2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the number of vehicle parking stalls from eleven stalls to three stalls as required by Schedule C
 - ii. allow one off-street parking stall to be located in the side yard (CR-4 Zone)
 - iii. reduce the width of the landscape strip and setback required for a parking stall along the north side of the building from 2.4m to 0.55m (CR-4 Zone).
3. A minimum of eight Class 1, and sixteen Class 2 bicycle stalls be maintained on the site and the installation be secured by way of a landscape security deposit.
4. The Development Permit lapsing two years from the date of this resolution."

4. Summary of Public Input on Draft 2018 Financial Plan

That Council receive the report for information.

5. Draft 2018-2022 Financial Plan - Responses to Council Motions

That Council receive this report for information and consideration on January 4, 2018.

6. North American Indigenous Games (NAIG) Supporting Motion

That the City of Victoria supports, in principle, a bid by local First Nations for the 2020 North American Indigenous Games, contingent on sustaining funding, as set out by the NAIG Council bid requirements, from the provincial and federal governments.

That once sustaining provincial and federal funding has been confirmed, the City of Victoria enter into conversation with the Host Nation about the details of the City's administrative, in-kind and/or financial support.

7. Public Realm Waterfront Designs - Revised Plan and Interim Phasing

1. That Council approve the revised concept designs for the triangle island and Northern Junk plaza in accordance with the Johnson Street Bridge Public Realm - Revised Design Concept dated December 1, 2017.
2. That Council direct staff to include in the 2018 Financial Plan, a budget of \$650,000 reallocated from the following 2017 projects that came in under budget or were cancelled:
 - a. Surface Infrastructure \$80,000
 - b. 0.2 Mile Bridge upgrade \$200,000
 - c. Centennial Square Washrooms \$58,000
 - d. Cameron Band Shell Roof Repair \$22,000
 - e. VCC upgrades and repairs \$150,000
 - f. CNG fuel station refurbishment \$140,000
 for completion of the following areas in accordance with the above concept plans:
 - a. Triangle island;
 - b. Janion plaza;
 - c. Johnson Street traffic median; and
 - d. Esquimalt and Harbour Road intersection.
3. Direct staff to report back on the rationale and implications of amending the Development Cost Charges Bylaw by merging parks acquisition and park development charges.

4. That Council direct staff, subject to amendments being made to the Development Cost Charges Bylaw, to include within the 2018-2022 Financial Plan, a budget of \$3,000,000 for the construction of the future Victoria West park (at the former 'S-curve' lands) in accordance with the Johnson Street Bridge Public Realm - Revised Design Concept dated December 1, 2017, with funding from development cost charges.
5. That Council direct staff to present for input from the Accessibility Working Group information and proposed plans in forms that are accessible for all members.
6. That Council direct staff to work with the Songhees and Esquimalt Nations to incorporate local Indigenous elements into the story wall and identify other opportunities to recognize the history of the Lekwungen Peoples on these lands.

8. Presentation: CRD Clover Point Pump Station and Dallas Road Forcemain Project Update

1. That Council receive the report for information.
2. That Council request that the CRD Project team work with staff to:
 - a. soften the interface between the lower foreshore walkway at Clover Point and the loading bays / retaining walls, recognizing the context of a waterfront park;
 - b. improve the quality of materials / design of the lower foreshore walkway, so that it presents and functions effectively as a pedestrian walkway in a waterfront park;
 - c. Refer the plan to the Accessibility Working Group in a way that can be understood and accessed by all members
 - d. consider the retention of angle parking on Dallas Road from Dock Street to Lewis Street
 - e. report back on the current parking demand on Dallas Road between Dock Street and Lewis Street
3. That Council direct staff to refer the plan to the Active Transportation Advisory Committee.

9. Update on Rezoning Application No. 00525 and Development Permit with Variances Application No. 00035 for 1201 Fort Street and 1050 Pentrelew Place, and associated Official Community Plan Amendment

Rezoning Application No. 00525 and associated Official Community Plan Amendment

That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the *Local Government Act* and the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00525 for 1201 Fort Street and 1050 Pentrelew Place, 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. Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:
 - a. Housing Agreement to ensure that a future strata corporation could not pass bylaws that would prohibit or restrict the rental of units to non-owners
 - b. Housing Agreement to ensure that ten percent of the approved unit count, being no less than ten units, be provided as affordable rental units on another site within the City of Victoria
 - c. Statutory Right-of-Way of 1.86m along the Pentrelew Place frontage

- d. Statutory Right-of-Way of 2.40m for the provision of a public pathway connecting Fort Street to Pentrelew Place
 - e. Statutory Right-of-Way of 2.53m for the provision of a future public pathway along the west side of the property
 - f. Section 219 Covenant for public realm improvements to Fort Street and Pentrelew Place
 - g. Section 219 Covenant for construction and maintenance of the public pathways.
2. That Council determine, pursuant to section 475(1) of the *Local Government Act*, that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; that the appropriate consultation measures would include a mailed notice of the proposed Official Community Plan Amendment to the affected persons; and posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.
 3. That Council, having provided the opportunity for consultation with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties having been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required, pursuant to Section 475(1) of the *Local Government Act*.
 4. That Council, specifically consider whether consultation is required under Section 475(2)(b) of the *Local Government Act*, and determine that no referrals are necessary with the Capital Regional District Board, Councils of Oak Bay, Esquimalt and Saanich, the Songhees and Esquimalt First Nations, the School District Board and the provincial and federal governments and their agencies due to the nature of the proposed amendment.
 5. That Council give first reading to the Official Community Plan Amendment Bylaw.
 6. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2017-2012 Financial Plan, the Capital Regional District Liquid Waste Management Plan and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the *Local Government Act*, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
 7. That Council give second reading to the Official Community Plan Amendment Bylaw.
 8. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.

Development Permit with Variances Application No. 00035

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. 00525, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00035 for 1201 Fort Street and 1050 Pentrelew Place, in accordance with:

1. Plans date stamped November 15, 2017.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - a. increase the maximum height for Building A from 12.00m to 21.42m
 - b. increase the maximum height for Building B from 12.00m to 15.11m
 - c. increase the maximum site coverage from 40% to 42.60%

- d. reduce the Fort Street setback for Building A from 10.50m to 6.40m (to the building)
 - e. reduce the south setback for Building B from 7.56m to 6.13m
 - f. reduce the west setback for Building A from 10.71m to 4.00m (to the parkade structure)
 - g. reduce the west setback for Building B from 7.56m to 0.60m (to ground floor parking area and patio screen)
 - h. reduce the Pentrelew Place setback from 3.65m to 2.79m (to stairs)
 - i. reduce the required parking from 120 parking stalls to 119 parking stalls
 - j. reduce the required visitor parking from 12 stalls to 9 stalls.
- 3. Refinement of balcony materials on Buildings A and B to the satisfaction of the Director of Sustainable Planning and Community Development.
 - 4. The Development Permit lapsing two years from the date of this resolution."

10. Rezoning Application No. 00558 & Development Permit with Variances Application No. 000496 for 1303 Fairfield Road and associated Official Community Plan Amendment

Rezoning Application No. 00558

That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the *Local Government Act* and the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00558 for 1303 Fairfield 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. Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:
 - a. Housing Agreement to ensure the residential units remain rental in perpetuity
 - b. Statutory Right-of-Way of 0.86 meters along the Moss Street and Fairfield Road frontages
 - c. Section 219 Covenant for public realm improvements to Moss Street and Fairfield Road
 - d. Submission of a sanitary sewer impact assessment to the satisfaction of the Director of Engineering and Public Works, determining if the increase in density results in a need for sewage attenuation; and if sewage attenuation is necessary, preparation of legal agreements to the satisfaction of the City Solicitor and the Director of Engineering and Public Works.
- 2. That Council determine, pursuant to section 475(1) of the Local Government Act, that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.
- 3. That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the Local Government Act with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties have been consulted at a Community Association Land Use Committee (CALUC) Community meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.

4. That Council, specifically consider whether consultation is required under Section 475(2)(b) of the Local Government Act, and determine that no referrals are necessary with the Capital Regional District Board, Councils of Oak Bay, Esquimalt and Saanich, the Songhees and Esquimalt First Nations, the School District Board and the provincial and federal governments and their agencies due to the nature of the proposed amendment.
5. That Council give first reading to the Official Community Plan Amendment Bylaw.
6. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2017-2021 Financial Plan, the Capital Regional District Liquid Waste Management Plan and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
7. That Council give second reading to the Official Community Plan Amendment Bylaw.
8. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.

Development Permit with Variances Application No. 000496

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. 00558, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000496 for 1303 Fairfield Road, in accordance with:

1. Plans date stamped October 10, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. increase the height from 12.00m to 15.60m
 - ii. increase the site coverage from 40% to 62.60%
 - iii. reduce the front setback (Moss Street) from 6.00m to 0.86m
 - iv. reduce the rear setback from 7.80m to 4.13m (to the building) and to 2.63m (to the balconies)
 - v. reduce the south side setback from 3.90m to 3.81m (to the building) and 0.00m (to the pergola)
 - vi. reduce the flanking street setback (Fairfield Road) from 6.00m to 0.62m
 - vii. reduce the vehicle parking requirement from 44 stalls to 16 stalls.
3. Refinement of trellis materials, colour and design to the satisfaction of the Director of Sustainable Planning and Community Development.
4. The Development Permit lapsing two years from the date of this resolution.
5. Further consideration of the finishes on the tower element of the proposal."

11. Rezoning Application No.00549 & Development Permit Application No. 000490 for 2813 - 2887 Quadra Street and 2814 - 2890 and 2780/82 Fifth Street

Rezoning Application No. 00549

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00549 for 2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set once the following conditions are met:

That Rezoning Application No. 00549 for 2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street proceed for consideration at a Public Hearing and that staff prepare

the necessary Zoning Regulation Bylaw amendments, subject to completion of the following for the new project prior to a Public Hearing:

1. Securing a car share agreement that includes the purchase of two cars and a car share membership for all units (existing and new) to the satisfaction of the Director of Engineering and Public Works.
2. Restrictive covenant ensuring two car share stalls are allocated on the site for access by residents of both buildings, or an alternative arrangement as approved by the Director of Engineering and Public Works.
3. Registration of a Statutory Right-of-Way agreement for 2.72m along the entire frontage of Quadra Street.
4. A restrictive covenant be registered on the title which will prohibit the issuance of any building permits for the new project until the small parking lots are constructed for the existing units (Quadra Villa).
5. An executed Housing Agreement to ensure the units in the new building are rental in perpetuity.

And further for Quadra Villa (existing rental units), that staff prepare the necessary *Zoning Regulation Bylaw* amendments, subject to the following:

A site-specific zone be drafted to allow the following changes:

1. Limiting development to the current existing situation for a maximum of 64 units.
2. Changes to density (FSR), parcel coverage and open site space as a result of the reduced lot size.
3. Reducing the vehicle parking requirement to 37 parking stalls for the existing development; however, 21 stalls may be provided on the new project lot, subject to the registration of an easement and a Section 219 covenant
4. Additional floor area allowance for two laundry rooms and a caretaker's office.
5. Setbacks that recognize the existing siting from Quadra Street and Fifth Street that were previously approved by the Board of Variance for the reconstruction of the stairs and decks.
6. Reducing the setback requirement from Topaz Avenue for the relocation of the laundry rooms and caretaker's office.
7. Reducing the setback requirement from the newly created interior lot line (south).

Development Permit Application No. 000490

That Council, after the Public Hearing for Rezoning Application No. 00549, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000490 for 2813 - 2887 Quadra Street and 2814 - 2890 and 2780/82 Fifth Street in accordance with:

1. Plans date stamped August 8, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. Prior to the issuance of any Building Permit the siting of Block A be re-evaluated with the intent of providing a greater separation space between the ground floor units and the Statutory Right of Way to the satisfaction of the Director of Sustainable Planning and Community Development.
4. Prior to the issuance of any Building Permit, the entrance of the units be further defined to be more prominent to the satisfaction of the Director of Sustainable Planning and Community Development.
5. Final plans to be in accordance with the plans identified above, to the satisfaction of the Director of Sustainable Planning and Community Development.
6. The Development Permit lapsing two years from the date of this resolution.

12. Update Report - Rezoning Application No. 00591 for 1122 Collinson Street

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00591 for 1122 Collinson Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set subject to the preparation and execution of a Housing Agreement Bylaw to secure the six dwelling units as rental for 10 years to the satisfaction of the Director of Sustainable Planning and Community Development.

13. Rezoning Application No. 00582 & Development Permit Application No. 00582 for 224 Superior Street

Rezoning Application No. 00582

That Council instruct staff to prepare the necessary Zoning Regulation bylaw amendments that would authorize the proposed development outlined in Rezoning Application No. 00582 for 224 Superior Street, that first and second reading of the Zoning Regulation bylaw amendments be considered by Council and a Public Hearing date be set, subject to receipt of an executed Statutory Right-of-Way (SRW) of 2.41m on Superior Street.

Development Permit Application No. 00582

That Council after giving notice and allowing for an Opportunity for Public Comment at a meeting of Council and after a Public Hearing for Rezoning Application No. 00582, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00582 for 224 Superior Street, in accordance with:

1. Plans date stamped November 9, 2017
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - i. reduce the side yard (west) setback from 2.40m to 1.50m to allow for two habitable rooms with windows
3. The Development Permit lapsing two years from the date of this resolution."

Heritage Alteration Permit Application with Variances No. 00007

That subject to the correction of minor plan inconsistencies and the applicant exploring alternate parking layouts with staff to reduce the impact on the streetscape to the satisfaction of the Director of Sustainable Planning and Community Development, that Council, after giving notice, and allowing an Opportunity for Public Comment at a meeting of Council, and after a Public Hearing for Rezoning Application No. 00582, if it is approved, consider the following motion:

"That Council authorize the issuance of Heritage Alteration Permit Application with Variances No. 00007 for the existing Heritage-Designated house at 224 Superior Street, in accordance with:

1. Plans, date stamped November 9, 2017
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Reduce side yard setback from 3.65m to 1.20m
 - b. Reduce rear yard setback from 4.0m to 1.36m
 - c. Relaxation to allow parking in the front yard
 - d. Increase the site coverage from 30.0% to 35.09%

3. Final plans as amended in accordance with this motion to be generally in accordance with the plans identified above to the satisfaction of the Director, Sustainable Planning and Community Development
4. Heritage Alteration Permit lapsing two years from the date of this resolution."

14. Climate Action – Proposed Change Leadership Plan – Draft for Public Comment

That Council:

1. Approve this Climate Leadership Plan as a draft for public comment, and direct staff to engage with the community for feedback and input,
2. Approve the allocation of \$460,000 from the Climate Action Reserve Fund to commit funding for temporary staffing and priority actions, and
3. Direct staff to report back with the final Climate Leadership Plan on June 1, 2018, with a long term funding strategy and program update.

15. Single-Use Checkout Bag Regulation – Draft Bylaw Feedback

That Council direct staff to:

1. Implement the Checkout Bag Regulation Bylaw, effective July 1, 2018.
2. Deliver the proposed engagement and education program between January and December 2018, and
3. Include in the 2018 the financial plan an allocation of \$30,000 from 2017 surplus to complete the necessary engagement and education programs.

16. Create Victoria Arts and Culture Master Plan (2018-2022)

That Council:

Approve the proposed Arts and Culture Master Plan and Implementation Framework.

Extend the Create Victoria Advisory Group term from March 2018 to December 2018 to advise staff and Council on the first year of implementation.

17. Letter from the Minister of Energy, Mines and Petroleum Resources

That Council refer the following motion to the January 11, 2017, Committee of the Whole Meeting:

18. Witness Reconciliation Program 2018 Budget

That the following Motion be forwarded to and considered at the January 4, 2018, Committee of the Whole:

Whereas Reconciliation with First Peoples remains a priority for the City of Victoria,

Whereas the City of Victoria is actively engaged in a Witness Reconciliation Program in partnership with the Songhees and Esquimalt Nations,

Whereas the Witness Reconciliation Program will proceed through 2018 and beyond, and its work will require financial commitment and support,

Be it thus resolved that any funds unspent from the 2017 budget allocation to the Witness Reconciliation Program be rolled over into 2018, and

Be it further resolved that the 2018 city budget include an additional \$50,000 allocation for the Witness Reconciliation Program, funded from the 2017 surplus.