

**COMMITTEE OF THE WHOLE REPORT**  
**FROM THE MEETING HELD MAY 4, 2017**

For the Council Meeting of May 11, 2017, the Committee recommends the following:

**1. Heritage Alteration Permit with Variance Application No. 00003 for 623 Avalon Road (James Bay)**

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 Heritage Alteration Permit with Variance Application No. 00003 for 623 Avalon Road, in accordance with:

1. Plans, date stamped March 20, 2017.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
  - Part 2.1.5 (a) -Reduction of the minimum required front yard setback from 7.50m to 4.35m.
3. Final plans 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."

**2. Capital Regional District Traffic Safety Commission Establishment Amendment Bylaw**

That Council consent to the Adoption of the CRD Bylaw No. 4166, Traffic Safety Commission Establishment Bylaw No. 1, 1990, Amendment Bylaw No. 4, 2017.

**3. Protecting Dallas Road Bluffs**

1. That Victoria Council request that the Project Board put in place risk mitigation measures to protect the Dallas Road Bluffs during construction including but not limited to:
  - a.) Assembling an interdisciplinary team to study and address the protection of the bluffs.
  - b.) As part of the detailed design of the conveyancing, include a plan for the preservation of the bluffs.
2. That Victoria City Council request the Project Board to report out to the public at one of their regular community meetings, to the JBNA and to Victoria City Council on the measures outlined in #1.

**4. Rezoning Application No. 00559 for 1402 Douglas Street (Downtown)**

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00559 for 1402 Douglas Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set concurrent with the Heritage Designation Application for this property.

**5. Rezoning Application No. 00572 for 853 Cormorant Street (North Park)**

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00572 for 853 Cormorant Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

**6. Rezoning Application No.00520 for 3031 Jackson Street & Development Permit with Variances Application No. 000475 for 3031 Jackson Street (Hillside/Quadra)**

**1. Rezoning Application No.00520 for 3031 Jackson Street**

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No.00520 for 3031 Jackson Street, subject to staff working with the applicant to increase the rear yard setbacks, 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. 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. Preparation of a Housing Agreement to ensure that future Strata Bylaws cannot prohibit the rental of units, executed by the applicant to the satisfaction of City Staff.

**2. Development Permit with Variances Application No. 000475 for 3031 Jackson Street**

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. 00520, if it is approved, consider the following motion:

"That Council authorize the issuance of development Permit Application No. 000475 for 3031 Jackson Street, in accordance with:

1. Plans date stamped February 3, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. reduce site width from 75.00m to 53.17m
  - ii. reduce front setback from 7.50m to 7.00m
  - iii. reduce the rear setback from 7.50m to 4.50m (to unit 10)
  - iv. reduce the side setback (north) from 7.50m to 2.44m (to Unit 5) and to 3.00m (to Units 6 and 7) and to 7.19m (to Unit 6)
  - v. reduce building separation space from 7.5m to 5.76m between Unit 2 and Unit 4
3. Retention of an International Society of Arboriculture certified arborist during construction to ensure the tree protection plan is followed.
4. The Development Permit lapsing two years from the date of this resolution."

**7. Application for a Liquor Primary - Structural Change (137823), The Beagle Pub, 301 Cook Street (Fairfield)**

That Council direct staff to provide the following response to the Liquor Licensing Agency:

1. Council, after conducting a review with respect to noise and community impacts, does support the application for a Structural Change to the existing Liquor Primary License for The Beagle Pub, located at 301 Cook Street having existing hours of operation of 11:00 am - 11:00 pm (Sunday - Thursday) and 11:00 am - 12:00 am (Friday & Saturday) Providing the following comments on the prescribed considerations:
  - a. The impact of noise on the community in the vicinity of the establishment has been considered in relation to the structural change and is not expected be an issue. The Beagle Pub currently has an outdoor patio fronting Oxford Street that operates, generating no known issues thus giving reason to expect the same from the new patio and the additional seating on the existing patio.

- b. If the application is approved, the impact on the community is expected to be positive economically and functionally, adding vibrancy and activity to the street frontage.
- c. The views of residents were solicited via a mail out to neighbouring property owners and occupiers within 50 metres of the licensed location and a notice posted at the property. The City received five letters in support of the application and eight letters opposed to the application.
- d. Council recommends the issuance of the license and expects it will contribute to increasing the economic viability of the business and will have a net benefit to the local community.