

**COMMITTEE OF THE WHOLE REPORT**  
**FROM THE MEETING HELD FEBRUARY 16, 2017**

For the Council Meeting of February 23, 2017, the Committee recommends the following:

**1. Municipal Involvement in Marine Oil Spill Response Planning**

That Council receive the report for information.

**2. Short Term Vacation Rental - Motion to Refer from the January 26, 2017 Council Meeting**

That the City write to the province asking there be a repeal of Section 78(1)(b) of the Provincial Sales Tax exemption and refund regulation.

**3. Project Update (#2): Crystal Pool Feasibility Study**

That Council:

1. Direct staff to develop an implementation plan for a new facility to cost no more than \$69.4 million total.
2. Approve funding to consist of \$10 million from a combination of the Buildings and Infrastructure Reserve and the remainder through a combination of external borrowing and other funding opportunities;
3. Direct staff to amend the 2017-2021 Financial Plan for 2017 to include \$10 million towards the funding of the project;
4. Direct staff to develop a plan to use the referendum process as the method for placing the borrowing question before the electors, once additional funding opportunities have been explored.
5. Direct staff to consult with citizens and stakeholder groups on the design elements of the future facility, in alignment with Council's decision on a facility option.

**4. Council Member Motion: Proposed Amendment to the Storefront Cannabis Retailer Rezoning Policy**

That the Cannabis Storefront Retailer Rezoning Policy be amended by adding:

Section 8:

All applications for rezoning under this Policy shall be forwarded to the Neighbourhood Association in which the subject property is located, for information and comments they may wish to provide.

**5. Rezoning Application No. 00530 for 546 Yates 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. 00530 for 546 Yates 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. 00546 for 510-512 Yates Street (Downtown)**

That Council defer the proposed development outlined in Rezoning Application No. 00546 for 510-512 Yates Street until after the Public Hearing for Rezoning Application No. 00530 for 546 Yates Street.

**7. Draft Zoning Bylaw 2017 (Downtown)**

That Council direct staff to:

1. Undertake focused public consultation on the draft Zoning Bylaw 2017 and related Zoning Maps for the Central Business District and Historic Commercial District as outlined in the report of February 1, 2017.
2. Report back to Council by May 2017 with the proposed Zoning Bylaw 2017 that considers the public feedback received and a related approving bylaw prior to a Public Hearing.

**8. Rezoning Application No. 00516 for 1120-1128 Burdett Avenue (Fairfield)**

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00516 for 1120-1128 Burdett Avenue, 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. Plan revisions to include:
  - a. increasing the rear yard setback, consistent with the zoning requirements;
  - b. elimination of the secondary stair access from the parkade if feasible and if compliant with the BC Building Code;
  - c. clarification of the privacy mitigation measures and any other changes required to ensure accuracy and consistency with plans to the satisfaction of City staff;
2. Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:
  - a. section 219 Covenant to secure sustainability features and construction achieving a minimum of BUILT GREEN® "Bronze" certification;
  - b. Housing Agreement to ensure that future strata bylaws cannot prohibit strata owners from renting residential strata units.
  - c. ask staff to work with the applicant to put a section 219 Covenant on the property to not prohibit occupancy by age.

**Proposed alternative motion for 2c:** ask staff to work with the applicant to place restrictions on the properties to not prohibit occupancy by age.

**9. Development Permit with Variances Application No. 000462 for 1120-1128 Burdett Avenue (Fairfield)**

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. 00516, if it is approved, consider the following motion:

"That Council authorize the issuance of a Development Permit for Application No. 000462 for 1120-1128 Burdett Avenue, in accordance with:

1. Revised plans as noted in concurrent Rezoning Application No. 000462.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. Increase the height from 12m to 13.55m
  - ii. Increase the site coverage from 40% to 57.16%;
  - iii. Reduce the open site space from 50% to 42.06%;
  - iv. Reduce the minimum required front yard setback from 10.5m to 4.51m for the building;
  - v. Reduce the minimum required rear yard setback from 6.77m to 6.73m for the building;
  - vi. Reduce the east side yard setback from 6.77m to 3.75m for the building;
  - vii. Reduce the west side yard setback from 6.77m to 4.22m for the building face and nil for the parkade;
  - viii. Reduce the front yard projection setback for the canopy from 4.5m to 3m;
  - ix. Reduce the requirement for open site space adjacent to the street from 6.77m to 1m;
  - x. Reduce the required residential parking from 1.2 spaces per dwelling unit to 1.02 space per dwelling unit;
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff;
4. That Council authorize the City Solicitor to execute an Encroachment Agreement for a fee of \$750, plus \$25 per m<sup>2</sup> of exposed shored face during construction in a form satisfactory to staff. This is to accommodate shoring for construction of the underground parking structure if the method of construction involves anchor pinning into the public Right-of-Way;
5. The Development Permit lapsing two years from the date of this resolution."

#### **10. Request to remove restrictive covenant B77642 for 1450 Slater Place (Oaklands)**

That Council authorize the Mayor and City Clerk to execute legal instrument, in a form satisfactory to the City Solicitor, to discharge covenant number B77642 from the property located at 1450 Slater Place.

#### **11. Development Cost Charges Review – Consultation Results**

That Council:

1. Direct staff to bring forward the Development Cost Charge bylaw for consideration of first, second, and third readings at the February 23, 2017 Council meeting.
2. Direct staff to develop a Council policy for consideration with the bylaw to review the Development Cost Charges (DCC) project estimates on an annual basis.

#### **12. Infrastructure Planning Grant – Bowker Creek Daylighting Feasibility Study**

1. That Council endorse a resolution supporting the City of Victoria's application for \$10,000 in grant funds through the Infrastructure Planning Grant Program to fund a daylighting feasibility study in partnership with the CRD, District of Saanich and District of Oak Bay.
2. That the City Clerk execute a grant agreement under the Infrastructure Planning Grant Program, if successful.

**13. Capital City Station Bus Depot and BC Transit Downtown Terminal Pilot Projects – Six Month Interim Report**

1. That Council continue the Capital City Station pilot and direct staff to:
  - a. Continue monitoring and assessing operations, gather additional stakeholder feedback, and continue to make the necessary minor modifications to improve operations;
  - b. Extend the pilot end-date to 31 September 2018; and
  - c. Report back to Council in October 2017 with longer term lease agreement and extension recommendations.
2. Continue the BC Transit Turnaround/Layover pilot on Government Street at Superior and direct staff to continue to monitor and assess the current operations and gather stakeholder feedback, with a long term recommendation to Council in October 2017.