

**COMMITTEE OF THE WHOLE MOTIONS**  
**FROM THE MEETING HELD NOVEMBER 10, 2016**

For the Council Meeting of November 10, 2016, the Committee recommends the following:

**1. Parcel Tax Review Panel - Cyril Close Local Service Area**

That the Cyril Close Local Services Area Parcel Tax Roll be authenticated.

**2. Core Area Wastewater Treatment Project Board Update**

That Council receive the report for information and direct staff to work with the CRD and report back to Council on:

1. public amenities including washrooms facilities and improved greenspace and pathway connections on the area covered by the License of Occupation for the CRD Pump Station at Clover Point;
2. the proposed alignment, conceptual design, costs, and anticipated timeline for a multi-use trail along the Dallas Road forcemain from Memorial Crescent to Ogden Point;
3. Engage the Fairfield and James Bay residents and the Fairfield-Gonzales Community Association and James Bay Neighbourhood Association, as well as the Active Transportation Advisory Committee on the alignment and design of the trail.

**3. Rezoning Application No. 00473 for the Easterly 300 Block of Tyee Road and the Westerly 300 Block of Harbour Road (Undeveloped Lands at Dockside Green) - Victoria West**

1. That Council give first and second reading and direct staff to set the public hearing for attached Official Community Plan Amendment Bylaw No. 16-085 and Zoning Regulation Bylaw Amendment Bylaw No. 16-086 for the Easterly 300 Block of Tyee Road and the Westerly 300 Block of Harbour Road, subject to:
  - a. the provision of a satisfactory Phasing Plan, identifying which public amenities, on-site services, off-site services, vehicular driveways and access points would be provided with each phase of development all to the satisfaction of the Director of Sustainable Planning and Community Development;
  - b. receipt of accurate, updated plans that ensure consistency between the proposed Zoning Regulation Bylaw, Master Development Agreement and design guidelines to the satisfaction of Director of Sustainable Planning and Community Development and direct staff to develop policies specific to articulating building heights along Tyee Road.
  - c. a copy of the new Dockside Green Master Development Agreement executed by the applicant to the satisfaction of Director of Sustainable Planning and Community Development;
  - d. a legal agreement, in a form satisfactory to the City Solicitor, executed by the applicant that requires Dockside Green Ltd. to be responsible for all site remediation and completion and fulfilment of all conditions outlined in the Certificates of Compliance issued by the Ministry of Environment.

2. That Council require the following prior to the adoption of Official Community Plan Amendment Bylaw No. 16-085 and Zoning Regulation Bylaw Amendment Bylaw No. 16-086 for the Easterly 300 Block of Tyee Road and the Westerly 300 Block of Harbour Road:
  - a. the new Dockside Green Master Development Agreement being registered on title of the lands to the satisfaction of Director of Sustainable Planning and Community Development;
  - b. a legal agreement, in a form satisfactory to the City Solicitor, being registered on title of the lands that requires Dockside Green Ltd. to be responsible for all site remediation and completion and fulfilment of all conditions outlined in the Certificates of Compliance issued by the Ministry of Environment.
3. That concurrent with first and second reading for Official Community Plan Amendment Bylaw No. 16-085 and Zoning Regulation Bylaw Amendment Bylaw No. 16-086 that Council give the necessary readings to Land Use Procedures Bylaw Amendment Bylaw No. 16-087 and that Council consider enacting the Land Use Procedures Bylaw Amendment Bylaw No. 16-087 if Official Community Plan Amendment Bylaw No. 16-085 and Zoning Regulation Bylaw Amendment Bylaw No. 16-086 are approved.
4. Direct staff to discuss the potential for improvements along Harbour Road using the funds earmarked for the Galloping Goose Trail improvements.
5. That staff bring forward that the bylaws to reflect a revised definition of transient accommodation to prevent short term vacation rentals.

**4. Rezoning Application No. 00489 for 2035 Stanley Avenue (Fernwood)**

That Committee forward this report to Council and that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00489 for 2035 Stanley Avenue, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set.

**5. Development Permit with Variances Application No. 00489 for 2035 Stanley Avenue**

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. 00489, if it is approved, consider the following motion:

1. "That Council authorize the issuance of Development Permit Application No. 00489 for 2035 Stanley Avenue in accordance with:  
Existing Duplex (Proposed Lot 1)
  - a. Part 2.1.4 (a): Increase the height from 7.6m to 7.7m;
  - b. Part 2.1.4 (a): Increase the number of storeys from 1.5 with a basement to 2 with a basement;
  - c. Part 2.1.5 (a): Reduce the front setback from 7.5m to 6.64m;
  - d. Part 2.1.5 (a): Increase the maximum projection for bay windows into the front setback from 0.6m to 1.65m;

- e. Part 2.1.5 (a): Increase the maximum projection for steps into the front setback from 3.5m to 4.5m;
- f. Part 2.1.5 (b): Reduce the rear setback from 10.7m to 1.5m;
- g. Part 2.1.5 (c): Reduce the side setback (south) from 1.52m to 0.30m;
- h. Part 2.1.5 (c): Reduce the side setback (north) from 3m to 1.53m;
- i. Part 2.1.5 (d): Reduce the combined side yard setback from 4.5m to 3m;
- j. Schedule "C" (4): Reduce the number of parking stalls from 2 to 1.

**New Small Lot House (Proposed Lot 2)**

- a. Part 1.23 (8)(a): Reduce the front setback from 6m to 3.72m;
- b. Part 1.23 (8)(b): Reduce the rear setback from 6m to 3.98m (to steps) and 5.08 (to building);
- c. Part 1.23 (8)(c): Reduce the side setback (east) from 2.4m to 1.5m;
- d. Schedule "C" (4): Permit parking in the front yard.

- 2. The Development Permit lapsing two years from the date of this resolution."

**6. Development Variance Permit No. 00180 for 1707 Haultain Street - North Jubilee**

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 Permit Application No. 00180 for 1707 Haultain Street in accordance with:

- 1. Plans date stamped October 7, 2016.
- 2. Development meeting all Zoning Regulation Bylaw requirements and previously approved variances, except for the following additional variance:
  - i. reduce the front yard setback from 5.0m to 4.68m;
- 3. The Development Permit lapsing two years from the date of this resolution."

**7. Update on Rezoning Application No. 00472 and Development Permit Application with Variance No. 00402 for 1041 Oliphant Avenue and 212 - 220 Cook Street – Fairfield**

**Rezoning Application No. 000472 (updated to reflect revised legal agreements):**

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00472 for 1041 Oliphant Avenue and 212-220 Cook Street, and that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and that staff set a Public Hearing date be set once the following conditions are met:

- 1. Design revisions to orient the ground floor exterior door towards Oliphant Avenue and to expand the metal siding above the commercial unit to the satisfaction of staff.
- 2. Preparation of the following documents, executed by the applicant to the satisfaction of City Staff:
  - a. Housing Agreement to secure the following:
    - i. rental of nine units for a minimum of 20 years at a rental rate of at least 10% below market rate, if not more;

- ii. rental of eight units for a minimum of 10 years at market rental rate; and
  - iii. that future strata bylaws cannot prohibit strata owners from renting residential strata units.
- b. Statutory Right-of-Way of 3m for the rear lane access off Oliphant Avenue to the satisfaction of City staff;
  - c. Section 219 Covenant for the paving/widening of the rear lane, to the satisfaction of City staff.

**Development Permit Application No. 000402 (updated to reflect revised plans):**

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. 00472, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application with Variance No. 00402 for 1041 Oliphant Avenue and 212-220 Cook Street, in accordance with:

- 1. Plans date stamped October 21, 2016.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
  - a. Schedule C, 16.A. 12(c) - Required residential parking is reduced from 1.4 spaces per dwelling unit to 0.9 spaces 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 staff 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 at the property line.
- 5. The Development Permit lapsing two years from the date of this resolution.
- 6. That council direct staff to engage the applicant on the provision of on-street cycling amenities within the roadway on the Cook Street frontage and report back to Council at Second Reading of the bylaw.

**8. Proposed Amendments to the Heritage Property Protection Bylaw No. 95-62 and the Land Use Procedures Bylaw No. 16-028**

That Council enact the attached proposed amendments to Heritage Property Protection Bylaw No. 95-62 and Land Use Procedures Bylaw No. 16-028 in order to clarify the regulatory framework applied to Heritage Registered and Designated properties and to Heritage Conservation Areas, to:

- i. address discrepancies between the 2016 Land Use Procedures Bylaw and the 1995 Heritage Property Protection Bylaw
- ii. align regulations with longstanding processing practices
- iii. continue to ensure that applications to demolish Heritage Registered and Designated buildings or any buildings within Heritage Conservation Areas are withheld until all necessary approvals are in place.

**9. Community and Seniors Centres Annual Report for 2015**

That Council receive this report on the operation of the community and seniors centres for information and that Council direct staff to provide an annual report on City facilities that are operated by non-profit organizations, and include financial inputs.

**10. Motion to Support for the Victoria Waterways Loop**

BE IT RESOLVED THAT:

1. Council endorses the idea of the Victoria Waterways Loop;
2. That staff be directed to report back at the December 1<sup>st</sup> Quarterly Update on the implications of adding to the strategic plan working with partners to identify potential upgrades in the City of Victoria to help complete the City of Victoria portion of the route;
3. Council commits to creating signage for the City of Victoria portion of Victoria Waterways Loop in 2017;
4. Refers to the 2018 budget process the potential infrastructure upgrades and additional signage as part of the 2018.
5. Council requests that the Mayor send a letter outlining the City of Victoria's support for the Victoria Waterways Loop to the CRD board and the CRD Parks Committee.

**11. Victoria Community Association Network (VCAN) 2017 Funding**

THAT Council direct staff to include an expenditure of \$1,200 in the 2017 Financial Plan out of the previous year's surplus to cover expenses for meetings of the Victoria Community Association Network (VCAN), consisting of 6 meetings convened annually between representatives from neighbourhood associations.