

**PLANNING & LAND USE COMMITTEE REPORT**  
**FROM THE MEETING HELD DECEMBER 10, 2015**

For the Council Meeting of December 10, 2015, the Committee recommends the following:

1. **Rezoning Application No. 00492 for 2972 Doncaster Drive:** That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00492 for 2972 Doncaster Drive, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

2. **Development Permit with Variances Application No. 00492 for 2972 Doncaster Drive:** That after giving notice and allowing an opportunity for public comment and after the Public Hearing for Rezoning Application No. 00492, if it is approved, Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00492 for 2972 Doncaster Drive, in accordance with:

1. Plans date stamped November 10, 2015.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:  
Existing House (Proposed Lot A)
  - i. Part 1.23 (8)(a): Reduce the front yard setback of the main structure from 6m to 5.54m.
  - ii. Part 1.23 (8)(b): Reduce the rear yard setback of the main structure from 6m to 1.63m.
  - iii. Part 1.23 (9): Permit accessory buildings to be located in the side yard.
  - iv. Part 1.23 (3)(a): Reduce the front yard setback of the accessory building from 18m to 14.72m.
  - v. Schedule "C" (3): Permit parking to be located between the building and the front lot line.

New House (Proposed Lot B)

- vi. Part 1.23 (8)(a): Reduce the front yard setback of the main structure from 6m to 4.5m.
- vii. Part 1.23 (13)(a): Reduce the front yard setback of the accessory building from 18m to 14.72m.
3. The Development Permit lapsing two years from the date of this resolution."

3. **Development Permit with Variances Application No. 000447 for 941-943 Fort Street:** That after giving a notice and allowing an opportunity for public comment at a meeting of Council, that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application with Variances No. 000447 for 941 to 943 Fort Street, in accordance with:

1. Plans date stamped October 30, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - a. Part 6.55 1.(2): Allowing office use to locate within 6m of the building street frontage.

- b. Schedule C Section 16.C.5: Reduction of one parking stall for the change of use from retail to office.
- 3. Registration of a Section 219 Covenant restricting office use on the ground floor to a maximum of three years, to the satisfaction of City staff.
- 4. The Development Permit lapsing two years from the date of this resolution."

4. **Development Permit Application No. 000439 for 1101 Fort Street:** That Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000439 for 1101 Fort Street in accordance with:

- 1. Plans date stamped November 4, 2015.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements.
- 3. That Council authorize City of Victoria 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 City staff.
- 4. Registration of the following:
  - a. Statutory Rights-of-Ways for the bus shelter on Fort Street and sidewalk on Meares Street to the satisfaction of City staff.
  - b. Section 219 Covenant for the public realm improvements associated with the landscape planters and pavers along Cook Street and Meares Street to the satisfaction of 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."

5. **Development Permit with Variances Application No. 000440 for 1 Cooperage Place and 2 Paul Kane Place:** That Council refer the application back to staff to have the applicant to provide more detailed information with respect to:

- 1. The proposed Hydro substation.
- 2. Accommodating the paddling channel width with and without the accommodation of the City.
- 3. Specifics of items previously requested by staff.
- 4. With a request that the applicant provide detailed information on the following:
  - a. The siting and appearance of the hydro substation and any proposed screening.
  - b. The design, colour and finish of the proposed new harbour wall, railings and any associated landscaping.
- 5. Unobstructed access to parking stalls.

6. **Development Variance Permit Application No. 00164 for 2540 Quadra Street:** That Council waive the Clean Hands Policy for Planning Approvals for 2540 Quadra Street to allow the two illegal suite to remain occupied while the Development Variance Permit No. 00164 is under consideration. Prior to the setting of the date of the meeting of Council to consider this application, the applicant be required to file a covenant on the title specifying that all illegal construction will be removed if the application is refused and that after giving notice and allowing an opportunity for public comment at a meeting of Council, that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00164 for 2540 Quadra Street, in accordance with:

1. Plans date stamped October 28, 2015.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the required number of parking stalls reduced from 29 vehicle stalls to 17 stalls (Schedule C).
3. A six space bike rack be provided at the front entrance to the building.
4. Two vehicle parking stalls to be allocated for visitor parking.
5. The Development Permit lapsing two years from the date of this resolution."

7. **Development Variance Permit Application No. 00163 for 1066 and 1070 Finlayson Street:** That after giving notice and allowing an opportunity for public comment at a meeting of Council, that Council consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00163 for 1066 and 1070 Finlayson Street, in accordance with:

1. Plans date stamped October 26, 2015.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - Reduce the rear yard setback of 1070 Finlayson Street from 8.98m to 4.67m.
3. Final plans to be in accordance with the plans identified above to the satisfaction of City staff.
4. The Development Permit lapsing two years from the date of this resolution.

8. **Heritage Alteration Permit Application No. 00209 for 737 Fort Street (British American Trust Company Building):** That Council consider the following motion:

"That Council authorize the issuance of Heritage Alteration Permit (HAP) Application No. 00209 for the property at 737 Fort Street, in accordance with:

1. Plans date stamped October 30, 2015.
2. Development meeting all Zoning Regulation Bylaw requirements.
3. That Council authorize City of Victoria staff to execute an Encroachment Agreement in a form satisfactory to City staff.
4. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Director, Sustainable Planning and Community Development."

9. **Heritage Designation Application No. 000154 for 727 Yates Street:** That Council consider the following motion:

"That Council consider the designation of the property located at 727 Yates Street pursuant to Section 967 of the *Local Government Act* as a Municipal Heritage Site."

10. **Official Community Plan Annual Review:** That Council receive the Official Community Plan Annual Review 2015 for information and direct staff to communicate the findings and highlights from the Annual Review to the public.