

**PLANNING & LAND USE COMMITTEE REPORT**  
**FROM THE MEETING HELD NOVEMBER 26, 2015**

For the Council Meeting of November 26, 2015, the Committee recommends the following:

**1. Delegated Authority and Exemptions for Development Permits:**

1. Prepare an Official Community Plan (OCP) Amendment Bylaw:
  - a. To exempt buildings and structures with a floor area no greater than 9.2m<sup>2</sup> (100ft<sup>2</sup>) from requiring development permits in the following designated areas:
    - i. DPA 4: Town Centres
    - ii. DPA 5: Large Urban Villages
    - iii. DPA 6A: Small Urban Villages
    - iv. DPA 10A: Rock Bay
    - v. DPA 10A: Rock Bay
    - vi. DPA 13: Core Songhees
    - vii. DPA 14: Cathedral Hill Precinct
    - viii. DPA 15A: Intensive Residential Small Lot
    - ix. DPA 15B: Intensive Residential Panhandle
    - x. DPA 15D: Intensive Residential Duplex
    - xi. DPA 16: General Form and Character
  - b. To exempt changes to existing landscaping (where the landscaping does not form part of an approved plan) from requiring development permits in the following designated areas:
    - i. DPA 5: Large Urban Villages
    - ii. DPA 6A: Small Urban Villages
    - iii. DPA 7A: Corridors
    - iv. DPA 10A: Rock Bay
    - v. DPA 11: James Bay and Outer Harbour
    - vi. DPA 13: Core Songhees
    - vii. DPA 14: Cathedral Hill Precinct
    - viii. DPA 15A: Intensive Residential Small Lot
    - ix. DPA 15B: Intensive Residential Panhandle Lot
    - x. DPA 15D: Intensive Residential Duplex
    - xi. DPA 16: General Form and Character
  - c. To clarify language in Appendix A of the OCP so it is clear when a permit is not required (an exemption) versus when a permit is required, to improve its user-friendliness.
2. Prepare a Land Use Procedures amendment bylaw to delegate approval authority to staff for the following types of development applications, when consistent with relevant policy:
  - a. New buildings, building additions, structures and equipment in Development Permit Area (DPA) 16: General Form and Character, DPA 10A: Rock Bay and DPA 10B (HC): Rock Bay Heritage.
  - b. New buildings, building additions, structures and equipment that do not exceed 100m<sup>2</sup> floor area in:
    - i. DPA 2 (HC): Core Business
    - ii. DPA 3 (HC): Core Mixed-Use Residential
    - iii. DPA 4: Town Centres

- iv. DPA 5: Large Urban Villages
  - v. DPA 6A: Small Urban Villages
  - vi. DPA 6B (HC): Small Urban Villages Heritage
  - vii. DPA 7A: Corridors
  - viii. DPA 7B (HC): Corridors Heritage
  - ix. DPA 10A: Rock Bay
  - x. DPA 10B (HC): Rock Bay Heritage
  - xi. DPA 11: James Bay and Outer Harbour
  - xii. DPA 12 (HC): Legislative Precinct
  - xiii. DPA 13: Core Songhees
  - xiv. DPA 14: Cathedral Hill Precinct
- c. Accessory Building in:
- i. DPA 15A: Intensive Residential Small Lot
  - ii. DPA 15B: Intensive Residential Panhandle Lot
  - iii. DPA 15D: Intensive Residential Duplex
- d. Floating buildings, floating building additions and floating structures in DPA 11: James Bay and Outer Harbour located in the FWM Zone, Fisherman's Wharf Marine District.
- e. Floating buildings, floating building additions and floating structures that do not exceed 100m<sup>2</sup> in floor area in all DPAs.
- f. Renewals of up to two years for previously approved (unlapsed and unchanged) Development Permits where there have been no intervening policy changes.
- g. Renewals of up to two years for previously approved (unlapsed and unchanged) Heritage Alteration Permits where there have been no intervening policy changes.
- h. Replacement of exterior materials on existing buildings.
- i. Temporary buildings and structures that do not exceed 100m<sup>2</sup> in floor area and where removal is secured by a legal agreement limiting permanence to two years.
- j. Temporary construction trailers on private property where a legal agreement is in place to secure its removal within six months of receiving an Occupancy Permit or within six months of a Building Permit expiring.
- k. Temporary residential unit sales trailers on private property where a legal agreement is in place to secure its removal within six months of receiving an Occupancy Permit or within six months of a Building Permit expiring.
- l. Changes to landscaping where applicable design guidelines exist or where identified within an approved plan.
3. Develop and implement a process to monitor and evaluate the effectiveness and impacts of the proposed delegation authority and report to Council at six months and one year on the effectiveness of the system. After one year, that Council will consider an annual review.

2. **Victoria Housing Reserve Fund Application for 4351 West Saanich Road:** that Council consider approving a grant from the Victoria Housing Reserve Fund in the amount of up to \$297,000 but not exceeding the host municipality's contribution, distinct from the Regional Housing Trust Fund contribution to the Society of Saint Vincent de Paul to assist in the development of 42 units of supportive affordable rental housing as

part of Rosalie's Village project at 4351 West Saanich Road within the District of Saanich, subject to the following conditions:

1. The grant will be eligible for payment to the Society of Saint Vincent de Paul upon approval by Council and once a Housing Reserve Fund Grant Agreement has been executed with the City of Victoria.
2. The grant is to be repaid by the Society of Saint Vincent de Paul if the project is not completed.
3. The Society of Saint Vincent de Paul will ensure that the City of Victoria receives public recognition for its role as a financial contributor to this housing project by identifying the City of Victoria as a contributor on publications and documents related to the project and at public events related to the development, completion and operation of the project.
4. Upon project completion, the applicant submits a final report to the Sustainable Planning and Community Development Department.

**3. Victoria Housing Trust:** That Council:

1. Direct that until staff have the opportunity to review the Victoria Housing Trust in relation to applicants outside the City of Victoria, but within our Capital Region, the City of Victoria contribution shall be no more than equal to the contribution from the host municipality and not exceeding the amount distinct from the Trust Fund guidelines of \$10,000 per door.
2. The Victoria Housing Trust Fund, in relation to providing funding to projects outside the City of Victoria will be reviewed in five years.

**4. Victoria Housing Reserve Fund Application for 120 Gorge Road East:** that Council consider approving a grant from the Victoria Housing Reserve Fund in the amount of \$20,000 to the Victoria Native Friendship Centre (VNFC) to assist in the development of two additional units of supportive affordable rental housing as part of the phase two development of Siem Lelum at 120 Gorge Road East, on the following conditions:

1. The grant will be eligible for payment to the Victoria Native Friendship Centre upon approval of the grant by Council and once a Housing Reserve Fund Grant Agreement has been executed with the City of Victoria.
2. The grant is to be repaid by the Victoria Native Friendship Centre if the project is not completed.
3. The Victoria Native Friendship Centre will ensure that the City of Victoria receives public recognition for its role as a financial contributor to this housing project by identifying the City of Victoria as a contributor on publications and documents related to the project and at public events related to the development, completion and operation of the project.
4. Upon project completions, the applicant submits a final report to the Sustainable Planning and Community Development.

**5. Amendment to the Housing Agreement for 1035 Oliphant Street:** that Council:

1. Authorize the Mayor to execute a section 219 Covenant wherein the owner of Strata Lot 4, Fairfield Farm Estate, Victoria City District, Strata Plan EPS690 agrees to use the strata lot only as rental housing for a period of five (5) years from the date of an occupancy permit in a form satisfactory to staff.

2. Authorize the Mayor to execute a discharge of the section 219 Covenant (CA4303499) from Strata Lot 2, Fairfield Farm Estate Victoria City District Strata Plan EPS690, in a form satisfactory to staff.
  3. Adopt Bylaw No. to authorize the Mayor and Corporate Administrator to execute the Amendment to the Housing Agreement.
6. **BC Lottery Commission (BCLC) Request for Expressions of Interest for Siting of New Casino Facility:** that Council direct staff to submit a response to the British Columbia Lottery Corporation's Request for Expressions of Interest indicating that the City of Victoria would consider a casino proposal consistent with City policies and guidelines.
7. **Development Permit Application No. 000443 for 257 Belleville Street:** that Council consider the following motion.  
 "That Council authorize the issuance of Development Permit Application No. 000443 for 257 Belleville Street in accordance with.
1. Plans date stamped November 9, 2015.
  2. Development meeting all *Zoning Regulation Bylaw* requirements.
  3. The Development Permit lapsing three years from the date of this resolution."
8. **Rezoning Application No. 00495 for 863 / 865 Villance Street:** that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00495 for 863 and 865 Villance Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.
9. **Development Permit with Variance Application No. for 863 / 865 Villance Street:** that after giving notice and allowing an opportunity for public comment and after the Public Hearing for Rezoning Application No. 00495, if it is approved, Council consider the following motion:
- "That Council authorize the issuance of Development Permit with Variances Application No. 00495 for 863 and 885 Villance Street, in accordance with:
1. Plans date stamped October 20, 2015.
  2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
    - a. Part 2.1.5(a): Reduce the front yard setback from 7.5m to 1.58m.
    - b. Part 2.1.5(b): Reduce the rear yard setback from 10.7m to 2.89m.
  3. The Development Permit lapsing two years from the date of this resolution."