

PLANNING & LAND USE COMMITTEE REPORT
FROM THE MEETING HELD JUNE 25, 2015

For the Council Meeting of June 25, 2015, the Committee recommends the following:

1. Rezoning Application No. 00476 for 1040 Moss Street (Art Gallery of Greater Victoria):

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00476 for 1040 Moss Street, 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. Applicant to further consider if refinements to the form and massing of the addition could improve visibility of the upper storey of Spencer Mansion, from Moss Street, while enabling the upper floor of the expanded gallery to function as exhibition space.
2. Further revisions to the proposed Statement of Significance for Spencer Mansion, to the satisfaction of staff.
3. Referral of Rezoning Application No. 00476 to the Advisory Design Panel and the Heritage Advisory Panel.
4. Removal of the existing Land Use Contract that is registered on the property title.
5. Registration of a Section 219 Covenant to secure the details for design and heritage alterations to the satisfaction of staff.
6. Applicant to explore the feasibility of securing access to surplus parking spaces on nearby properties and through legal agreements

2. Rezoning Application No. 00381 and Development Permit Application No. 0003851 for 1002, 1008-1012 Pandora Avenue (St. Andrew's School)

That Council:

1. Rescind third reading of Housing Agreement (1002-1008, 1012 Pandora Avenue) Bylaw No. 14-69.
2. That Council amend the Housing Agreement (1002-1008, 1012 Pandora Avenue) Bylaw No. 14-069 by replacing the amended Schedule A that secures 11 non-market rental units.
3. That Council give third reading of Housing Agreement (1002-1008, 1012 Pandora Avenue) Bylaw No. 14-069 with an amended Schedule A that secures 11 non-market rental units.
4. That Council refer the Rezoning Application No. 00381 for consideration at a Public Hearing.
5. Following consideration of Rezoning Application No. 00381, that Council approve a Development Permit for 1002, 1008-1012 Pandora Avenue, in accordance with:
 - a. Plans for Rezoning Application No. 00381 and Development Permit Application No. 000351, stamped June 8, 2015;
 - b. Development meeting all Zoning Regulation Bylaw requirements;
 - c. The Development Permit lapsing two years from the date of this resolution.
6. That Council authorize staff to execute an Encroachment Agreement for a fee of \$750 plus \$25 per m2 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.

Development Permit with Variances Application No. 000388 for 80 Saghalie Road

That Committee forward this report to Council and that after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 000388 for 80 Saghalie Road in accordance with:

1. Plans date stamped March 13, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Part 10.42.27 - Increase the allowable maximum floor area for Commercial use from 190.00m² to 938.40m²;
 - b. Part 10.42.31 - Reduce the minimum required open site space from 50% to 45%;
 - c. Part 10.42.32 - Allow commercial uses on all floors rather than only the ground floor;
 - d. Part 10.42.34 (a) - Allow required parking to be located on-site rather than being enclosed;
 - e. Schedule C, Section C(5) - Reduce the required number of parking stalls from 14 to 8.
3. Register a legal agreement on title to limit the commercial use of the buildings and guarantee the future removal of the trailers within 15 to 20 years to the satisfaction of staff.
4. Final plans in to be accordance with the plans identified above the satisfaction of the staff."

3. Heritage Alteration Permit Application Nos. 00198, 00199 and 00200 for 521, 539, and 545 Superior Street

That Council authorize the issuance of Heritage Alteration Permit Applications Nos. 00198, 00199 and 00200 for 521, 539 and 545 Superior Street, respectively, in accordance with:

1. Plans date stamped February 18, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. Final plans to be generally in accordance with plans identified above as amended to the satisfaction of the Assistant Director, Community Planning, prior to the issuance of a Building Permit."

4. Heritage Alteration Permit Application No. 00196 for 1202/1208 Wharf Street

That Council authorize the issuance of Heritage Alteration Permit Application No. 00196 for 1202 / 1208 Wharf Street, in accordance with:

1. Revised Plans date stamped June 4, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director, Community Planning.

5. Zoning Regulation Bylaw Improvement Project – Phase 2

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set in order to:

1. Add definitions of "finished grade" and "natural grade".
2. Amend the definitions of "site coverage" and "setbacks" and the applicable low density residential zones to include a requirement that raised-building features greater than 0.6m in height are subject to site coverage and setback regulations.