

REPORTS OF THE COMMITTEE

2. Planning and Land Use Committee – October 16, 2014

5. Official Community Plan Amendment, Development Permit with Variance Application No. 000356 and Heritage Alteration Permit Application No. 00180 for 251-259 Esquimalt Road:

It was moved by Councillor Helps, seconded by Councillor Alto, that Council:

1. Direct City staff to prepare the necessary Official Community Plan Amendment Bylaw and that Council:
 - a. Consider giving first reading to the Official Community Plan Amendment Bylaw;
 - b. Consider the Official Community Plan, Amendment Bylaw in conjunction with the City of Victoria 2012-2016 Financial Plan and the Capital Regional District Liquid Waste Management Plan and Capital Regional District Solid Waste Management Plan pursuant to section 882(3)(a) of the Local Government Act and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw;
 - c. Consider consultation under section 879(2) of the Local Government Act and determine that no referrals are necessary with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board; and the provincial and federal governments and their agencies due to the nature of the proposed amendments;
 - d. Consider giving second reading to the Official Community Plan Amendment Bylaw;
 - e. Consider referring the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.
2. Following consideration of the Official Community Plan Amendment Bylaw that Development Permit with Variance Application #000356 for 251–259 Esquimalt Road proceed to a Hearing, subject to:
 - a. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - Section 12.12.8.4 - relaxation for the distance from a railway easement from 10.00 m to 1.00 m;
 - b. Referral of the Application to a Joint Advisory Design Panel and Heritage Advisory Panel with the Joint Panel giving special attention to the exterior rehabilitation of the Heritage-Designated structures, the roundhouse doors, and the addition of the atrium and adjacent connected building.
 - c. The submission of revised plans that:
 - (i) Include the provision of a public footpath from Kimta Road, along the proposed Lime Bay Mews, to the edge of the proposed Turntable Plaza, to the satisfaction of the Director of Sustainable Planning and Community Development and the Director of Engineering and Public Works,
 - (ii) Provide details of the proposed glass canopy over the boxcars between the Roundhouse and Car Shop buildings, to the satisfaction of the Director of Sustainable Planning and Community Development,
 - (iii) Provide details of the proposed railway crossings including details of any finishing materials, to the satisfaction of the Director of Sustainable Planning and Community Development;
 - d. An amendment to the Roundhouse Master Development Agreement to reflect the location of the proposed rail crossings and requiring that the Developer provide the City with a copy of the Rail Crossing Agreement and any other necessary documentation between the Developer, Island Corridor Foundation, the rail operator and any other necessary Government bodies for the proposed rail crossings prior to the submission of any Building Permit relating to the Commercial Heritage Phase, to the satisfaction of the City Solicitor and the Director of Sustainable Planning and Community Development;
 - e. A Section 219 Covenant to link the proposed temporary surface parking areas to the use of the Commercial Heritage Phase and to ensure the final design of Lime Bay Mews is consistent with the Roundhouse Design Guidelines being registered on title, to the satisfaction of the City Solicitor and the Director of Sustainable Planning and Community

- Development;
- f. A Statutory Right-of-Way for the Roundhouse Mews being registered on title, to the satisfaction of the City Solicitor and the Director of Sustainable Planning and Community Development;
 - g. Final plans to be in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.
3. That concurrent with Development Permit with Variance Application #000356, Council consider authorizing the issuance of Heritage Alteration Permit Application #00180 in accordance with the revised Heritage Conservation Plan dated July 2014 and plans date-stamped September 15, 2014, for Heritage Alteration Permit Application #00180, subject to:
- a. Referral of the Application to a Joint Advisory Design Panel and Heritage Advisory Panel with the Joint Panel giving special attention to the exterior rehabilitation of the Heritage-Designated structures;
 - b. A Heritage Revitalization Agreement being registered on title to secure the exterior conservation of the Heritage-Designated buildings and structures, to the satisfaction of the City Solicitor and the Director of Sustainable Planning and Community Development;
 - c. The submission of revised plans and Heritage Conservation Plan to ensure consistency between documents and providing details of, but not limited to, the rehabilitation of the Roundhouse large double doors, existing and proposed parapets, seismic restraining for the historic chimneys, details of any proposed signage, new interior construction to be located within 2 m of an opening and condition assessments for all historic fabric that is proposed to be replaced, to the satisfaction of the Director of Sustainable Planning and Community Development.

Carried Unanimously

5.5 Official Community Plan Amendment, Development Permit with Variance Application No. 000356 and Heritage Alteration Permit Application No. 00180 for 251-259 Esquimalt Road

Committee received a report dated October 2, 2014 which provided information, analysis and recommendations regarding Official Community Plan (OCP) Amendment, Development Permit with Variance Application and Heritage Alteration Permit Application at 251-259 Esquimalt Road, also known as the Roundhouse Commercial Heritage Phase.

Action:

It was moved by Councillor Helps, seconded by Councillor Gudgeon, that Committee recommends that Council:

1. Direct City staff to prepare the necessary Official Community Plan Amendment Bylaw and that Council:
 - a. Consider giving first reading to the Official Community Plan Amendment Bylaw;
 - b. Consider the Official Community Plan, Amendment Bylaw in conjunction with the *City of Victoria 2012-2016 Financial Plan* and the *Capital Regional District Liquid Waste Management Plan* and *Capital Regional District Solid Waste Management Plan* pursuant to section 882(3)(a) of the *Local Government Act* and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw;
 - c. Consider consultation under section 879(2) of the *Local Government Act* and determine that no referrals are necessary with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board; and the provincial and federal governments and their agencies due to the nature of the proposed amendments;
 - d. Consider giving second reading to the Official Community Plan Amendment Bylaw;
 - e. Consider referring the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.
2. Following consideration of the Official Community Plan Amendment Bylaw that Development Permit with Variance Application #000356 for 251-259 Esquimalt Road proceed to a Hearing, subject to:
 - a. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - Section 12.12.8.4 - relaxation for the distance from a railway easement from 10.00 m to 1.00 m;
 - b. Referral of the Application to a Joint Advisory Design Panel and Heritage Advisory Panel with the Joint Panel giving special attention to the exterior rehabilitation of the Heritage-Designated structures;
 - c. The submission of revised plans that:
 - (i) Include the provision of a public footpath from Kimta Road, along the proposed Lime Bay Mews, to the edge of the proposed Turntable Plaza, to the satisfaction of the Director of Sustainable Planning and Community Development and the Director of Engineering and Public Works,
 - (ii) Provide details of the proposed glass canopy over the boxcars

- between the Roundhouse and Car Shop buildings, to the satisfaction of the Director of Sustainable Planning and Community Development,
- (iii) Provide details of the proposed railway crossings including details of any finishing materials, to the satisfaction of the Director of Sustainable Planning and Community Development;
 - d. An amendment to the *Roundhouse Master Development Agreement* to reflect the location of the proposed rail crossings and requiring that the Developer provide the City with a copy of the Rail Crossing Agreement and any other necessary documentation between the Developer, Island Corridor Foundation, the rail operator and any other necessary Government bodies for the proposed rail crossings prior to the submission of any Building Permit relating to the Commercial Heritage Phase, to the satisfaction of the City Solicitor and the Director of Sustainable Planning and Community Development;
 - e. A Section 219 Covenant to link the proposed temporary surface parking areas to the use of the Commercial Heritage Phase and to ensure the final design of Lime Bay Mews is consistent with the *Roundhouse Design Guidelines* being registered on title, to the satisfaction of the City Solicitor and the Director of Sustainable Planning and Community Development;
 - f. A Statutory Right-of-Way for the Roundhouse Mews being registered on title, to the satisfaction of the City Solicitor and the Director of Sustainable Planning and Community Development;
 - g. Final plans to be in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.
3. That concurrent with Development Permit with Variance Application #000356, Council consider authorizing the issuance of Heritage Alteration Permit Application #00180 in accordance with the revised Heritage Conservation Plan dated July 2014 and plans date-stamped September 15, 2014, for Heritage Alteration Permit Application #00180, subject to:
- a. Referral of the Application to a Joint Advisory Design Panel and Heritage Advisory Panel with the Joint Panel giving special attention to the exterior rehabilitation of the Heritage-Designated structures;
 - b. A Heritage Revitalization Agreement being registered on title to secure the exterior conservation of the Heritage-Designated buildings and structures, to the satisfaction of the City Solicitor and the Director of Sustainable Planning and Community Development;
 - c. The submission of revised plans and Heritage Conservation Plan to ensure consistency between documents and providing details of, but not limited to, the rehabilitation of the Roundhouse large double doors, existing and proposed parapets, seismic restraining for the historic chimneys, details of any proposed signage, new interior construction to be located within 2 m of an opening and condition assessments for all historic fabric that is proposed to be replaced, to the satisfaction of the Director of Sustainable Planning and Community Development.

Committee discussed:

- Looking forward to input from the Heritage Advisory Panel and the public.
- Information needs to be provided to the public regarding how much retail space is being added to the city.
- The contextual fit of the proposal.
- Potential impacts of future rail operations, and would revisions to the development be made to aid in future revitalization of the rail corridor?
- How the covenant requires the property to be maintained as a rail transportation corridor.
- Concerns that the applicant may be operating under the notion that in future the EN Railway would be removed in this location.
- Concerns about the proposed private pedestrian crossing in the parking lot. Have all the procedures been followed to ensure safety since the crossing intersects at a railway?
- The importance of the Railway Corridor.

Action:

It was moved by Councillor Madoff, seconded by Councillor Alto, that the motion be amended:

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 - c. Consider consultation under section 879(2) of the Local Government Act and determine that no referrals are necessary with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board; and the provincial and federal governments and their agencies due to the nature of the proposed amendments;
 - d. Consider giving second reading to the Official Community Plan Amendment Bylaw;
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the roundhouse doors, and the addition of the atrium and adjacent connected building.

- c. The submission of revised plans that:
 - (i) Include the provision of a public footpath from Kimta Road, along the proposed Lime Bay Mews, to the edge of the proposed Turntable Plaza, to the satisfaction of the Director of Sustainable Planning and Community Development and the Director of Engineering and Public Works,
 - (ii) Provide details of the proposed glass canopy over the boxcars between the Roundhouse and Car Shop buildings, to the satisfaction of the Director of Sustainable Planning and Community Development,
 - (iii) Provide details of the proposed railway crossings including details of any finishing materials, to the satisfaction of the Director of Sustainable Planning and Community Development;
 - d. An amendment to the Roundhouse Master Development Agreement to reflect the location of the proposed rail crossings and requiring that the Developer provide the City with a copy of the Rail Crossing Agreement and any other necessary documentation between the Developer, Island Corridor Foundation, the rail operator and any other necessary Government bodies for the proposed rail crossings prior to the submission of any Building Permit relating to the Commercial Heritage Phase, to the satisfaction of the City Solicitor and the Director of Sustainable Planning and Community Development;
 - e. A Section 219 Covenant to link the proposed temporary surface parking areas to the use of the Commercial Heritage Phase and to ensure the final design of Lime Bay Mews is consistent with the Roundhouse Design Guidelines being registered on title, to the satisfaction of the City Solicitor and the Director of Sustainable Planning and Community Development;
 - f. A Statutory Right-of-Way for the Roundhouse Mews being registered on title, to the satisfaction of the City Solicitor and the Director of Sustainable Planning and Community Development;
 - g. Final plans to be in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.
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- a. Referral of the Application to a Joint Advisory Design Panel and Heritage Advisory Panel with the Joint Panel giving special attention to the exterior rehabilitation of the Heritage-Designated structures;
 - b. A Heritage Revitalization Agreement being registered on title to secure the exterior conservation of the Heritage-Designated buildings and structures, to the satisfaction of the City Solicitor and the Director of Sustainable Planning and Community Development;
 - c. The submission of revised plans and Heritage Conservation Plan to

ensure consistency between documents and providing details of, but not limited to, the rehabilitation of the Roundhouse large double doors, existing and proposed parapets, seismic restraining for the historic chimneys, details of any proposed signage, new interior construction to be located within 2 m of an opening and condition assessments for all historic fabric that is proposed to be replaced, to the satisfaction of the Director of Sustainable Planning and Community Development.

On the amendment
CARRIED 14/PLUC0263

For: Mayor Fortin, Councillors Alto, Coleman, Gudgeon, Helps, Madoff, Thornton-Joe, Young
Against: Councillor Isitt

Discussion on the main motion:

- Safety concerns with an active railroad.
- Information related to the railway transportation issues should be provided in a detailed manner.
- A response from the Island Corridor Foundation would be welcomed.
- Drawings need to show where the railway lies in relation to the proposal.

On the main motion as amended
CARRIED 14/PLUC0264

For: Mayor Fortin, Councillors Alto, Coleman, Gudgeon, Helps, Madoff, Thornton-Joe, Young
Against: Councillor Isitt