

## **MINUTES - COMMITTEE OF THE WHOLE**

**MEETING HELD THURSDAY, MAY 18, 2000, AT 9:05 A.M.**

**PRESENT:** Mayor Lowe, in the Chair, and Councillors Holland, Hughes, Lunt, McLean, Madoff, Savoie and Vanden Berg.

**ABSENT:Councillor Fleming**

Mr. Mark Johnston, Acting City Manager, attended for the entire meeting and Messrs. Barber, Basey, Carlsen, Cape, Dennis, Dillistone, Galavan, Hennessey, Horsting, Koch, Kresse, Lam, O'Reilly, Scoones, Sikstrom, Sluggett, Ms. McClung, Ms. Masters, Ms. Meyer, and Ms. Miller attended for portions of the meeting.

Recording Secretary: Linda Johnson

Councillor Madoff advised that she has a financial interest in the bed and breakfast industry, and because of this potential conflict of interest, could not consider the next two applications. She left the meeting at 9:07 a.m.

### **PLANNING & DEVELOPMENT**

#### **REZONING APPLICATION #00-18**

##### **1008 CARBERRY GARDENS**

00/380

Committee received a memorandum dated May 10, 2000 from M. Dillistone, Planner, regarding Rezoning Application #00-18 for 1008 Carberry Gardens. The application is to rezone the property to permit 3 bed and breakfast rooms in a single family dwelling. This application was submitted in response to the City's Bed and Breakfast Compliance Program.

**ACTION:**Councillor McLean moved that it be recommended to Council that Rezoning Application #00-18 for 1008 Carberry Gardens be forwarded for consideration at a public hearing and the City Solicitor be instructed to prepare the necessary Zoning Bylaw amendment based on the draft zone outline set out in section 3.5 of the report dated May 10, 2000 received from M. Dillistone, Planner, subject to:

1)Protection of the heritage character of the existing house to the satisfaction of the Director of Planning & Development;

2)A revised parking plan to the satisfaction of the Director of Engineering & Parks.

**REZONING APPLICATION #00-15**

**1121 FAITHFUL STREET**

00/379

Committee received a memorandum dated May 10, 2000 from B. Sikstrom, Senior Planner, regarding Rezoning Application #00-15 for 1121 Faithful Street. The proposal is to convert a single family home to a single family home with 3 bed and breakfast rooms. The application was submitted in response to the City's Bed & Breakfast Compliance Program.

**ACTION:**Councillor McLean moved that it be recommended to Council that Rezoning Application #00-15 for 1121 Faithful Street be forwarded for consideration at a public hearing and the City Solicitor be instructed to prepare the necessary Zoning Bylaw Amendment based on the draft zoning outline set out in section 3.5 of the report dated May 10, 2000 received from B. Sikstrom, Senior Planner.

Councillor Lunt joined the meeting at 9:10 a.m.

Councillor Madoff returned to the meeting at 9:10 a.m.

**REZONING APPLICATION #00-17**

**53 CAMBRIDGE STREET**

00/378

Committee received a memorandum dated May 10, 2000 from B. Sikstrom, Senior Planner regarding Rezoning Application #00-17 for 53 Cambridge Street. The proposal is to permit subdivision and then construction of two 2-storey new single family dwellings on new small lots. The property, which is currently vacant, previously contained a small, condemned cottage that was demolished by previous owners.

**ACTION:**Councillor Madoff moved that it be recommended to Council that Rezoning Application #00-17 for 53 Cambridge Street be forwarded for consideration at a public hearing and that the City Solicitor be instructed to prepare the necessary Zoning Bylaw amendments, subject to:

1)Confirmation to the Director of Corporate Services that the design has been reviewed by neighbours and the community association;

2)Approval of the following relaxation as part of the Development Permit be considered concurrently with rezoning:

-Relaxation of Zoning Bylaw Section 1.7.8 to vary the widths of the proposed lots from 10m to 9.4m.

Committee discussed the issue of R1-S2 zoning. Some suggestions included:

-consideration of an extra fee that would be placed in a green space reserve fund to counteract increased density;

-a comparison of open space between R1-B and R1-S2 zoning;

-consideration of a mobile workshop to review development on properties recently zoned R1 -S2.

Councillor Madoff will consult with Planning Division staff and report back to Committee of the Whole regarding further discussions on R1 -S2 zoning.

### **RENEWAL OF DEVELOPMENT PERMIT #4017**

#### **1835 OAK BAY AVENUE**

00/377

Committee received a memorandum dated May 9, 2000 from B. Sikstrom, Senior Planner, advising that the applicant has requested renewal of Development Permit #4017 that expires on June 11, 2000.

**ACTION**:Councillor Lunt moved that it be recommended to Council that the request to renew Development Permit #4017 as Development Permit #4017A, be declined.

### **AMENDMENT TO DEVELOPMENT PERMIT APPLICATION #4040**

#### **1436 – 1438 FORT STREET**

00/376

Committee received a memorandum dated May 9, 2000 from M. Dillistone, Planner, advising that the applicant has requested an amendment to Development Permit #4040 to remove the requirement for secure parking for an additional suite. The applicant is unable to secure parking (by way of easement and restrictive covenant) on the adjacent property which was a condition of the previous approval.

**ACTION:**Councillor Madoff moved that it be recommended to Council that Development Permit #4040 be amended to add an additional variance to relax the parking requirement for a parking stall for the third suite at 1436-1438 Fort Street.

Mayor Lowe advised that he has a professional involvement with the following application and, because of this potential conflict of interest, he left the meeting at 9:50 a.m.

Acting Mayor Holland assumed the Chair.

### **DEVELOPMENT PERMIT APPLICATION #00-05**

#### **410 GARBALLY ROAD**

00/375

Committee received a memorandum dated May 10, 2000 from the Head, Urban Design regarding Development Permit Application #00-05 for 410 Garbally Road. The proposal is to construct a two storey warehouse/office building on the south west portion of the site at 410 Garbally Road. It is one of two buildings in the Development Permit Application #3020A (expired in 1998) that was approved by Council in 1996. Due to reduced real estate market interest, only the north east building was completed. The applicant has applied for a new Development Permit to proceed with the construction of the south west building. The basic footprint has been maintained however the elevation of the previous building design has been restructured to reflect smaller unit bay sizes similar to the character of the existing building.

**ACTION:**Councillor Madoff moved that it be recommended to Council that a Development Permit be issued in accordance with:

1)Plans stamped "Development Permit Application 00-05 DPA" dated April 26, 2000;

2)On-site development meeting all bylaw requirements except for:

Section 7.6.10 Relaxation of loading space requirement from 1 loading space to nil

3)Final plans in accordance with plans identified above and to the satisfaction of the Director of Planning & Development.

Mayor Lowe returned to the meeting at 9:58 a.m.

**DEVELOPMENT PERMIT APPLICATION #00-07**

**865 VIEW STREET (THE CHELSEA)**

00/374

Committee received a memorandum dated May 10, 2000 from the Head, Urban Design regarding Development Permit Application #00-07 for 865 View Street (The Chelsea). The proposal is to renovate and construct an addition to "The Chelsea", a twelve storey, 140 unit rental apartment building at 865 View Street. It includes renovations of the existing twelfth floor common areas into 4 one bedroom apartments and the addition of commercial space at grade along View Street.

**ACTION:**Councillor Madoff moved that it be recommended to Council that a Development Permit be issued in accordance with:

1)Plans stamped "Development Permit Application 00-07 DPA" dated April 28, 2000;

2)On-site development meeting all bylaw requirements with the following relaxations:

Section 3.7.4 Maximum height relaxed from 37m to 37.6m

Section 3.7.7 Open site space relaxed from 40% minimum to 21.7% (currently it is 30.67%)

Section 3.7.9 Street setback relaxed from 4.5m to 1.4m

Schedule C

Section 4 Relaxation of parking requirements from 2 stalls to nil

3)Final plans in accordance with plans identified above and to the satisfaction of the Director of Planning & Development.

**DEVELOPMENT PERMIT APPLICATION #00-08**

## 1515 BLANSHARD STREET

00/373

Committee received a memorandum dated May 11, 2000 from the Head, Urban Design regarding Development Permit Application #00-08 for 1515 Blanshard Street. The proposal is to replace the exterior building envelope of the Pandora Wing (built 1954) of the Richard Blanshard Building at 1515 Blanshard Street. Significant problems of the existing envelope include water and air infiltration, failed glazing units and the increasing failure rate for related components. The proposal intends to maintain the integrity of the original design intent while implementing up-to-date "green building strategies" in a cost effective and responsible manner.

**ACTION:** Councillor Madoff moved that Development Permit Application 00-08 DPA for 1515 Blanshard Street be referred to the Heritage Advisory Committee for its review and recommendations.

## DEVELOPMENT VARIANCE PERMIT – 401 MOSS STREET

### SIR JAMES DOUGLAS SCHOOL

00/372

Committee received a memorandum dated May 17, 2000 from B. Sikstrom, Senior Planner advising that School District #61 requires relaxation of the rear yard (east) setback to permit construction of two classrooms to the existing Sir James Douglas School at 401 Moss Street. The classrooms will replace two that are currently in portables. Committee requested that staff pursue discussion with School District #61 regarding future use of the portables.

To permit the addition, Council is required to waive its power to withhold a building permit under Section 929 of the *Municipal Act*. Bylaw #96-32, which would delete schools as a permitted use in the R1-B Zone, received 1<sup>st</sup> and 2<sup>nd</sup> readings on August 8, 1996. It has not been adopted pending policies and recommendations expected in the new *Gonzales Neighbourhood Plan*.

**ACTION:** Councillor Madoff moved that it be recommended to Council that:

1) A Development Variance Permit be issued for 401 Moss Street – Greater Victoria School District #61, in accordance with:

a) Building permit plans dated March 8, 2000;

b) Development meeting all bylaw requirements with the following relaxation:

Section 1.2.1.9 Rear yard setback (east) relaxed from 37.27m (25% of lot depth) to 12.3m

c)Final plans to be in accordance with plans identified above.

2)The application be referred to the next meeting of the Advisory Design Panel for its review.

### **HERITAGE ALTERATION PERMIT #70**

#### **1295 GLADSTONE / 1900 FERNWOOD ROAD (BELFRY THEATRE)**

00/371

Committee received a memorandum dated May 3, 2000 from the Heritage Planner regarding Heritage Alteration Permit Application #70 for the Belfry Theatre at 1295 Gladstone / 1900 Fernwood Road. The application is for a series of exterior alterations and restoration of details to the Belfry Theatre.

**ACTION:**Councillor Madoff moved that it be recommended to Council that, pursuant to Heritage Designation Bylaw #149, Heritage Alteration Permit #70 be issued in accordance with:

1)Plans dated April 13, 2000;

2)Development meeting all bylaw requirements;

3)Final plans to be in accordance with plans identified above;

4)Reconsideration of the moulding details on the base of the tower in the location of the original doors;

5)Reconsideration of the restoration of the gable roof over the entry facing Gladstone Avenue;

6)Final review by the Heritage Advisory Committee at building permit stage, including colour scheme.

### **AMENDMENT TO HERITAGE ALTERATION PERMIT #53**

#### **221-225 QUEBEC STREET / 506-508 PENDRAY STREET**

00/370

Committee received a memorandum dated May 10, 2000 from the Heritage Planner advising that the applicant is seeking an amendment to the existing Heritage Alteration Permit for the

addition to Pablo's Restaurant at 221-225 Quebec Street, approved by Council on August 26, 1999. The applicant is seeking some minor second floor additions to the south side of the existing restaurant at 225 Quebec.

**ACTION:**Councillor Hughes moved that it be recommended to Council that, pursuant to Heritage Designation Bylaw #51, Heritage Alteration Permit #71 to amend the previously approved Heritage Alteration Permit #53, be approved in accordance with:

- 1)Plans dated April 27, 2000;
- 2)Development meeting all bylaw requirements;
- 3)Final plans to be in accordance with plans identified above.

### **WORK WITHOUT PERMIT**

#### **3116 STEELE STREET**

00/369

Committee received a memorandum dated May 8, 2000 from the Chief Building Inspector advising that construction has been carried out on a building located at 3116 Steele Street without a building permit.

**ACTION:**Councillor Lunt moved that it be recommended to Council that:

- 1)the Director of Corporate Services be directed to file a Notice in the Victoria Land Title Office stating that:
  - a)A resolution relating to N.E. Pt Lot 13, Section 4, Plan 837, Land District 57, has been made under Section 700 of the *Municipal Act*;
  - b)Further information respecting the property may be inspected at the offices of the City of Victoria, Permits and Inspections Division, #1 Centennial Square, Victoria, B.C. between the hours of 8:00 am and 4:00 pm Monday through Friday;
- 2)A demolition bylaw be prepared.

## **ACCUMULATED MATERIALS – 1431 RICHARDSON STREET**

00/368

Committee of the Whole, at its meeting on January 13, 2000, received a verbal report from the Bylaw Officer regarding accumulated materials at 1431 Richardson Street. He advised that the owner had removed a portion of the accumulated materials, however, the job was not complete. At that time Committee moved to table the matter for four months.

Committee now received a further verbal report from the Bylaw Officer advising that the clean-up is continuing at 1431 Richardson Street, but is still not complete.

**ACTION:**Councillor McLean moved that the matter of Accumulated Materials at 1431 Richardson Street, **be further tabled** for one month, and a letter be sent to the owner advising of this postponement, and acknowledging the work done so far on the property.

## **TRANSPORTATION**

### **TRAFFIC ORDERS**

00/367

Committee received a memorandum dated May 12, 2000 from the Senior Technologist, Transportation outlining a list of 8 Traffic Orders for consideration by Council. Staff have conducted an onsite investigation for each and recommend that the orders be approved.

**ACTION:**Councillor Madoff moved that it be recommended to Council that the Traffic Orders outlined in the report dated May 12, 2000 received from the Senior Technologist, Transportation, be approved.

## **ADMINISTRATIVE MATTERS**

### **REQUEST FOR PROPOSAL #305**

## **PRESENTATION AND TECHNICAL SERVICES – VICTORIA CONFERENCE CENTRE**

00/366

Committee received a memorandum dated May 12, 2000 from K. Hennessey, Buyer, Supply Management Services regarding Request for Proposal (RFP) #305 – Presentation and Technical Services – Victoria Conference Centre. The RFP was advertised in the Times Colonist newspaper, 27 packages were issued, 10 firms attended an information meeting, and 3 responses were received.

**ACTION:**Councillor McLean moved that it be recommended to Council that Request for Proposal #305 – Presentation and Technical Services – Victoria Conference Centre be awarded to Sharp's Audio Visual, partnering with Compugen Ltd., and Pacific Audioworks, on the basis of being the best overall proposal.

### **INTERMUNICIPAL BUSINESS LICENSING**

00/365

Committee received a memorandum dated May 12, 2000 from the Manager of Financial Services advising that in 1999 the City of Victoria entered into an Intermunicipal Business License agreement with eleven local municipalities. This permitted transitory businesses with a valid business license in one municipality to operate in all participating municipalities. The District of Highlands has requested to be added to this agreement.

**ACTION:**Councillor McLean moved that it be recommended to Council that approval be given to the amended Intermunicipal Business License Agreement to include the District of Highlands.

### **DISPOSITION OF COMMUNICATIONS**

00/364

Committee received a memorandum dated May 12, 2000 from the Manager, Legislative Services, reporting that certain communications received in the Corporate Services Department have been dealt with on the date and in the manner indicated.

**ACTION:**Councillor McLean moved that the Disposition of Communications dated May 12, 2000 received from the Manager, Legislative Services, be received for information and filed.

### **PROCLAMATIONS**

**00/363**

**ACTION:**Councillor McLean moved that the following proclamations be approved and forwarded to the appropriate Council

meeting:

*Leukemia Awareness Month June, 2000*

*A.L.S. Awareness Week May 28 to June 3, 2000*

*A.L.S. Flower Day June 3, 2000*

*National Kids' Day June 10, 2000*

*Seniors' Week June 4 – 10, 2000*

### **CASCADIA MAYORS' CONFERENCE**

00/362

Committee received a memorandum dated May 16, 2000 from the Secretary to the Mayor advising the Mayor Lowe would like to attend the Cascadia Mayors' Conference in Seattle June 8 & 9, 2000. An estimate of expenses was provided.

**ACTION:** Councillor McLean moved that it be recommended to Council that approval be given for Mayor Lowe to represent the City of Victoria at the Cascadia Mayors' Conference in Seattle on June 8 and 9, 2000, with approximate expenses of \$470.00 US.

### **MAYORS' SUMMIT #2**

00/361

Committee received a copy of a letter dated May 4, 2000 from Capital Regional District Chair C. Causton addressed to Mayor Lowe advising of a meeting of the Mayors' Economic Development Summit to be held June 9, 2000. Mayors have been requested to prepare a list of their municipality's three top economic development priorities. Mayor Lowe asked Councillors to provide him with their suggestions.

### **COUNCILLOR INQUIRIES**

### **JOINT USE OF SCHOOLS**

00/360

Councillor Madoff expressed concern regarding budget cutbacks in School District #61, and the resulting reduction of access to school space by other groups. She suggested a meeting be arranged between Council and the School Board to discuss these concerns.

### **HORSE-DRAWN WAGONS**

00/359

Councillor Madoff advised that there are new wagons with rope sides being used for downtown horse-drawn tours. She expressed concern regarding the safety of customers riding in the wagons, and asked if this was considered during the business licensing process. She also advised that these vehicles are larger than previous wagons, and may present more difficulties on residential streets.

### **COUNCILLOR INFORMATION SHARING**

#### **LIQUID WASTE MANAGEMENT PLAN**

00/358

Councillor Savoie provided information regarding a meeting of Councils on May 26, 2000 to discuss the Capital Regional District Liquid Waste Management Plan.

#### **ROCK SOLID PROJECT IN VIC WEST**

00/357

Councillor Savoie requested an update on the Rock Solid project that would create green space in Vic West using two city-owned lots on Hereward Road and BC Hydro property.

The Acting City Manager advised that a report is being prepared and will be forwarded to the Parks and Recreation Advisory Committee for its review.

#### **MILLENNIUM ART 2000 PROGRAM**

00/356

Councillor Holland advised that she and Councillor Hughes attended the Millennium Art 2000 Program and were very impressed with the project and the fabric wall hanging displayed.

### **RESIDENTIAL USE OF PESTICIDES**

00/355

Councillor Vanden Berg discussed the federal government's recent investigation of residential use of pesticides, and requested information on the City's policy on pesticide use.

### **INFORMATION PRESENTATION**

#### **BUSINESS CARE PROGRAM**

00/354

Dennis Carlsen and Maria Miller from the City's Economic Development Division presented information on the Business Care Program, developed to assist with business retention and expansion. The program was initiated in accordance with the City's Economic Development Strategic Action Plan, which established support for entrepreneurial growth and development.

Staff will work with small and medium size businesses to help identify problems and facilitate solutions. Partners in the program include the Downtown Business Association, Human Resources and Development Canada, and BC Hydro. Businesses will be directed to either an Internal or External Resource Team for assistance with their particular needs.

### **CLOSED MEETING - 10:55 A.M.**

Councillor Holland moved that Committee of the Whole convene a closed meeting that excludes the public under Section 242.3 of the Municipal Act, for the reason that the following agenda items deal with matters specified in Section 242.2 of the Municipal Act.

### **APPOINTMENTS – GONZALES NEIGHBOURHOOD PLAN**

#### **STEERING COMMITTEE**

00/353

Committee received a memorandum dated May 10, 2000 from the Senior Planner dated May 10, 2000 outlining recommendations from the sub-committee established to review applications for the Gonzales Neighbourhood Plan Steering Committee.

**ACTION:**Councillor Madoff moved that it be recommended to Council that:

1)the following appointments be made to the Gonzales Neighbourhood Plan Steering Committee: Lynne Shields, Catherine Davidson, Tony Reynolds, John Farquharson, Donna Jones, Greg Damant, W. Court Haddock, Todd Weir (Fairfield Community Association), Bev Windjack (Margaret Jenkins school), and Dennis Murray (Glenlyon Norfolk school).

2)the Advisory Planning Commission be requested to select a member to sit on the Gonzales Neighbourhood Plan Steering Committee.

#### **GRIEVANCE REPORT UPDATE**

00/352

Committee received a memorandum dated May 12, 2000 from the Director of Human Resources providing a summary of grievance related issues. The report was accompanied by a statistical summary and the 2000 Grievance status Reports for CUPE Local 50 and CUPE Local 388.

**ACTION:**Councillor McLean moved that the report dated May 12, 2000 received from the Director of Human Resources, providing a summary of grievance related issues, be received for information.

#### **DOUGLAS STREET PAVING**

00/351

Committee received a memorandum dated May 16, 2000 from the Manager, Transportation & Development outlining the proposed resolution of a dispute with Island Asphalt Company regarding Douglas Street paving.

**ACTION:**Councillor McLean moved that it be recommended to Council that the proposed settlement of the Douglas Street asphalt dispute with Island Asphalt Company, as detailed in the report dated May 16, 2000 from the Manager, Transportation & Development, be approved, in a form acceptable to the City Solicitor.

## **HARBOUR DIVESTITURE**

00/350

The Acting City Manager provided an update regarding the proposed Harbour Divestiture project.

The meeting adjourned at 11:40 a.m.