

MINUTES - COMMITTEE OF THE WHOLE

MEETING HELD THURSDAY, MAY 16, 2002, AT 9:05 A.M.

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

Mr. Keith Dowdall, Acting City Manager, attended for the entire meeting and Messrs. Barber, Basey, Koch, Lam, Sikstrom, Wiffen, Woodland, Ms. Atkinson, Ms. Masters, Ms. Mayhew, Ms. Meyer, Cst. Holmes and Cst. Saunderson attended for portions of the meeting.

Recording Secretary: Linda Johnson

PLANNING

REZONING APPLICATION #02-06 **212 ST. CHARLES STREET**

02/378

Committee received a memorandum dated May 7, 2002 from the Senior Planner regarding Rezoning Application #02-06 for 212 St. Charles Street. The proposal is to subdivide a small lot from the rear yard of an existing single family dwelling and construct a two storey single family dwelling. The new single family dwelling will front on the lane next to Ross Bay Cemetery.

- ACTION:** Councillor McLean moved that it be recommended to Council that:
- 1) Rezoning Application #02-06 for 212 St. Charles 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 confirmation to the Corporate Administrator that the design has been reviewed by the neighbours and the community association.
 - 2) Approval of the following relaxation as part of the Development Permit be considered concurrently with the rezoning:
Section 1.7.5 To vary the rear yard setback of the existing house from 6.0 to 5.1m

REZONING APPLICATION #02-08 **1574 BAY STREET**

02/377

Committee received a memorandum dated May 9, 2002 from the City Planning Division regarding Rezoning Application #02-08 for 1574 Bay Street. The proposal is to rezone the property in order to permit construction of a duplex addition behind an existing home. The new addition would be two storeys fronting Victor Street. The existing house is one storey and faces Bay Street.

ACTION: Councillor Madoff moved that it be recommended to Council that Rezoning Application #02-08 for 1574 Bay Street be forwarded for consideration at a public hearing and the City Solicitor be instructed to prepare the necessary Zoning Bylaw amendments subject to a fully dimensioned parking and access plan to the satisfaction of the Director of Engineering.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

02/376

Committee received a memorandum dated May 1, 2002 from the Head, Urban Design, regarding Crime Prevention Through Environmental Design (CPTED). The program is composed of a group of strategies intended to reduce the fear of crime and opportunities to commit crimes. CPTED advice and support has been provided by Victoria Police Department for the last 8 years through review of design drawings and participation in Advisory Design Panel meetings. This proactive approach, resulting in safer urban environment with less opportunity for crime, has been appreciated by all stakeholders.

A CPTED Design Guidelines pamphlet has been developed (a copy was attached) to encourage proponents to consider crime prevention strategies early in the planning and design stages of development.

ACTION: Mayor Lowe moved that the report dated May 1, 2002 from the Head, Urban Design, regarding Crime Prevention Through Environmental Design (CPTED), be received for information.

HERITAGE SCHOOLS – CITY OF VICTORIA

02/375

Committee received a memorandum dated May 9, 2002 from the Heritage Planner regarding the proposed addition of a number of Victoria heritage schools to the Heritage Registry. These schools are of considerable architectural and historic significance to the citizens of Victoria. In view of potential future changes to these buildings, it was proposed that they be added to the Community Heritage Register in accordance with Section 954 of the *Local Government Act*. The School Board has indicated it is opposed to this action.

Mr. Harry Whitfield, Greater Victoria School District, was present to discuss the School District's position on this issue.

ACTION: Councillor Madoff moved that it be recommended to Council that, pursuant to Section 954 of the Local Government Act, the following properties be added to the City's Community Heritage Register:

1. George Jay Elementary School 1118 Princess Avenue (1909 wing)
2. Victoria High School 1260 Grant Street (1911 wing)
3. Burnside School 3130 Jutland Road (1913 wing)
4. Oaklands School 2827 Belmont Avenue (1913 wing)
5. Margaret Jenkins School & Annex 1824 Fairfield Road (1913 wing & annex)
6. Quadra School & Annex 3031 Quadra Street (1914 wing & annex)
7. Quadra Primary School 2549 Quadra Street (1921)

CITY PLANNING DIVISION
WORK PLAN 2002

02/374

Committee of the Whole reviewed the City Planning Division draft work plan in March 2002, and referred it for further consideration to determine if a start can be made on the *Rock Bay Plan* update. At that time, Committee instructed the Director of Planning & Development to meet with Councillor Madoff to review the work plan.

Committee received a memorandum dated May 9, 2002 from the Manager, Planning Division advising that Planning Division staff, in consultation with Councillor Madoff, concluded that the Rock Bay project be transferred to Economic Development staff, and that further work on:

- Statistics Report – Census
- Fairfield Plan 1977-84
- Humboldt Valley & Cathedral Hill Precincts Update
- Quadra Street Village Improvements Plan, Phase 2B

may also be advanced if work on the Noise Bylaw can be condensed.

ACTION: Councillor Madoff moved that it be recommended to Council that the City Planning Division Work Plan 2002, be endorsed.

LIQUOR LICENSING

APPLICATION FOR CHANGE OF HOURS
MERMAID LOUNGE

02/373

Committee received a memorandum dated April 10, 2002 from the Corporate Administrator regarding a Liquor License Application received from the Mermaid Lounge, 407 Swift Street. The applicant is requesting an extension to the operating hours of the Class "F" marine pub to 11:00h to 24:00h Sunday through Thursday and 11:00h to 01:00h Friday and Saturday. The patio's closing hour would be kept at 23:00h. Mermaid Lounge's current hours are 11:00h to 23:00h seven days a week.

ACTION: Councillor Hughes moved that it be recommended to Council that a Liquor Licensing Hearing be convened at the June 13, 2002 Victoria City Council meeting and that residents and property owners within a 22 metre radius of the subject property be notified of the hearing and the applicant's request to:

- Extend the hours of operation of the Mermaid Lounge marine pub to 11:00h to 24:00h Sunday through Thursday; and
- Extend the hours of operation of the Mermaid Lounge marine pub to 11:00h to 01:00h Friday and Saturday
- Patio closing hour of 23:00h seven days a week.

ADMINISTRATIVE MATTERS

DISPOSITION OF COMMUNICATIONS

02/372

Committee received a memorandum dated May 10, 2002, from the Manager, Administration, reporting that certain communications received in the Legislative Services Division have been dealt with on the date and in the manner indicated.

ACTION: Councillor McLean moved that the Disposition of Communications dated May 10, 2002 from the Manager, Administration, be received for information and filed.

COUNCILLOR INQUIRIES

POLICING PROCEDURES FOR PUBLIC PROTESTS

02/371

Councillor Savoie inquired about the possibility of a joint Council – Police Board meeting to discuss policing procedures for public protests.

Mayor Lowe will report back to Committee of the Whole with the proposed date for the next joint meeting.

POLICE MOUNTED PATROL

02/370

Councillor McLean expressed concern that possible cancellation of the Police Patrol on horseback was not mentioned by senior management of the Police Department during recent budget discussions with City Council. He was disappointed in this lack of communication and the decision to cancel the mounted patrol.

CLOSED MEETING - 10:45 A.M.

Councillor Hughes moved that Committee of the Whole convene a closed meeting that excludes the public under Section 10(6) of the Council Bylaw for the reason that the following agenda items deal with matters specified in Section 10 (3) of the Council Bylaw.

LAND – ASSIGNMENT OF LEASE **#14 CENTENNIAL SQUARE**

02/369

Committee received a memorandum dated May 9, 2002 from the Property Manager advising that the current tenant at #14 Centennial Square has decided to sell his leasehold interest in the

property. In accordance with the lease, the City's approval is required for an assignment of the lease.

ACTION: Councillor Savoie moved that it be recommended to Council that the assignment of the lease for #14 Centennial Square to Maria Cabrera, be approved, subject to the existing terms and conditions of the lease with the Puffin Café (603850 BC Ltd.).

LAND – NEW LEASE
743 VIEW STREET

02/368

Committee received a memorandum dated May 7, 2002 from the Property Manager advising that the lease with the Resume Hut for approximately 280 square feet of office space on the ground floor of the View Street parkade expires on October 31, 2002. The current rental rate is \$400 per month. A public offer to lease the premises resulted in only one response, from the current tenant.

ACTION: Councillor Savoie moved that it be recommended to Council that a new lease with the Resume Hut for 280 square feet of office space at 743 View Street, be approved, with the following terms and conditions:

- Term: 1 year commencing November 1, 2002 with two one year renewal options.
- Monthly rental rate: \$425/\$450/\$475 in years one through three respectively.
- All other terms of existing lease remain the same.

LEGAL - MULTIPURPOSE FACILITY

02/367

The City Solicitor provided legal information regarding the City of Victoria Multipurpose Facility Partnering Agreement.

APPEAL FOR TAXI PERMIT - MR. G.S. SANDHU

02/366

Constable Dale Saunderson, Taxi Detail, Traffic Division, indicated that Mr. Sandhu's Chief's Permit had been suspended under the Vehicles for Hire Bylaw, and outlined the reasons for the suspension.

Mr. Sandhu requested Council's consideration of reinstating his Chief's Permit, and outlined the reasons for his appeal.

ACTION: Councillor Lunt moved that it be recommended to Council that Council grant the appeal and instruct the Chief of Police to issue a Chief's Permit to Mr. Sandhu.

APPEAL FOR TAXI PERMIT - MR. E.R. JOHNSTON

02/365

Constable Dale Saunderson, Taxi Detail, Traffic Division, indicated that Mr. Johnston's Chief's Permit had been suspended under the Vehicles for Hire Bylaw, and outlined the reasons for the suspension.

Mr. Johnston requested Council's consideration of reinstating his Chief's Permit, and outlined the reasons for his appeal. Mr. Daniel Mildenberger represented Mr. Johnston in these proceedings.

ACTION: Councillor Savoie moved that it be recommended to Council that Council grant the appeal and instruct the Chief of Police to issue a Chief's Permit to Mr. Johnston.

The meeting adjourned at 12:45 p.m.

Councillor Vanden Berg, Chair