

MINUTES - COMMITTEE OF THE WHOLE

MEETING HELD THURSDAY, NOVEMBER 28, 2002, AT 9:00 A.M.

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

Mr. Rob Woodland, Corporate Administrator attended for the entire meeting and Messrs. Barber, Basey, Dellebuur, Dowdall, Hennessey, Koch, Oberg, Phillips, Scoones, Sikstrom, and Timms, and Ms. Fowler attended for portions of the meeting.

Recording Secretary: Linda Johnson

Mayor Lowe advised that he is an immediate neighbour to Glenlyon Norfolk School and, because of this potential conflict of interest, he left the meeting at 9:05 a.m.

PLANNING & DEVELOPMENT

GLENLYON NORFOLK SCHOOL – CAMPUS PLAN

02/547

Committee of the Whole, at its meeting on October 10, 2002 referred the *Glenlyon Norfolk School – Pemberton Woods Campus Plan* to Planning Division staff for recommendations and comments, including remarks on how this plan relates to the Gonzales Neighbourhood Plan.

Committee received a memorandum dated November 19, 2002 from the Senior Planner outlining the history of the campus plan, the public consultation process, and the major elements of the plan. Staff advised that the plan is generally in accord with the recommendations of the Gonzales Neighbourhood Community Plan. It is in keeping with the major objectives of achieving a better integration of the school within the neighbourhood and of providing greater certainty regarding future plans for Glenlyon Norfolk School and its property. The campus plan is in keeping with the Guiding Principles for Institutional Rezoning in Gonzales particularly with respect to traffic, parking and greenspace impacts on neighbours.

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

- 1) A non-statutory hearing be held on December 12, 2002 to consider the endorsement of the Glenlyon Norfolk Campus Plan and permitting the removal of the three houses at 755, 771, and 781 Richmond Avenue and directing staff to issue the necessary permits.
- 2) As part of any approval, the relevant maps in the Gonzales Neighbourhood Community Plan be amended to include the three houses on Richmond Avenue as part of the area occupied by the school.
- 3) A commitment be obtained from Glenlyon Norfolk School that its remaining six houses will remain in residential use for one year, or until the Gonzales Neighbourhood Community Plan is implemented.

REQUEST FOR HERITAGE DESIGNATION – 902 FOUL BAY ROAD

02/546

Committee received a memorandum dated November 19, 2002 from the Heritage Planner advising that the owner of 902 Foul Bay Road has requested heritage designation of the existing house including selected interior features and exterior features.

ACTION: Councillor Madoff moved that it be recommended to Council that whereas the house and land at 902 Foul Bay Road is worthy of heritage designation, it be designated as a municipal heritage site, including the following interior and landscape features:

- Main floor - living room, dining room/inglenook, den, front hall, and stair
- Second floor - stair and landing
- Landscape features - trees, stone walls, and iron gate

REQUEST FOR HERITAGE DESIGNATION
1421 GRANT STREET

02/545

Committee received a memorandum dated November 19, 2002 from the Heritage Planner advising that the owner of 1421 Grant Street has requested heritage designation of the existing house at 1421 Grant Street including selected interior features and the garage and garden shed.

ACTION: Councillor Madoff moved that it be recommended to Council that whereas the existing house, garage and garden shed at 1421 Grant Street are of heritage significance, these structures be designated as a municipal heritage site, including the following interior features and fixtures for the main floor dining room, entrance hall and den and the stairway to the second floor, including:

- a) all woodwork and mouldings
- b) heat registers
- c) leaded glass windows

REQUEST FOR HERITAGE DESIGNATION
86-88 DALLAS ROAD

02/544

Committee received a memorandum dated November 19, 2002 from the Heritage Planner regarding a request for heritage designation of the duplex at 86-88 Dallas Road, now a four suite conversion. Consideration of heritage designation would be in conjunction with a rezoning application to convert to a six suite residential building.

- ACTION:** Councillor Madoff moved that it be recommended to Council that:
- 1) Whereas the building at 86-88 Dallas Road is worthy of heritage designation, it be designated as a municipal heritage site.
 - 2) The hearing and final adoption of the Heritage Designation Bylaw be considered at the same meeting for which the rezoning public hearing is scheduled, after the public hearing has been completed.

HERITAGE ALTERATION PERMIT APPLICATION #107
86-88 DALLAS ROAD

02/543

Committee received a memorandum dated November 19, 2002 from the Heritage Planner regarding Heritage Alteration Permit Application #107 for 86-88 Dallas Road. The proposal is to rehabilitate, and construct an addition onto an existing 1897 duplex currently subdivided into 4 suites. The proposed development will result in 6 suites with parking for 6 cars in the rear yard. A rezoning application (#02-14) is being processed concurrently with this application. The Heritage Advisory Committee reviewed the application at its meeting on November 12, 2002, and recommended its approval.

- ACTION:** Councillor Madoff moved that it be recommended to Council that:
- 1) Pursuant to the Heritage Designation bylaw of this property, City Council authorize the issuance of Heritage Alteration Permit #107 in accordance with:
 - a) Plans dated September 6, 2002.
 - b) Development meeting all bylaw requirements.
 - c) Retention of the original glass on Dallas Road façade.
 - d) Removal of the existing shingles where drop siding exists underneath.
 - e) Consideration of retaining the existing chimney on the south façade above the roofline.
 - f) Review by the Heritage Advisory Committee at the building permit stage.
 - g) Final plans to be in accordance with plans identified above.
 - 2) This resolution of approval be considered at the same meeting for which the rezoning public hearing is scheduled, after the public hearing has been completed.

Councillor Madoff advised that she has a personal association with the next application, and because of this potential conflict of interest, she left the meeting at 9:20 a.m.

HERITAGE ALTERATION PERMIT APPLICATION #102
1490 FAIRFIELD ROAD

02/542

Committee received a memorandum dated November 19, 2002 from the Heritage Planner regarding Heritage Alteration Permit Application #102 for exterior restoration work for Ross Bay Villa at 1490 Fairfield Road. Council approval is required for all exterior alterations for this heritage designated house. The intent is to restore the house to its 1865 appearance to enable it to serve as a Visitor and Interpretation Centre for Ross Bay Cemetery. The application requires a number of variances including rear yard setback, number and configuration of parking stalls, and type of paved surface.

Councillor McLean requested that staff forward information regarding this application to the Fairfield Community Association.

- ACTION:** Councillor Savoie moved that it be recommended to Council that, pursuant to Heritage Designation Bylaw #405, Heritage Alteration Permit #102 be issued, in accordance with:
- 1) Plans dated July 25, 2002, site plan dated October 17, 2002, and handicapped access plan dated October 22, 2002, stamped Heritage Alteration Permit #102.
 - 2) Development meeting all bylaw requirements except for:

Section 2.1.5.3(m)(ii)	Rear yard setback relaxed from 14.3m to 3.2m
Schedule C7(d)	Relaxed to permit a surface of crushed rock
Schedule C	Building Class C9 Commercial Exhibit parking Requirement of 5 relaxed to permit 3 parking spaces on site
Schedule C(9)	Layout standards relaxed to permit in line (stacked) parking
 - 3) Final plans to be in accordance with plans identified above.

Mayor Lowe and Councillor Madoff returned to the meeting at 9:30 a.m.

HERITAGE ALTERATION PERMIT APPLICATION #103
1437 STORE STREET

02/541

Committee received a memorandum dated November 5, 2002 from the Heritage Planner regarding Heritage Alteration Permit Application #103 for 1437 Store Street. In August 2002 an application was received for a sign permit for a large fascia sign on a retail store at 1437 Store Street. This is a heritage designated building which is part of Market Square. The sign had already been erected without City approval. The application was reviewed by the Heritage Advisory Committee at its meetings of August 27 and October 22, 2002, and a motion to decline the application was unanimously approved.

The owner has acknowledged his mistake and has offered to repaint the white background to a tan colour in order to reduce the impact of the sign.

- ACTION:** Councillor McLean moved that consideration of Heritage Alteration Permit #103 for 1437 Store Street, be tabled to the December 5th, 2002 Committee of the Whole meeting, pending receipt of information regarding a time limited approval of the sign.

HERITAGE ALTERATION PERMIT #106

620 ST. CHARLES STREET

02/540

Committee received a memorandum dated November 19, 2002 from the Heritage Planner regarding Heritage Alteration Permit #106 for 620 St. Charles Street. The application is to change an existing basement window to a door on the front elevation of this heritage designated house. The Heritage Advisory Committee reviewed this application at its November 12, 2002 meeting and recommended it for approval.

ACTION: Councillor Madoff moved that it be recommended to Council that, pursuant to Heritage Designation Bylaw #402, Heritage Alteration Permit #106 be issued in accordance with:

- 1) Plans dated October 21, 2002.
- 2) Development meeting all bylaw requirements.
- 3) Final plans to be in accordance with plans identified above.

ENGINEERING

RESIDENTIAL STRATA TITLE APPLICATION

928 EMPRESS AVENUE

02/539

Committee received a memorandum dated November 19, 2002 from the Supervisor, Development Engineering, regarding a Residential Strata Title Application for the duplex at 928 Empress Avenue. The proposal is to attach a new unit at the rear of the existing dwelling, thereby creating a duplex. A building permit was issued on October 15, 2002 authorizing construction of the new unit. The existing residence is vacant.

ACTION: Councillor Madoff moved that it be recommended to Council that the application to strata title the residential building at 928 Empress Avenue into two strata units, be approved.

FINANCE

TENDER #02-049 – MUNICIPAL CASTINGS

02/538

Committee received a memorandum dated November 19, 2002 from the Senior Buyer, Supply Management Services regarding Tender #02-049 for Municipal Castings. The tender was advertised and twelve packages were issued. A staff committee evaluated the three responses received.

Councillor Savoie requested that staff provide information prior to Council's consideration, regarding the safety of the grates for bicycle traffic.

ACTION: Councillor McLean moved that it be recommended to Council that Tender #02-049 – Municipal Castings be awarded to Andrew Sheret Ltd., for a two year period ending October 31, 2004 at a total cost of \$272,722.94, based on being the overall lowest tender. This tender has 3 one year extension options, allowing for a maximum of a 5 year award.

BOARD OF CEMETERY TRUSTEES INCREASE

IN BORROWING AUTHORITY AND CITY OF VICTORIA
GUARANTEE OF BORROWING

02/537

Committee received a memorandum dated November 22, 2002 from the Corporate Administrator regarding the Board of Cemetery Trustees' proposal to purchase the unsold inventory of crypts and niches owned by Evergreen Mausoleums Ltd. On June 27, 2002 Council approved the first step toward authorizing this scheme by consenting to amend the Cemetery Agreement to increase the Board's borrowing authority, and by consenting to act as joint guarantor for a loan of \$1.5 million. Prior to Council executing the amendment agreement and legally consenting to act as a joint guarantor, the following motion must be adopted.

- ACTION:** Councillor Holland moved that it be recommended to Council that the following resolution be considered after a counter petition opportunity concludes on Friday, January 3, 2003:
- 1) That subject to the counter-petition requirements under the *Local Government Act*, the City, as Guarantor, authorize an agreement between the Corporation of the District of Saanich (the "District") and the Board of Cemetery Trustees of Greater Victoria (the "Board")
 - a) For the borrowing of \$1.5 million dollars by the Board from the District for the purpose of purchasing mausoleum facilities in Royal Oak Burial Park;
 - b) For a term of 25 years.
 - 2) That subject to the counter-petition requirements under the *Local Government Act*, the City authorize an amendment to the March 16, 1922 Agreement between the City and the Corporation of the District of Saanich, as amended, which established the Board of Cemetery Trustees of Greater Victoria and set its borrowing powers at a maximum amount that may be borrowed by the Board, with the understanding that under the 1922 Agreement, the City is guarantor for the Board's borrowing.

ADMINISTRATIVE MATTERS

DISPOSITION OF COMMUNICATIONS

02/536

Committee received a memorandum dated November 22, 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 Madoff moved that the Disposition of Communications dated November 22, 2002 from the Manager, Administration, be received for information and filed.

PROCLAMATIONS

02/535

ACTION: Councillor Fleming moved that the following proclamation be approved and forwarded to the appropriate Council meeting:
*Day of Remembrance and Action
To Stop Violence Against Women* December 6, 2002

MEMBERSHIP IN THE CANADIAN CAPITAL CITIES ORGANIZATION

02/534

Committee received a memorandum dated November 27, 2002 from Councillor Fleming regarding membership in the Canadian Capital Cities Organization (CCCO). The CCCO was founded in 1996 and includes representatives from federal, provincial, and municipal governments and the private sector. Their directive is to work together to promote the historic, cultural, economic and symbolic heritage of the capitals of Canada.

ACTION: Councillor Fleming moved that it be recommended to Council that the City of Victoria maintain its full voting membership in the Canadian Capital Cities Organization at a cost of \$750 per year.

COUNCILLOR INQUIRIES

ZONING BYLAWS

02/533

Councillor Savoie inquired about the status of two bylaws that would rezone industrial land and the rail corridor in Victoria West. The City Solicitor advised that they will soon be presented to Council for consideration.

COUNCILLOR INFORMATION SHARING

LIBRARY BOARD

02/532

Councillor McLean reported from a recent meeting of the Greater Victoria Library Board, where a motion was endorsed expressing an interest in moving the Central Library to the Bay building. The motion also requested an engineering study and a business plan, and discussed various funding options.

CREST

02/531

Councillor McLean reported from a Capital Region Emergency Services Telecommunications (CREST) Board meeting, held on November 27, 2002. He advised that:

- the microwave towers are now on site;
- Denise Blackwell has been elected Chair.

SPCA UPDATE

02/530

The Manager, Regulatory and Development Services, and the Senior Bylaw Officer provided information regarding recent meetings between City representatives and the SPCA. Following a long bylaw enforcement process, the City issued a noise violation ticket. The SPCA filed a court appeal, and a hearing was scheduled for December 2, 2002. The SPCA has now decided not to proceed with the appeal, has paid their fine, and agreed to meet with affected neighbours and work on noise attenuation.

CLOSED MEETING - 9:45 A.M.

Mayor Lowe 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.

VICTORIA WEST LAND NEGOTIATIONS
DOCKSIDE LANDS

02/529

Committee postponed consideration of this issue to the December 5, 2002 meeting.

POUNDKEEPER APPOINTMENTS

02/528

Committee received a memorandum dated November 26, 2002 from the Senior Bylaw Officer advising that in order to properly execute their duties, CRD Animal Control Officers require appointment as Poundkeepers under the City's Animal Control Bylaw.

- ACTION:** Councillor McLean moved that it be recommended to Council that:
- 1) Neil Bacik and Sheila Weitman be appointed Poundkeepers for the City of Victoria.
 - 2) The appointment of Garrett Legault to the position of Poundkeeper be rescinded.

APPOINTMENT - FAMILY COURT COMMITTEE

02/527

- ACTION:** Councillor McLean moved that it be recommended to Council that Georgette Poirier be appointed to the Greater Victoria Family Court & Youth Justice Committee for the term January 1, 2003 to December 31, 2003.

MAYOR'S UPDATE

02/526

Mayor Lowe provided information to Committee regarding:

- A meeting with the Esquimalt Council-elect scheduled for November 28, 2002 at the City's main fire hall.
- Mutual Aid Fire Fighting Agreements
- Options to the proposed renovation of the CRD buildings on Yates Street.

The meeting adjourned at 10:05 a.m.

Councillor Hughes, Chair