

**Minutes of the Committee of the Whole Meeting of The City of Victoria  
Thursday, March 4, 2004**

---

Committee Present: Mayor Lowe, in the Chair; and Councillors Coleman, Fleming, Fortin, Hughes, Madoff, and Savoie, and Thornton-Joe

Staff Present: J. Martignago – City Manager; and M.B. MacKenzie - Recording Secretary

Staff Present for a Portion of the Meeting: D. Atkinson – Director, Parks, Recreation & Community Development; S. Barber – Heritage Planner; J. Basey – Director of Planning and Development/City Solicitor; P. Battershill – Chief of Police; K. Dowdall – Director of Finance; T. Galavan – Manager, Transportation; C. Higgins – Coordinator, Corporate Communications; D. Koch – Manager, Planning Division; K. Kresse – Transportation; S. Masters – Manager, Administration; J. Matanowitsch – Planner; M. McCloggott – Comptroller; P. O'Reilly – Director of Engineering; E. Robertson – Manager, Support Services; S. Seivewright – Comptroller, Victoria Police Department; B. Spencer – Acting Head, Urban Design; N. Taylor – Executive Assistant to Mayor; G. Varley – Deputy Chief of Police; B. Wiffen – Property Manager; and R. Woodland – Corporate Administrator

**1. CALL TO ORDER**

The Mayor called the meeting to order at 8:08 a.m.

**2. CLOSED MEETING - 8:08 A.M.**

Committee Present: Mayor Lowe, in the Chair; and Councillors Coleman, Fleming, Fortin, Hughes, Madoff, and Thornton-Joe

Staff Present: None.

**Action:** 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.

CARRIED. 04/181

**2.1 Personnel**

The Committee discussed a personnel issue.

**3. ADJOURNMENT OF CLOSED MEETING**

The Closed meeting adjourned at 9:06 a.m.

#### **4. CALL TO ORDER – OPEN COMMITTEE OF THE WHOLE MEETING**

The Mayor called the Open Committee of the Whole meeting to order at 9:08 a.m.

#### **5. ADOPTION OF MINUTES – COMMITTEE OF THE WHOLE, FEBRUARY 26, 2004**

**Action:** Councillor Hughes moved that the minutes of the Committee of the Whole meeting held February 26, 2004, be adopted, with the following corrections:

- Page 2, identify Councillor Fortin as leaving the meeting at 9:09 a.m.. following the recess of the Closed meeting;
- Page 2, Resolution 04/157 – “2. this item be referred to staff, the Downtown Advisory Committee and Advisory Social Planning Committee for review”; and
- Page 7, Item 11.4, “the governance of the Provincial Capital Commission and the Board’s decision to reduce each municipality’s membership on the Board to one representative”.

CARRIED. 04/180

#### **6. PUBLIC CONSULTATION – 2004-2008 FINANCIAL PLAN**

##### **6.1 2004 Budget – Victoria Police Department**

Scott Seivewright, Comptroller, Victoria Police Department, reviewed the Victoria Police Department’s 2004 budget. Highlighting increases such as personnel changes, capital acquisitions, un-funded liabilities and other expenses such as accommodation, travel and uniforms for new recruits, fleet costs and a communications link to the prime server, he indicated that the 2004 net budget has increased \$1,402,000.00 over the 2003 budget, which is a 5.16% increase over 2003.

Answering questions from the Committee, the Comptroller provided information on:

- communications linking to other police departments in southern B.C.;
- staffing increases and succession planning;
- savings realized through the amalgamation of the Esquimalt and Victoria Police departments; and
- the need to consider the ramifications of reducing costs and the provision of effective service delivery.

There were no comments or questions from the public.

##### **6.2 2004 Budget – The City of Victoria**

Mike McCliggott, Comptroller, The City of Victoria, outlined the two types of budgets:

1. the Operating Budget that includes funding for all City Administrative and Maintenance Programs; and
2. the Capital Budget that includes funding for all Capital Programs and Capital Projects.

He reviewed the City's 2004 Operational and Capital budgets, and the 2004-2008 Five-Year Financial Plan, noting that Council must adopt a Five-Year Financial Plan and a Five Year Capital Plan by May 15, 2004. The total property tax increase, including Police, will be 5.39% in 2004.

### **6.3 2004 Financial Plan - Question and Answer Period**

A notice was posted in the March 2, 2004 edition of the Times-Colonist, advising of the public consultation on the 2004-2008 Five-Year Financial Plan, and inviting the public to attend the meeting.

Following the presentations by the Victoria Police Department and The City of Victoria, members of staff answered questions from the public.

## **7. PLANNING AND DEVELOPMENT**

### **7.1 Heritage Alteration Permit #130 – 631 Avalon Road**

In a report dated February 20, 2004, the Heritage Planner reviewed an application for a Heritage Alteration Permit to construct a new duplex within the newly-created Avalon-Huntington Heritage Conservation Area No. 5.

The Committee discussed the lack of guidelines for these types of applications. Councillor Madoff advised that she is discussing this matter with staff so applications can be dealt with appropriately and expeditiously.

**Action:** Councillor Madoff moved that Heritage Alteration Permit #130 for 631 Avalon Road, be referred to the next Heritage Advisory Committee for a recommendation to Committee of the Whole at its March 11, 2004 meeting.

CARRIED. 04/179

### **7.2 Temporary Use Permit (Parking Lot) – 780 Humboldt Street**

The Committee reviewed a report dated February 24, 2004 from the Manager, Planning Division, outlining an application for rezoning or a Temporary Use Permit for a corner lot on Fairfield Road, Blanshard Street and Humboldt Street to accommodate a parking lot. The current zoning prohibits this use. Noting that the revised layout would bring the property closer to compliance with City standards and the need for parking in the area, staff recommended approval of a Temporary Use Permit.

In response to a question from the Committee, the Manager, Planning Division, advised that the applicant had requested only a one-year Temporary Use Permit, and if the permit were to be granted for more than one year, enhanced landscaping would be required.

**Action:** Councillor Madoff moved that the application be forwarded for public notice and consideration for Council resolution and that the City Solicitor be instructed to prepare the necessary Temporary Use Permit subject to:

1. the permit be issued for one year; and
2. the applicant be required to install the improvements in compliance with the revised site plan to the satisfaction of the Director of Engineering.

CARRIED. 04/178

### **7.3 Proposed Expansion of Tax Incentive Program for Downtown Heritage Buildings**

---

In his report dated February 23, 2004, the Heritage Planner advised that the Tax Incentive Program, adopted by Council in March 1998, has resulted in the creation of 168 residential units in ten seismically upgraded and rehabilitated heritage buildings, and attracted approximately \$34 million in private investments.

In October 2002, Council adopted a motion authorizing staff to explore expanding the terms of reference of this program beyond residential use. The proposed expanded program, although similar to the existing residential conversion program, has four key differences:

1. a five year term instead of ten;
2. an expanded range of eligible work considered as substantial rehabilitation;
3. a more detailed analysis of development pro-forma costs prior to final approval; and
4. a broader range of eligibility criteria to be examined prior to approval.

Committee members discussed:

- the need for the incentive to be significant so the project is financially viable for businesses;
- national recognition of Victoria's proactive Tax Incentive Program for Downtown Heritage Buildings; and
- the City's commitment to the downtown and heritage buildings.

Staff was requested to provide Committee with:

1. a copy of the priority list of projects under the Canada/British Columbia Infrastructure Program; and
2. an analysis regarding application of the Tax Incentive Program for commercial heritage buildings in residential neighbourhoods, outside of the downtown core.

**Action:** Councillor Madoff moved that:

1. City Council give approval in principle to the expansion of the existing Tax Incentive Program to include the substantial rehabilitation of downtown heritage buildings for uses other than residential;
2. this program be implemented for a two-year trial period limited to three projects per year;
3. staff be instructed to re-evaluate the program following the trial period to determine its costs and benefits; and

4. the expanded Tax Incentive Program provide for a maximum exemption term of five years for non-residential uses, and other terms and conditions as noted in the background report.

CARRIED. 04/177

#### **7.4 Proposed Porch Restoration – 2103 Fernwood Road**

The Committee reviewed a report dated February 25, 2004 from the Heritage Planner, reviewing an application for the restoration of the original woodwork on the porch and roof of the heritage designated house at 2103 Fernwood Road.

**Action:** Councillor Madoff moved that pursuant to Heritage Designation Bylaw No. 58, City Council authorize the issuance of Heritage Alteration Permit #131 in accordance with:

1. plans dated February 6, 2004;
2. development meeting all bylaw requirements; and
3. final plans to be in accordance with the plans identified above.

CARRIED. 04/176

#### **7.5 Owner Request for Heritage Designation – 1621 Fernwood Road**

In a report dated February 25, 2004, the Heritage Planner outlined an application to designate an existing house at the corner of Balmoral Road and Fernwood Road, in conjunction with Rezoning Application #03-19, to permit subdivision and construction of two new small lot single family houses.

**Action:** Councillor Madoff moved that, whereas the existing house at 1621 Fernwood Road is of heritage significance, City Council designate it as a municipal heritage site.

CARRIED. 04/175

#### **7.6 Development Permit #03-43 – 1026 Fort Street**

The Committee reviewed a report dated February 27, 2004, from the Acting Head, Urban Design, reviewing a Development Permit application to construct a new four-storey commercial and residential building located at 1026 Fort Street. The proposed development consists of ground floor commercial spaces and 21 residential suites on the upper levels, with access from Fort Street to the eight ground floor parking stalls. The applicant has requested the relaxation of building street frontage.

The Committee discussed parking issues and the merits of a more urban design in this retail area.

**Action:** Councillor Madoff moved that Council authorize the issuance of a Development Permit in accordance with:

1. plans stamped "Development Permit Application #03-43", dated February 4, 2004;
2. development meeting all bylaw requirements with the following variance:

Section 6.55.4	Street setback relaxed from 3m to nil for 4 <sup>th</sup> storey; and
----------------	---

3. final plans to be in accordance with plans identified above to the satisfaction of the Director of Planning and Development.

CARRIED. 04/174

**7.7 Rezoning Application #03-34 – 1200 Government Street**

The Committee reviewed a letter dated February 26, 2004, from the Acting Head, Urban Design Section, advising that the Advisory Design Panel, at its meeting held February 25, 2004, approved the design of the seating area of Rezoning Application #03-34, 1200 Government Street, subject to:

1. providing details on the railings and stairs; and
2. providing details of the concrete planter design.

**Action:** Councillor Madoff moved that the correspondence dated February 26, 2004, from the Acting Head, Urban Design Section, be received for information and filed.

CARRIED. 04/173

**7.8 Boys and Girls Club – 1240 Yates Street**

In his report dated February 3, 2004, the Property Manager advised that the original part of the City-owned building at 1240 Yates Street dates back to 1899 and is Victoria's oldest remaining firehall, although it has not been identified on the City's Heritage Registry. Under the terms of the current lease between the City and the Club, the Club is required to repair and maintain the building. However, with its limited resources, the Club is unable to repair the cupola tower and dormer windows at an estimated cost of \$21,200.00. Due to public safety concerns, staff advises that the Club will contribute \$3,000.00, and requests that Council approve expenditures of \$18,200.00 to complete the repairs.

**Action:** Councillor Madoff moved that Council:

1. approve the expenditure of approximately \$18,200.00 from the Building Maintenance Fund for the removal, repair and replacement of the cupola tower, as well as for the windows and frames immediately below the tower; and
2. consider referral of the issue of heritage designation for the original firehall section of the building to the Heritage Advisory Committee.

**7.9 Rezoning of C-1 Zoned Land -  
Cook Street Between Pandora Avenue and Caledonia Avenue**

In a report dated February 27, 2004, the Planner provided information on a rezoning initiative stemming from recommendations in the North Park Local Plan and the Fernwood Neighbourhood Plan. The focus of the rezoning is to encourage a more street-friendly form of mixed commercial-residential development. A Public Open House was held on February 9, 2004, to discuss this proposal.

The Committee discussed density, use and form and character of the proposal, and the need for a long-term plan.

**Action:** Councillor Madoff moved that:

1. Council proceed with Option 2 as outlined in the report dated February 27, 2004 from the Planner;
2. this rezoning proposal be forwarded for consideration at a Public Hearing; and
3. the City Solicitor be instructed to prepare the draft zoning bylaw amendments according to the attached draft zones.

CARRIED. 04/171

**8. ENGINEERING**

Councillor Thornton-Joe declared an indirect pecuniary conflict of interest with the following item and was excused from the meeting at 10:50 a.m.

**8.1 Canada/British Columbia Infrastructure Program –  
Highway 1/Douglas Street Corridor Transit Priority Project**

The Manager of Transportation reviewed his report dated February 16, 2004, advising of the City's partnership with BC Transit and the District of Saanich, and the application for a grant of \$1,516,800 under the Canada/British Columbia Infrastructure Program to design and implement transit priority along the Highway 1/Douglas Street corridor. Before the application can proceed, the Ministry has requested evidence that provision has been made for the City's \$100,000.00 share (plus an in-kind contribution of relevant staff resources) of the project's funding.

**Action:** Councillor Fleming moved that Council approve a capital expenditure of up to \$50,000.00 in each of the next two years to implement transit priority along Highway 1 and Douglas Street in support of the Regional Growth Strategies, the City's Official Community Plan and the City of Victoria Integrated Transportation Strategies Plan.

CARRIED. 04/170

Councillor Thornton-Joe re-joined the meeting at 10:58 a.m.

## **8.2 Canada/British Columbia Infrastructure Program – Downtown Victoria Lighting Infrastructure Project**

The Manager, Support Services reviewed his report dated February 27, 2004, stating that the Victoria Civic Heritage Trust approached the City with respect to partnering on an application by The City of Victoria to the Canada/British Columbia Infrastructure Program for increased lighting in downtown Victoria. If approved, the work would take place in 2004 and 2005 at a cost of \$120,000.00 to the City, and provide lighting on approximately 15 heritage buildings.

**Action:** Councillor Fleming moved that Council support:

1. this application for Downtown Victoria Lighting Infrastructure Project to the Canada/British Columbia Infrastructure Program;
2. the financial commitment of \$60,000.00 each of the 2004 and 2005 budgets for the City's portion of the project; and
3. The City of Victoria's partnership in the application submitted by the Victoria Civic Heritage Trust for the Downtown Victoria Lighting Infrastructure Project to the Canada/British Columbia Infrastructure Program.

CARRIED. 04/169

## **8.3 Traffic Orders**

Attached to a report dated February 27, 2004 from the Transportation and Development Division, were 19 Traffic Orders for consideration by Council. Staff advised that an onsite investigation was conducted for each order, and recommended approval.

Responding to a question from the Committee, staff provided a definition of "truck" under the *Motor Vehicle Act*. The Committee discussed the problems associated with parking in commercial zones and the benefits to businesses.

**Action:** Councillor Fortin moved that Council approve the list of 19 Traffic Orders attached to the report dated February 27, 2004, from the Transportation and Development Division.

CARRIED. 04/168

## **9. ADMINISTRATIVE MATTERS**

### **9.1 Disposition of Communications**

Committee received a memorandum dated February 27, 2004, 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 Hughes moved that the Disposition of Communications dated January 27, 2004 from the Manager, Administration, be received for information and filed.

CARRIED. 04/167

### **9.2 Proclamation - "World Theatre Day"**

**Action:** Councillor Coleman moved that March 27, 2004, be proclaimed "World Theatre Day" in The City of Victoria, British Columbia.

CARRIED. 04/166

### **9.3 AVICC 2004 Spring Convention – Council Representative**

Councillor Coleman advised that he would be available to act as the City's representative at the Association of Vancouver Island Coastal Communities 2004 Spring Convention.

### **9.4 PCC Governance**

Councillor Madoff updated the Committee on the Provincial Capital Commission's consideration of reducing the municipal representation on the PCC Board by Saanich and Victoria from two members each to one member each. Committee members discussed the importance of retaining its current two-member representation on the Board.

**Action:** Councillor Hughes moved that Councillors Madoff and Fleming be reappointed to their positions as The City of Victoria representatives on the Provincial Capital Commission.

CARRIED. 04/165A

## **10. COUNCILLOR INFORMATION SHARING**

### **10.1 "Capital Region Against Sexual Exploitation of Children and Youth Awareness Week" – March 8-12, 2004**

Councillor Hughes provided the Committee and staff with fushia ribbons, and asked that they be worn the week of March 8-12, 2004, to show support of the "Capital Region Against Sexual Exploitation of Children and Youth Awareness Week".

## **10.2 Capital Regional District Grand Opening**

The Mayor advised of the opening of the new Capital Regional District environmental building on Fisgard Street, at 10:30 a.m., Friday March 5, 2004.

## **10.3 Order of Pi – Charity Fundraising Event**

The Mayor announced that he will be the recipient of a pie in the face from University of Victoria Engineering Students' Association at 11:30 a.m., Friday March 5, 2004. This is a charity event in support of the Queen Alexandra Centre for Children's Health and the Mustard Seed Food Bank.

## **11. CLOSED MEETING - 11:18 A.M.**

Committee Present: Mayor Lowe, in the Chair; and Councillors Coleman, Fleming, Fortin, Hughes, Madoff, and Thornton-Joe

Staff Present: J. Basey – Director of Planning and Development/City Solicitor; R. Dennis – Director of Human Resources; K. Dowdall – Director of Finance; M.B. MacKenzie - Recording Secretary; J. Martignago – City Manager; N. Taylor – Executive Assistant to the Mayor; B. Wiffen – Property Manager; R. Woodland – Corporate Administrator

Action: 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.

CARRIED. 04/165

## **11.1 Land – Road Closure and Sale**

Action: Councillor Madoff moved that the recommendations outlined in the report dated February 9, 2004, from the Property Manager, be declined.

CARRIED. 04/164

## **11.2 Legal/Land – Lease, Victoria Conference Centre, Units 11 and 15**

At its January 29, 2004 meeting, Committee of the Whole tabled this item pending receipt of additional information from the City Solicitor.

Action: Councillor Fortin moved that this item be lifted from the table.

CARRIED. 04/163

Action: Councillor Fortin moved that Recommendation 1, as outlined in the report dated January 26, 2004 from the Property Manager, be approved.

CARRIED. 04/162

**11.3 Land/Legal – New Lease, Victoria Conference Centre, Unit 16**

**Action:** Councillor Thornton-Joe moved that the recommendations outlined in the report dated February 26, 2004, from the Property Manager, be approved.

CARRIED. 04/161

**11.4 Legal Services**

**Action:** Councillor Fortin moved that:

1. the report dated March 3, 2004, from the City Solicitor, be received; and
2. recommendations 2, 3 and 4 in the report dated February 20, 2004, from the City Manager, be approved.

CARRIED. 04/160

A Sub-Committee was established comprised of Mayor Lowe, Councillors Fleming and Fortin, and staff. The Sub-Committee will review all submissions and prepare a short list for presentation to Committee of the Whole.

**11.5 COUNCILLOR INQUIRY**

**11.5.1 Council Appointment to Board**

The Mayor discussed an issue regarding a Council appointment to a Board.

**11.5.2 Legal - Conflict of Interest**

The Committee discussed conflict of interest issues.

**12. ADJOURNMENT OF CLOSED MEETING**

The Closed meeting adjourned at 12:08 p.m.

**13. RECONVENE - REGULAR COMMITTEE OF THE WHOLE MEETING**

The Regular meeting reconvened at 12:09 p.m.

**14. WORKSHOP**

**14.1 2004 STRATEGIC PLAN – FINAL REVIEW**

The Committee approved the final draft of the 2004 Strategic Plan with the following changes:

1. Goal 1, Objective 1, Item 5 - Reword to read “support initiatives that foster sustainability in Victoria’s tourism industry;
2. Goal 1, Objective 3, Item 2 – reword to read “define options/incentives to retain and expand downtown school business”;
3. Goal 1, Objective 3, Item 3 – delete in its entirety; and replace the cover picture with a picture of a City park.

**15. ADJOURNMENT**

The meeting adjourned at 12:15 p.m.

---

Mayor Lowe, Chair