Minutes of the Committee of the Whole Meeting of the City of Victoria held Thursday, May 20, 2004

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

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

Staff Present for a Portion of the Meeting: R. Anthony - Downtown Resource Officer; D. Atkinson – Director, Parks, Recreation and Community Development; S. Barber – Heritage Planner; J. Basey – Director of Planning and Development/City Solicitor; D. Carlsen – Planner; K. Dowdall – Director of Finance; K. Fowler – Manager, Regulatory and Development Services; C. Higgins – Coordinator, Corporate Communications; D. Koch – Manager, Planning Division; K. Kresse – Transportation; S. Masters – Manager, Administration; A. Meyer - Planner; K. Neilson – Deputy Emergency Co-ordinator; P. O'Reilly – Director of Engineering; E. Robertson – Manager, Support Services; D. Scoones – Bylaw Enforcement Officer; K. Silvester – Manager, Water and Environment; N. Taylor – Executive Assistant to Mayor; B. Wiffen – Property Manager; and R. Woodland – Corporate Administrator

1. CALL TO ORDER

The Mayor called the meeting to order at 9:02 a.m.

2. ADOPTION OF MINUTES – COMMITTEE OF THE WHOLE, MAY 13, 2004

Action: Councillor Hughes moved that the minutes of the Committee of the Whole meeting held May 13, 2004, be adopted.

CARRIED. 04/372

3. PLANNING AND DEVELOPMENT

3.1 Owner Request for Heritage Designation – 1431 Vining Street

In a report dated May 3, 2004, the Heritage Planner provided historical information on an existing Heritage Registry house in the Fernwood neighbourhood, and an application to designate the house as a Municipal Heritage Site.

Action: Councillor Madoff moved that, whereas the Heritage Registry house at 1431 Vining Street is worthy of heritage significance, City Council designate it as a Municipal Heritage Site.

CARRIED. 04/371

3.2 Temporary Use Permit (Parking Lot) – 813 Douglas Street

The Planner reviewed his report dated May 13, 2004, outlining an application for a Temporary Use Permit for a surface parking lot at 813 Douglas Street at the north east corner of Douglas Street and Burdett Avenue. The proposed parking lot would include 43 stalls, and be accessed from Douglas Street. Staff recommends that Council consider Temporary Use Permits for parking lots only when future development plans for the property are included in the proposal.

Noting that issuing new permits for surface parking lots in the downtown core is contrary to Council policy, the Committee discussed the unsightliness of the vacant lot in its current state, and debated whether or not it was appropriate to approve the application as a way to temporarily remedy the situation.

Action: Councillor Madoff moved that the application for a Temporary Use Permit for a surface parking lot at 813 Douglas Street, be declined.

DEFEATED. 04/370

Action: Councillor Fleming moved that:

1. The application for a Temporary Use Permit for a surface parking lot at 813 Douglas Street be forwarded for public notice and consideration for Council resolution; and
2. The City Solicitor be instructed to prepare the necessary Temporary Use Permit.

CARRIED. 04/369

Action: Councillor Savoie moved that staff explore policies in other municipalities regarding the development and stewardship of vacant lots as part of the Downtown Plan review, and report back to Committee.

CARRIED. 04/368

Staff was asked to investigate the property owner's intent to develop the site prior to expiry of the two-year Temporary Use Permit if an additional application is received to extend the two-year Temporary Use Permit.

3.3 Rezoning of S-1 and C-1 Zoned Land in the 1000 Block of North Park Street between Cook and Vancouver Streets

At its May 6, 2004 meeting, Committee of the Whole requested additional information regarding the proposed 0 metre side yard setback for the proposed rezoning of S-1 and C-1 zoned land in the 1000 block of North Park Street between Cook and Vancouver Streets.

In his report dated May 11, 2004, the Planner outlined the reasons for the proposed 0 metre side yard setback including:

1. The need to accommodate narrow properties along North Park Street;
2. The mixed use zone with the potential for both commercial and residential uses on the first and second floors making it difficult to have differing setbacks if abutting a commercial or residential use; and
3. Greater flexibility in building design.

Action: Councillor Madoff moved that Council proceed with the proposed rezoning of S-1 and C-1 zoned land in the 1000 block of North Park Street between Cook and Vancouver Streets, including the 0 metre side yard setback.

CARRIED. 04/367

3.4 Rezoning Application #03-17 – 90 Bay Street

The Planner reviewed his report dated May 13, 2004 regarding an application to rezone 90 Bay Street to permit the construction of a single family dwelling to the rear west side of an existing house, and the renovation and conversion of the existing house to three suites. At its meeting of February 12, 2004, Committee of the Whole tabled the proposal and directed staff to review other options.

The applicant has adjusted the proposal by:

1. Placing one parking space between the two structures;
2. Decreasing the south side yard setback from 2.4m to 1.52m; and
3. Turning the proposed single-family dwelling 90° thereby creating a larger separation between the existing and proposed structures.

The Planning Division is recommending that the application be declined due to:

1. Lack of outdoor private space on the site; and
2. Significantly reduced setbacks, especially on the south side.

The Committee discussed the need for a garden front forecourt to screen the parking area.

Action: Councillor Madoff moved that:

1. The City Solicitor be instructed to prepare the necessary Zoning Bylaw amendments as outlined in Section 3.1 of the report dated May 13, 2004 from the Planner; and
2. The application be forwarded for consideration at a Public Hearing subject to:
   (a) "that the lot be included in the Intensive Residential Development Permit Area No. 26 regulating the exterior design and finish of the existing and proposed new house as well as landscaping;" and
   (b) receipt of a revised site plan.

CARRIED. 04/366

3.5 Rock Bay Precinct Draft Plan

In January 2003, Council approved an eight-member focus group to work on a vision and planning principles that would underlie the objectives and policies of the Rock Bay Precinct Plan.

Referring to his report dated May 17, 2004, the Planner highlighted the Rock Bay Precinct Draft Plan including:

- clear mapping and policy statements indicating anticipated future land uses, density and building height;
- development options for the Transport Canada/BC Hydro lands;
- identification of environmental remediation opportunities, with specific implementation actions;
- policies and proposed rezoning regarding marine industrial lands

Staff proposes to hold an open house on June 15, 2004, to present the draft plan and gather feedback from stakeholder groups and the public. After the comments have been reviewed and changes to the draft plan have been made, a revised plan will be submitted to Council for consideration.

Committee members suggested focusing on the following;

- impact on encouraging redevelopment in areas where there are existing residential uses;
- consideration of the shoreline improvement projects being undertaken by the Greater Victoria Harbour Authority and the industrial harbour users;
- impact of permitting Social Services throughout Rock Bay without guiding policies;
- review of the Plan by the Parks, Recreation and Community Services Advisory Committee; Greater Victoria Harbour Authority; Downtown Advisory Committee; Cycling Advisory Committee; and Advisory Social Planning Committee; and
- to review the reference in the Plan to encouraging bonus density for remediation on the Transport Canada/B.C. Hydro site.

Action: Councillor Madoff moved that:

1. The report dated May 17, 2004 from the Planner, and the Rock Bay Precinct Draft Plan be received for information;

2. The draft plan be referred to the following committees and stakeholders for comment:
   - Advisory Planning Committee;
   - Environment and Shoreline Advisory Committee;
   - Advisory Transportation Committee;
   - Parks, Recreation and Community Services Advisory Committee;
   - Greater Victoria Harbour Authority;
   - Downtown Advisory Committee;
   - Cycling Advisory Committee;
   - Advisory Social Planning Committee;
   - Rock Bay Contaminant Reduction Committee;
   - Heritage Advisory Committee;

- Victoria/Esquimalt Harbour Society;
- Rock Bay Advisory Committee; and
- Burnside/Gorge Neighbourhood Association; and

3. A community open house be held June 15, 2004 in the City Hall Ante Chamber to allow stakeholder groups and the public an opportunity to review the draft plan and provide feedback.

CARRIED. 04/365

4. ENGINEERING

4.1 Traffic Orders

Attached to a report dated May 12, 2004 from the Senior Technologist, Transportation and Development Division, were eight Traffic Orders for consideration by Council. Staff advised that an onsite investigation was conducted for each order, and recommended approval.

Action: Councillor Fleming moved that Council approve the list of eight Traffic Orders attached to the report dated May 12, 2004, from the Senior Technologist, Transportation and Development Division.

CARRIED. 04/364

Councillor Fortin declared a non-pecuniary conflict of interest with the following item, and was excused from the meeting at 10:30 a.m.

4.2 UBCM Community Excellence Awards

In a report dated May 17, 2004, the Manager, Water and Environment advised that the Union of British Columbia Municipalities has requested submissions in the following categories for its Community Excellence Awards program:
- Best Practices;
- Leadership and Innovation;
- Partnerships: Local Government – First Nations

Staff recommends submitting an application in the Leadership and Innovation category based on the accomplishments and community partnerships developed in the Rock Bay portion of the Victoria Harbour Environmental Protection Program. The application will highlight the innovative technology being used in the storm water treatment unit, and the partnership with the Burnside/Gorge Community Association and its work in the area of education, stakeholder engagement and community outreach.

Action: Councillor Savoie moved that Council support the City of Victoria application to the Union of British Columbia Municipalities under the Community Excellence Awards program.

CARRIED. 04/363

Councillor Fortin re-joined the meeting at 10:35 a.m.

5. VICTORIA EMERGENCY PROGRAM

5.1 Review of Emergency Preparedness Week Activities

The Deputy Emergency Co-ordinator reiterated the City's commitment to make Victoria a safer place for its citizens, businesses and visitors. He reviewed activities conducted throughout the City during Emergency Preparedness Week including:

- staff displays;
- emergency preparedness information broadcast on local television;
- "Victoria Rocks", a region-wide table-top exercise;
- earthquake drill at City Hall;
- emergency awareness activities at local schools and community facilities; and
- participation of local businesses and agencies in activities.

6. ADMINISTRATIVE MATTERS

6.1 Disposition of Communications

Committee received a memorandum dated May 17, 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 Savoie moved that the Disposition of Communications dated May 17, 2004 from the Manager, Administration, be received for information and filed.

CARRIED. 04/362

7. COUNCILLOR INQUIRIES

7.1 Notice of Motion – Update, Multi-Disciplinary Group Meeting, Seattle

Councillor Fortin updated the Committee on his visit to Seattle, to attend a Multi-Disciplinary Group meeting to learn about the co-ordinated efforts to deal with the abuse of crystal methamphetamine (crystal meth).

Users of crystal meth include mostly children and young adults who may experience permanent physiological and psychological effects.

Presenting a video that will be shown in King County theatres this Summer, he highlighted impacts on the community including:

- danger to the environment, property and public health from vacated crystal meth laboratories;
- increased risk to municipal employees, especially Fire and Police;
- risks to children in homes where there is crystal meth;
- toxicity of crystal meth fires;
- clean-up of hazardous materials;
- trafficking; and

- addiction

Councillor Fortin advised that although the abuse of crystal meth is not yet an epidemic in Victoria, opportunities exist to be proactive in dealing with this issue. Recommendations included:

1. Working with the Provincial Solicitor General to develop local community solutions;
2. Actively participating in a community strategy;
3. Developing a four-pillar approach of prevention, treatment, education and enforcement; and
4. Ensuring representation and involvement of all segments of the community including the School District and businesses.

Committee members discussed:

- a resolution being considered at the FCM 2004 Conference that would limit the sales of substances used to make crystal meth;
- the need for a broad Provincial approach including Provincial Co-ordinator to deal with this issue; and
- addressing this issue at the next Association of Vancouver Island Coastal Communities meeting

Action: Councillor Hughes moved that Victoria City Council:

1. Petition the Provincial Government to act on the position paper sent to Minister Brice;
2. Request that the Province consider a pilot project for the Capital Regional District; and
3. Seek the support of the Federation of Canadian Municipalities and the Union of British Columbia Municipalities.

CARRIED. 04/361

8. COUNCILLOR INFORMATION SHARING

8.1 National Public Works Week – Garbally Yard Open House

Committee members commended staff for educating students and the public with creative and informative displays at the Garbally Yard Open House during National Public Works Week, May 16 to 22, 2004.

8.2 Board of Variance – Representation

Councillor Savoie requested that the City review its Board of Variance appointments in light of new Community Charter provisions for Board of Variance appointments.

9. CLOSED MEETING - 10:51 A.M.

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

Staff Present: Donna Atkinson – Director of Parks, Recreation and Community Development; J. Basey – Director of Planning and Development/City Solicitor; D. Carlsen – Planner; K. Fowler – Manager, Regulatory and Development Services; K. Hennessey – Senior Buyer; J. Hill – General Manager, Victoria Conference Centre; M.B. MacKenzie - Recording Secretary; J. Martignago – City Manager; P. O'Reilly – Director of Engineering; E. Robertson – Manager, Support Services; D. Scoones – Senior Bylaw Officer; N. Taylor – Executive Assistant to the Mayor; and B. Wiffen – Property Manager; R. Woodland – Corporate Administrator; and W. Zink – Manager, Community Development

Action: Councillor Hughes moved that Committee of the Whole convene a closed meeting that excludes the public under Section 11(6) of the Council Bylaw for the reason that the following agenda items deal with matters specified in Section 11 (3) and/or (4) of the Council Bylaw.

CARRIED. 04/360

Councillor Coleman left the meeting at 11:50 a.m., during discussion of the following item.

9.1 Dockside Lands – Design Concept and Request For Expression of Interest

Action: Councillor Madoff moved that the recommendations in the report dated May 13, 2004, from the Manager, Regulatory and Development Services, be approved, subject to "additional open and green space" being added to the *Negotiable Provisions* section the of the Public Realm Requirements.

CARRIED. 04/359

Councillor Holland was excused from the meeting at 11:30 a.m., during discussion of the following item.

Randy Wright and J.C. Scott, J.C. Scott Design Associates, joined the meeting at 11:08 a.m. for discussion of the following item.

9.2 Land/Lease – 950 Wharf Street

Mr. Wright and Mr. Scott answered questions from the Committee regarding their proposed structure at 950 Wharf Street.

Randy Wright and J.C. Scott left the meeting at 11:25 a.m.

Action: Councillor Madoff moved that the lease for 950 Wharf Street, be referred to the May 26, 2004 Advisory Design Panel meeting for comment.

CARRIED. 04/358

Action: Councillor Savoie moved that staff prepare a report outlining a long-term vision for the harbour.

CARRIED. 04/357

Councillor Holland re-joined the meeting at 11:35 a.m.

Councillor Savoie was excused from the meeting at 11:36 a.m., during discussion of the following item.

9.3 Victoria Conference Centre – New Lease, Unit 19

Action: Councillor Fleming moved that the recommendation in the report dated May 17, 2004, from the Property Manager, be approved.

CARRIED. 04/356

Councillor Savoie re-joined the meeting at 11:38 a.m.

Mayor Lowe and Councillor Holland left the meeting at 12:38 p.m. Councillor Fleming assumed the Chair.

9.4 Legal/Contract – Animal Control Services

The Committee discussed a legal opinion relative to a contract regarding the City's animal control service provider and the Society for the Prevention of Cruelty to Animals.

9.5 Councillor Inquiries

9.5.1 Legal/Use of Public Space - Limousines

Responding to a question from the Committee, the Senior Bylaw Officer provided information on a request for the use of pubic space for limousines.

9.5.2 Victoria Conservatory of Music – Letter of Support

Councillor Hughes referred to a letter from the Victoria Conservatory of Music requesting a letter of support from Victoria City Council for its Canada/British Columbia Infrastructure grant application. This matter was referred to the City Manager.

10. ADJOURNMENT OF CLOSED MEETING

The Closed meeting adjourned at 1:00 p.m.

11. RECONVENE REGULAR COMMITTEE OF THE WHOLE MEETING

The Regular Committee of the Whole meeting reconvened at 1:00 p.m.

12. WORKSHOP

12.1 2004 Corporate Strategic Plan Update

This item was postponed and will be discussed at the May 27, 2004 Regular Committee of the Whole meeting.

13. ADJOURNMENT

The meeting adjourned at 1:01 p.m.

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Mayor Lowe, Chair