

**Minutes of the Committee of the Whole Meeting of the City of Victoria  
Held Thursday, September 9, 2004**

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

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

Staff Present for a Portion of the Meeting: D. Atkinson – Director, Parks, Recreation and Community Development; S. Barber – Heritage Planner; J. Basey – City Solicitor/Director of Planning and Development; D. Carlsen – Economic Development Planner; L. Chase – Planner; W. Clark – Manager, Business Support; R. Dennis – Director, Human Resources; K. Dowdall – Director of Finance; K. Fowler – Manager, Regulatory and Development Services; C. Higgins – Coordinator, Corporate Communications; S. Hortsing – Project Manager; D. Koch – Manager, Planning Division; M. Lam – Head, Urban Design; S. Masters – Manager, Administration; M. Mayhew – Executive Assistant to the Mayor; M. McCliggott – Comptroller; A. Meyer – Planner; P. O’Reilly – Director of Engineering; K. Ramsay – Community Development Planner; E. Robertson – Manager, Support Services; D. Scoones – Bylaw Enforcement Officer; B. Sikstrom – Senior Planner; R. Woodland – Corporate Administrator; and W. Zink – Manager, Community Development

**1. CALL TO ORDER**

The Mayor called the meeting to order at 8:34 a.m.

**2. ADOPTION OF MINUTES – COMMITTEE OF THE WHOLE, AUGUST 26, 2004**

**Action:** Councillor Hughes moved that the minutes of the Committee of the Whole meeting held August 26, 2004, be adopted.

CARRIED. 04/619

**3. CLOSED MEETING - 8:35 A.M.**

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

Staff Present: D. Atkinson – Director, Parks, Recreation and Community Development; J. Basey – City Solicitor/Director of Planning and Development; D. Carlsen – Economic Development Planner; R. Dennis – Director, Human Resources; J. Martignago – City Manager; S. Masters – Manager, Administration; M.B. MacKenzie - Committee Secretary; and R. Woodland – Corporate Administrator

**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 item deals with matters specified in Section 11 (3) and/or (4) of the Council Bylaw.

CARRIED. 04/618

**3.1 Personnel – Victoria Agreement**

**Action:** Councillor Fleming moved that the recommendations in the City Manager's report entitled "Victoria Agreement" dated August 26, 2004, be approved.

CARRIED. 04/617

**4. ADJOURNMENT OF CLOSED MEETING**

The Closed meeting adjourned at 9:05 a.m.

**5. CALL TO ORDER – REGULAR COMMITTEE OF THE WHOLE MEETING**

The Mayor called the Regular Committee of the Whole meeting to order at 9:07 a.m.

**6. DELEGATIONS**

**6.1 "Taking Stock of Downtown Victoria"**

**6.1.1 Presentation – Coriolis Consulting Corp.**

In the Fall of 2003, the City commissioned Coriolis Consulting Corp. to take an independent look at Downtown situations and prospects, and provide suggestions that the City could use in collaborating with other stakeholders on strategies and action plans for the Downtown.

Referring to his report entitled "Taking Stock of Downtown Victoria," Mr. Wollenberg advised that Downtown Victoria is in excellent shape. His research, however, identified two concerns:

1. softening of the Downtown's retail strength over the past 5-10 years due to sub-urbanization trends; and
2. an increase in "street" problems, resulting in people feeling less safe.

Mr. Wollenberg suggested the following recommendations for actions that could be taken in the immediate future to improve the Downtown:

1. Create an organization (e.g., Business Improvement Area) with the mandate, skills, and funding for ongoing marketing to encourage regional residents to shop more in the Downtown.
2. A need for concrete work on the goal of increasing the amount of residential development downtown.

3. The City should obtain a commitment from the federal and provincial governments to maintain their presence in downtown Victoria and to not relocate agencies to suburban centers.
4. The City should have a sense of its priorities for new major civic capital projects in downtown as resources become available from City sources, senior governments, or other funding sources.
5. Allocate funds to solving some immediate on-street problems in parts of downtown;
6. The City should consider whether it is possible to build support among other municipalities in the Capital Regional District for refinements to the regional growth strategy so that greater emphasis is placed on maintaining downtown's role as the prime regional office, entertainment and cultural center.
7. The City and other major waterfront property owners in downtown (including the Provincial Capital Commission and the Greater Victoria Harbour Authority) should continue to work on increasing the vitality of the downtown waterfront.
8. The City should encourage post-secondary institutions to develop specific strategies for adding facilities and programs in downtown.
9. The City should aggressively pursue options to redevelop/re-use the Bay building.
10. The City should focus and coordinate the work of all City departments involved in downtown by making a change in organizational structure.
11. The City should create a downtown plan.
12. The City should take the lead in trying to ensure that there is a vehicle for coordinating on an ongoing basis the efforts of the many organizations involved in downtown.

Comments from the Committee included:

- the difficulty of dovetailing downtown residential uses with the commercial nightlife;
- the need to create a stronger regional growth strategy through a balance of community needs;
- the need for family-oriented opportunities in the downtown such as Crystal Garden and a Children's Museum;
- the need to work towards the recommendations in the Coriolis Report; and
- that many of the recommendations in the Coriolis Report are already part of the City's 2004 Corporate Strategic Plan.

### **6.1.2 Staff Report – SC #15-04**

The Committee reviewed a report dated September 1, 2004, from the Director, Planning and Development, outlining the City's wish to take a more strategic approach to its role in the ongoing effort to improve Downtown, such as:

- ensuring that its efforts on behalf of the Downtown are well-targeted, constructive and co-coordinated with the work of others;
- helping all stakeholders develop a common understanding of the Downtown's opportunities and problems, and agree on what kinds of actions are most important; and
- focusing the attention of the provincial and federal governments on aspects of Downtown improvement in which they could participate.

The City's Corporate Strategic Plan - Downtown Health Initiatives, proposed a framework for intergovernmental cooperation and an upcoming Downtown Plan update. Activities of the Downtown Victoria Community Alliance and downtown service providers are all initiatives that the Coriolis Report has reviewed for gaps and overlaps in making its recommendation to Council. The City is required to take a lead role in ensuring that there is a sustainable and ongoing coordinated process for the many diverse stakeholders to communicate, share, and focus their energy and actions.

Members of the Committee agreed to wait until recommendations have been received from all the Downtown 2020 work groups and reviewed by the Committee before allocating more resources to this project.

**Action:** Councillor Thornton-Joe moved that:

1. Council receive the report dated August 2004, from Coriolis Consulting Corp., entitled "Taking Stock of Downtown Victoria"; and
2. A report be included in the next Strategic Plan update to Council in October as to resources and expected timeframes for implementation.

CARRIED. 04/616

## **6.2 Downtown Victoria 2020 – Downtown Residential Work Group Report**

Mr. Mohan Jawl, Chair of the Downtown Victoria Community Alliance, outlined the success of the Victoria 2020 conferences in the Fall of 2003 and the Spring of 2004. He stated that work groups had been formed to deal with priority items, and reports from these work groups will be presented to Committee of the Whole over the next few weeks.

Mark Hornell, Chair of the Downtown Residential Work Group, reviewed the report entitled "Living Downtown: A Plan for the Future", dated August, 2004, and its many strategies and actions to meet five key objectives to make Victoria a vibrant, mixed-use residential area by the year 2020.

Committee members discussed:

- how to balance high cost of property with housing in downtown; and
- the need for a vision to achieve a balance of housing and amenities.

Committee agreed to wait until all of the Downtown 2020 Work Group reports were received before forwarding them to Advisory Committees for review and comment.

## **7. PARKS, RECREATION AND COMMUNITY DEVELOPMENT**

### **7.1 Private Celebration Using Park**

In his report dated September 9, 2004, the Downtown Community Development Coordinator reviewed a request from Kemper Home and Auto Insurance to use the beach frontage at Songhees Point Park for a brief fireworks show on September 17, 2004. The event has been reviewed by the Special Events Technical Committee,

and all costs including policing will be covered by the organizer. If approved, the Fire Department will issue a Special Use Fireworks Permit that requires full compliance with federal legislation and municipal bylaws.

**Action:** Councillor Coleman moved that, as required under the Parks Bylaw, Council approve the Kemper Home and Auto Insurance fireworks event to be held at Songhees Point Park on September 17, 2004 from 9:30 p.m. to 9:35 p.m., subject to:

1. the organizer assuming full costs for any public services required plus additional administration costs of approximately \$100.00; and
2. the event being fully compliant with conditions established by the Police and Fire Departments.

CARRIED. 04/615

The Fire Chief was asked to prepare a report outlining changes to related provincial/federal fireworks legislation and the District of Saanich Fireworks Bylaw.

## **8. ENGINEERING**

### **8.1 Service Connection Fee Schedule Increase**

The Manager, Water and Environment, reviewed his report dated September 2, 2004, outlining proposed fee increases for service connections. The increases are being driven by the current construction market conditions including increased equipment and material costs. If approved, the Water and Environment's Service Connection fees will be increased as follows:

- 23% for underground service connections such as Sanitary Sewer and Storm Drain
- 16% for the Water service connections

To ease the impact, staff suggested that the increases be introduced in two phases.

**Action:** Councillor Holland moved that the Service Connection Fee Schedule increases, be approved as follows:

Phase 1 – October, 2004

15% increase for Underground Service Connections  
11% for Water Service Connections

Phase 2 – March 2005 (pending a review of 2004 actual costs)

8% increase for Underground Service Connections  
5% for Water Service Connections

CARRIED. 04/614

Engineering staff was asked to provide information to the Committee showing a comparison of service connection fees with other local governments.

## **9. PLANNING AND DEVELOPMENT**

### **9.1 Rezoning Application No. 04-3, 2269 Douglas Street and 710 Queens Avenue**

In his report dated September 2, 2004, the Economic Development Planner reviewed an application to develop four lots at Douglas Street and Queens Avenue for a mixed-use casino development consisting of 450 slots, 25 gaming tables, 208 hotel rooms, restaurants, convention center, dinner theatre, retail, and 630 parking stalls. The applicant proposes to develop the project in two phases with Phase 1 including development of the furniture store at 2269 Douglas Street for 300 slots and 25 tables. Phase 1 will also include redevelopment of the property at 760 Queens for a 214-stall parkade. Although the project is subject to the Bonus Density Guidelines contained in the City's Density Bonus Policy, the applicant is requesting an increase in density from 1.4:1 to 2.88:1. The value of the bonus density is estimated to be \$1.8 million.

Committee members discussed:

- the number of casinos/entertainment centers appropriate for the Greater Victoria area;
- construction of a new casino/entertainment center the City can be proud of, rather than converting an existing building;
- social impacts of gaming and recognition that the social issues related to gaming are much broader than the issues associated with the development of a casino in Victoria;
- ensuring that the community benefits package is paid in full should the second phase of the project not proceed as scheduled; and
- the need for a report from the BC Lottery Corporation prior to having the rezoning application proceed to a Public Hearing.

**Action:** Councillor Fleming moved that Rezoning Application No. 04-3 for 2269 Douglas Street and 710 Queens Avenue, be postponed, pending:

1. confirmation from the applicant and the BC Lottery Corporation that the process under the *Gaming Control Act* for the proposed development or relocation of a casino at this location is underway; and
2. confirmation concerning the anticipated timing of the municipal confirmation process under the *Gaming Control Act* for the proposed development or relocation of a casino at this location.

CARRIED. 04/613

### **9.2 Request for Heritage Designation – 1252 Denman Street**

The Heritage Planner highlighted his report dated September 1, 2004, regarding an owner request to designate an existing duplex in the Fernwood neighbourhood as a municipal heritage site. The house is a modest example of an 1890's Italianate style residence typical of working class homes in Victoria at the end of the nineteenth century.

**Action:** Councillor Thornton-Joe moved that, whereas the house at 1252 Denman Street is of heritage significance, the City of Victoria designate it as a municipal heritage site.

CARRIED. 04/612

### **9.3 Request for Heritage Designation – 1834 Stanley Avenue (1359 Vining Street)**

The Heritage Planner reviewed his report dated September 1, 2004, regarding an owner request to designate an existing duplex at 1834 Stanley Avenue as a municipal heritage site. The house is a 1.5 storey vernacular style house from 1900, which contributes to the historic character of this section of the Fernwood neighbourhood.

**Action:** Councillor Fortin moved that, whereas the house at 1834 Stanley Avenue is of heritage significance, the City of Victoria designate it as a municipal heritage site.

CARRIED. 04/611

### **9.4 Humboldt Valley Precinct Plan Draft**

The Committee reviewed a report dated September 2, 2004, from the Planner, reviewing comments relative to the draft of the Humboldt Valley Precinct Plan (the Plan) from the Community Open House, and the Advisory Planning Commission and Heritage Advisory Committee. The Advisory Planning Commission rejected the Plan, and comments from the Open House focused on three points:

1. the proposed height for buildings on Burdett Avenue;
2. support for the retention of public greenspace at St. Ann's Academy; and
3. the process approved by Council for the Humboldt Valley Precinct Plan.

These comments resulted in changes to the draft plan including:

1. reducing the proposed height of buildings on Burdett Avenue from seven storeys to 4 storeys;
2. improved mapping indicating dead end streets with boulevards;
3. removal of the live/work provisions for properties fronting Southgate Street;
4. definitions for General Residential and Apartment Residential in the glossary; and
5. insertion of photographs in the area.

The Heritage Advisory Committee identified properties to be considered for inclusion on the Heritage Registry during the next update, and these properties are now identified on Map 4 of the draft Plan.

**Action:** Councillor Thornton-Joe moved that:

1. The Humboldt Valley Plan be sent forward for consideration at a Public Hearing; and

2. The City Solicitor be instructed to prepare the necessary Zoning Bylaw and Official Community Plan Bylaw amendments to implement the Humboldt Valley Plan, as generally outlined in Appendix 1 of the draft Plan and further detailed in Appendix 1 of the staff report dated September 2, 2004, from the Planner.

CARRIED. 04/610

#### **9.5 Small Lot House Rezoning Policy – Polling Standards (SC No. 26-92)**

The Committee reviewed a report dated September 1, 2004, from the Manager, Planning Division, reviewing Council's current policy for small lot rezoning adopted in September 2002, that requires a polling process to discern the level of neighbour support from the owners and residents of adjacent lots. This process assesses the level of local acceptance for localized infill, and assists Council in deciding if an application merits consideration at a Public Hearing.

At its August 12, 2004 meeting, Council asked that the current wording be changed to extend the poll to include nearby lots separated only by a panhandle driveway as well as adjacent lots.

Committee members were concerned that properties with split votes would show as being opposed to an application, and suggested that staff consider alternative polling options and report back to the Committee.

**Action:** Councillor Thornton-Joe moved that:

1. the proposed amendments to the City's Small Lot House Rezoning Policy relative to panhandle lots, as attached to the report dated September 1, 2004 from the Manager, Planning Division, be approved; and
2. the proposed polling standard amendments to the City's Small Lot House Rezoning Policy be postponed, pending a further report from staff.

CARRIED. 04/609

#### **9.6 Density Bonus Policy Outside Downtown - Recommendations**

In a report dated September 9, 2004, the Manager, Planning Division, proposed a replacement for the 1995 Density Bonus Policy, applicable outside Downtown, based on the review of City practice since 1995, surveys of other local government practices, and comments from public workshops and key civic advisory committees.

**Action:** Councillor Fortin moved that:

1. the revised Density Bonus Policy attached to the report dated September 9, 2004, from the Manger, Planning Division, be forwarded to a non-statutory Public Hearing for final review prior to adoption; and
2. an Amenity Reserve Fund be established for Density Bonus cash contributions.

**9.7 Zoning Changes in R1-A, R1-B, R1-G Zones, to Restrict Uses of Older, Substandard Lots**

In his report dated September 3, 2004, the Senior Planner proposed changes to the Zoning Regulation Bylaw to give effect to Council's instructions to prevent any further detached dwellings being constructed on existing sub-standard size lots created prior to 1956. The bylaw amendment eliminates an exemption for pre-1956 lots for detached dwellings, but permits a garage or shed to be constructed where the area of the lot is less than 230m<sup>2</sup>, or less than 7.5m in width.

**Action:** Councillor Savoie moved that:

1. the report dated September 3, 2004, from the Senior Planner proposing changes to the R1-A, R1-B and R1-G Zones to restrict uses of older sub-standard lots, be received for information; and
2. Council advance the draft bylaw to a Public Hearing.

CARRIED. 04/607

**10. ADVISORY COMMITTEES**

**10.1 Advisory Planning Commission – Rezoning No. 04-5, 240-252 Cook Street and 1035/1039/1043 Sutej Street**

In a report dated August 27, 2004, the Secretary, Advisory Planning Commission (APC), advised that at its meeting of August 24, 2004, the APC reviewed Rezoning Application No. 04-5, 240-252 Cook Street and 1035/1039/1043 Sutej Street, and recommended that the rezoning be approved. In addition, the APC recommended that funds accumulated in cash on this project be used whenever or wherever possible within the Cook Street Village community.

**Action:** Councillor Savoie moved that the report dated August 27, 2004, from the Secretary, Advisory Planning Commission, be received for information and filed.

CARRIED. 04/606

**11. ADMINISTRATIVE MATTERS**

**11.1 Dispositions of Communications**

Committee reviewed reports dated August 30 and September 7, 2004, from the Manager, Administration, reporting that certain communications received in the Legislative Services Division were dealt with on the date and in the manner indicated.

**Action:** Councillor Thornton-Joe moved that the Dispositions of Communications dated August 30 and September 7, 2004 from the Manager, Administration, be received for information and filed.

Staff was asked to:

1. Confirm the address of the proposed development in Item No. 11, of the Disposition of Communications dated September 7, 2004; and
2. Review the Capital Regional District's draft Composting Bylaw referred to in Item No. 8 of the Disposition of Communications dated September 7, 2004, and provide information to the Committee before responding to the Capital Regional District.

## **11.2 Proclamations**

**Action:** Councillor Fleming moved that the following proclamations be approved and forwarded to the appropriate Council meeting:

Raise a Reader Day	September 30, 2004
World Teachers' Day	October 5, 2004
International Eradicate Poverty Week	October 11-17, 2004
Mahatma Gandhi Day	October 2, 2004

CARRIED. 04/604

## **12. COUNCILLOR INQUIRIES**

### **12.1 Right-of-Way between Pleasant Street and Turner Street**

Councillor Savoie asked staff to prepare a report regarding the status and condition of land between Pleasant Street and Turner Street, i.e., whether this a City road right-of way, and what standards regulate the appearance of the property.

### **12.2 Tree Protection Bylaw**

Councillor Fortin noted that the City of Victoria Tree Protection Bylaw was not effective and only protected limited species in limited circumstances. He requested that City staff look to amend the bylaw to better reflect the will of Council in protecting and preserving trees. Staff advised that proposed amendments are part of the Planning Division's autumn work plan, and will be forwarded to Council.

### **12.3 City Organizational Chart on Website**

Councillor Savoie suggested that the City include information on its website outlining the City's organizational structure and the services the City provides.

## **13. COUNCILLOR INFORMATION SHARING**

### **13.1 BC Hydro Beautification Project**

Councillor Fleming advised of BC Hydro's Beautification Project to bury overhead lines and share costs with municipalities. The information was forwarded to the Director of Engineering for review.

### **13.2 Staff Recognition**

Councillor Thornton-Joe read an e-mail she received from a resident thanking the following members of staff:

1. Bill Jackson and Jim Cain who spoke with pride of the City and its initiatives, their work teams, and the people they serve;
2. Walter Lowe, the Police Department, and others who have worked on reducing graffiti in the City; and
3. Michael McKay for, after listening to a resident's concerns, taking the time to follow-up and contact the resident and answer his questions.

Councillor Fleming was excused from the meeting at 11:58 a.m.

### **14. CLOSED MEETING - 11:58 A.M.**

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

Staff Present: D. Atkinson – Director, Parks, Recreation & Community Development; J. Basey – City Solicitor/Director, Planning and Development; R. Dennis – Director, Human Resources; K. Fowler – Manager, Regulatory and Development Services; C. Higgins – Coordinator, Corporate Communications; S. Hortsing – Project Manager; M.B. MacKenzie - Committee Secretary; J. Martignago – City Manager; M. Mayhew – Executive Assistant to Mayor; M. McCliggott – Comptroller; D. Scoones – Bylaw Enforcement Officer; P. O'Reilly – Director of Engineering; and R. Woodland – Corporate Administrator

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. 04/603

Councillor Thornton-Joe cited an indirect pecuniary conflict of interest with the following item, and was excused from the meeting at 12:09 p.m.

#### **14.1 Legal – Rezoning Application**

The City Solicitor provided legal advice on a current rezoning application.

Councillor Thornton-Joe rejoined the meeting at 12:15 p.m.

#### **14.2 Legal/Bylaw Enforcement – Illegal Suite**

The Manager, Regulatory and Development Services, provided an update on an illegal suite in response to a Councillor inquiry regarding the City's enforcement policy.

Graham Lee, RG Properties, and Bill Eisenhower, Tartan Public Relations, joined the meeting at 12:38 p.m., for discussion of the following item.

**14.3 Land – Save-On-Foods Memorial Centre Update**

Graham Lee, RG Properties, introduced Bill Eisenhower, Tartan Public Relations, and provided an update on the Save-On-Foods Memorial Centre.

**15. ADJOURNMENT OF CLOSED MEETING**

The meeting adjourned at 1:04 p.m.

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Mayor Lowe, Chair