

**Minutes of the Committee of the Whole Meeting of the City of Victoria  
held Thursday, October 21, 2004**

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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: D. Atkinson – Director, Parks, Recreation and Community Development; S. Barber – Heritage Planner; J. Basey – City Solicitor/Director of Planning and Development; J. Daly – Manager, Research, Planning and Design; K. Fowler – Manager, Regulatory and Development Services; 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; A. Meyer – Planner; D. Scoones – Bylaw Enforcement Officer; B. Sikstrom – Senior Planner; J. Simpson – Victoria Police Department; J. Skinner – Chief Plumbing Inspector; B. Wiffen – Property Manager; and R. Woodland – Corporate Administrator

**1. CALL TO ORDER**

The Mayor called the meeting to order at 9:03 a.m.

**2. ADOPTION OF MINUTES -  
COMMITTEE OF THE WHOLE, OCTOBER 14, 2004**

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**Action:** Councillor Fortin moved that the minutes of the Committee of the Whole meeting held October 14, 2004, be adopted, with the following corrections:

- Page 6, Item 8.1, "Councillor Fortin moved that:"; and
- deleting Councillor Fleming's name from those present at the Closed meeting commencing at 12:00 p.m.

CARRIED. 04/703

**3. DELEGATION**

**3.1 British Columbia Society for the Prevention of Cruelty to Animals (BC SPCA)**

Representatives of the British Columbia Society for the Prevention of Cruelty to Animals, including Mary Lou Troman – President and Chair; Craig Daniel – CEO; Valerie Lykkemark – Victoria Branch Manager attended the meeting to review:

- interim noise abatement measures at the Victoria SPCA facility;
- BC SPCA's current financial status;
- capital campaign feasibility study results;

- concept drawings of the proposed redevelopment of the Victoria branch;
- the BC SPCA's Board of Directors commitment; and
- a proposed City of Victoria commitment including:
  - (a) property tax exemption
  - (b) investment in goodwill through:
    - public endorsement of the project;
    - joint press releases;
    - project display at City Hall; and
    - clear understanding of long-term community plan; and
  - (c) potential grant through capital campaign

BC SPCA representatives advised that the SPCA intends to maintain a physical presence in Victoria confirmed by the Board of Directors' commitment to inject funds into the redevelopment of the Victoria shelter, rather than moving to a more remote, non-residential area. Committee members stressed the importance of keeping local SPCA donations in this community, rather than distributing them throughout the Province.

Valerie Lykkemark reviewed improved processes and procedures to deal with barking dogs at the shelter.

Staff was asked to prepare a report in response to the SPCA's requested commitment from the City of Victoria.

#### **4. PLANNING AND DEVELOPMENT**

##### **4.1 Rezoning Application No. 04-28 – 1961 Fairfield Place**

The Senior Planner reviewed his report dated October 14, 2004 outlining an application to amend the existing zoning to allow an additional six bedrooms and 164m<sup>2</sup> of floor area to Hart House Seniors Intermediate Care Home located at 1961 Fairfield Place. Although the site consists of two separate lots, the application is for the rezoning of the lot occupied by the heritage-designated house.

Responding to a question from the Committee, the applicant stated it was not financially feasible for him to proceed with the rezoning if lot consolidation is a requirement.

Committee members discussed the necessity of consulting with area residents to explain the implications of maintaining two separate lots, rather than consolidating them, i.e., potential for future development of a single family dwelling on the adjacent lot.

**Action:** Councillor Madoff moved that consideration of this item be postponed, pending further consultation with the area residents and the Fairfield Community Association, outlining the applicant's revised proposal which does not include consolidation of the two lots, and the potential for future construction of a single family dwelling on the adjacent lot.

CARRIED. 04/702

#### 4.2 Development Permit Application No. 04-44 – 2960C Jutland Road

In his report dated October 8, 2004, the Senior Planner highlighted Development Permit Application No. 04-44 to reduce the number of parking spaces for a 25-seat coffee shop from five spaces to two spaces. The coffee shop will primarily cater to the residents of the community, and office workers and recreational users of the Gorge as well as the Galloping Goose Trail.

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

1. Plans stamped "Development Permit 04-44" dated September 29, 2004;
2. Development meeting all bylaw requirements with the following variance:

Schedule "C" Section C12	Relaxation of parking requirement for restaurant use from one parking stall per five seats (five spaces) to one parking space per 13 seats (two spaces) to a maximum seating of 25 seats; and
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3. Final plans to be in accordance with plans identified above to the satisfaction of the Director of Planning and Development.

CARRIED. 04/701

#### 4.3 Government of Canada Historic Places Initiative – Documentation Standards, City of Victoria Heritage Registry – Proposed Contract

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The Committee reviewed a report dated October 12, 2004 from the Heritage Planner, reviewing a proposal from the Provincial Heritage Branch for a \$50,000 grant for a contract to update the documentation standards of 45 properties on the City's Community Heritage Register. This will enable these properties to be nominated to the new Canadian Register of Historic Places formed under the Historic Places Initiative Program established by the Government of Canada in May 2001. Properties must be on the Canadian Register of Historic Places to qualify for financial incentives.

**Action:** Councillor Madoff moved that:

1. City staff be authorized to execute the contract with the Province of B.C., Ministry of Community, Aboriginal and Women's Services, Heritage Branch, for the update of documentation standards for the Heritage Registry;
2. The \$50,000.00 contract be divided into two contracts, one for \$10,000.00 and one for \$40,000.00;
3. A sole source contract for \$10,000.00 be awarded to the Victoria Heritage Foundation to prepare a minimum of nine (9) properties on the City of Victoria Heritage Inventory that will be documentation

standards of the Canadian Register of Historic Places and the B.C. Register of Historic Places;

4. City staff prepare Terms of Reference for heritage consultant services by way of a two-stage proposal call including advertisement by way of expression of interest and call for proposals for the \$40,000.00 contract;
5. A Steering Committee for the contract be established consisting of the Heritage Planner, one representative of the Heritage Advisory Committee and a representative of the Heritage Branch.

CARRIED. 04/700

#### **4.4 Implementation of the Harbour Plan, 2001 – City-Initiated Rezoning (SC No. 5-94[1])**

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In her report dated October 14, 2004, the Planner advised of seven City-initiated rezonings that are a direct result of strategies contained in the Victoria Harbour Plan, 2001.

Responding to the Committee's concerns, the Manager, Planning Division, stated that implementation of the Harbour Plan will give Council more control over enhancing the environment of the harbour; and other issues can be dealt with through existing Council processes and procedures.

**Action:** Councillor Madoff moved that:

1. Council instruct the City Solicitor to draft bylaw amendments for each of the seven properties listed in the report dated October 14, 2004, from the Planner, in accordance with the data table provided in Sections 3.1 to 3.7 of the report for consideration at a Public Hearing; and
2. The report be forwarded to the James Bay Neighbourhood Environment Association, the Victoria West Neighbourhood Association, the Victoria Harbour Residents Association, and the Environment and Shoreline Advisory Committee for information.

CARRIED. 04/699

**Action:** Councillor Madoff moved that staff consider wording that would provide incentives, other than rezoning, for waterfront public paths.

CARRIED. 04/698

#### **4.5 New Plumbing Bylaw**

The Manager, Regulatory and Development Services advised of the drafting of a new Plumbing Bylaw, drafted by Staples McDannold Stewart and reviewed by City staff. Since the bylaw contains no standards in excess or in addition to Provincial standards, Provincial approval is not required.

**Action:** Councillor Fleming moved that Council adopt the draft Bylaw No. 04-67, cited as the "Plumbing Bylaw", through the bylaw adoption procedure.

CARRIED. 04/697

#### **4.6 Sign Development Variance Permit SI No. 04-46 – 1925 Blanshard Street**

The Urban Design Planner highlighted his report dated October 15, 2004, regarding a proposed sign for the Save-On-Foods Memorial Centre. The applicant has requested relaxation of height and approval to install moving signs that will be the cornerstone for marketing events to the facility. A Council Hearing is required for this application.

Tom Sponarski, Sales and Business Development, R.G. Properties Ltd., highlighted a video presentation of the sign proposals, marketing and strategy, and LED technology. Noting that the City of Victoria will receive 20% of advertising at no cost, he advised that there will be no third party advertising allowed.

One member of the Committee concerned with visual pollution, advised she would not be supporting the recommendation.

**Action:** Councillor Holland moved that Council authorize the issuance of a Sign Development Variance Permit for 1925 Blanshard Street in accordance with:

1. Plans dated October 15, 2004 stamped Sign Development Variance SI #04-46;
2. Development meeting all bylaw requirements with the following variances:

Sign Bylaw Section 7.13(1)	Relax maximum height of freestanding sign from 25' (7.6m) to 35'6" (10.8m)
Sign Bylaw Section 7.8	To allow the installation of moving signs;

3. Final plans to be in accordance with plans identified above; and
4. This item be referred to the Advisory Design Panel for review.

CARRIED. 04/696

#### **4.7 Sign Development Variance Permit SI No. 04-47 – 1925 Blanshard Street**

The Urban Design Planner highlighted his report dated October 15, 2004, regarding four proposed fascia signs for the Save-On-Foods Memorial Centre. The applicant has requested a size variance.

**Action:** Councillor Madoff moved that Council authorize the issuance of a Sign Development Variance Permit for 1925 Blanshard Street in accordance with:

1. Plans dated October 15, 2004 stamped Sign Development Variance SI #04-47;
2. Development meeting all bylaw requirements with the following variance:

Sign Bylaw Section 9.2(2)(b)	Maximum size relaxed from 97 sq. ft. (9m <sup>2</sup> ) to 200 sq. ft. (18.5m <sup>2</sup> )
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3. Final plans to be in accordance with plans identified above; and
4. No other commercial signs to be permitted on the exterior of the building without Council approval.

CARRIED. 04/695

#### **4.8 Sign Development Variance Permit SI No. 04-48 – 1925 Blanshard Street**

The Urban Design Planner highlighted his report dated October 15, 2004, regarding four proposed fascia signs for the Save-On-Foods Memorial Arena. The applicant has requested a size variance.

**Action:** Councillor Coleman moved that Council authorize the issuance of a Sign Development Variance Permit for 1925 Blanshard Street in accordance with:

1. Plans dated October 15, 2004 stamped Sign Development Variance Permit SI #04-48;
2. Development meeting all bylaw requirements with the following variances:

Sign Bylaw Section 9.2(2)(b)	Maximum size relaxed from 97 sq. ft. (9m <sup>2</sup> ) to 214 sq. ft. (19.9m <sup>2</sup> )
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3. Final plans to be in accordance with plans identified above.

CARRIED. 04/694

### **5. ADMINISTRATIVE MATTERS**

#### **5.1 Dispositions of Communications**

Committee reviewed a report dated October 18, 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 Holland moved that the Dispositions of Communications dated October 18, 2004 from the Manager, Administration, be received for information and filed.

CARRIED. 04/693

Further to Item No. 3 on the Dispositions of Communications dated October 18, 2004, 2005/2006 Transit Service Plan, Councillor Savoie asked for a report from the Manager, Transportation, identifying the City's major transit priorities for the upcoming year.

## **5.2 Proclamations**

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

<i>Compassion in Action Week</i>	<i>November 7-13, 2004</i>
<i>Kristallnacht Remembrance Days</i>	<i>November 9 and 10, 2004</i>
<i>Tourism Marketing &amp; Promotion Month</i>	<i>November 2004</i>

CARRIED. 04/692

## **5.3 Notice of Motion – Public Hearing**

**Action:** Councillor Madoff moved that a Public Hearing be held in the Council Chambers, City Hall, on Thursday, November 4, 2004, at 7:30 p.m., for:

Application for Rezoning of Property known as 930 View Street;  
Zoning Regulation Bylaw, Amendment Bylaw (No. 697) – No. 03-54

CARRIED. 04/691

## **6. COUNCILLOR INQUIRIES / INFORMATION SHARING**

### **6.1 Transportation Demand Management Plan – Royal Jubilee Hospital**

Councillor Savoie asked for an update on the Transportation Demand Management Plan for Royal Jubilee Hospital, relative to the loss of greenspace for parking lots.

### **6.2 CREST Levy**

Councillor Savoie expressed concern over the governance of the CREST Board, noting that it appears to operate like a private company and therefore, not accountable to the public. Councillor Fortin, as the City's representative to the CREST Board, was asked to discuss the issue of "transparency" at the next CREST Board meeting.

### **6.3 Western Canadian Summit on Methamphetamine – November 15-17, 2004**

Staff was asked to submit a report for Council approval for Mayor Lowe, and Councillors Hughes and Fortin to attend the Western Canadian Summit on Methamphetamine in Vancouver, November 15-17, 2004.

#### **6.4 City of Victoria Hanging Baskets Brochure**

Councillor Coleman distributed new brochures prepared by Parks, Recreation and Community Development, outlining the City's Hanging Basket Program.

#### **6.5 Premier's Task Force on Homelessness, Mental Health and Addictions**

Mayor Lowe advised that the Premier's Task Force on Homelessness, Mental Health and Addictions is looking at funding of a 2004/2005 cold/wet weather strategy and long term social housing projects. In addition, the City of Victoria is meeting with service providers and the SCPI (Supporting Communities Partnership Initiative) Committee to define projects and programming.

#### **6.6 Save-On-Foods Memorial Centre – Liens**

Responding to a question from the Committee regarding liens registered against the City's property, the Project Manager advised that builders' liens are not unusual for projects of this size and complexity. There have been two liens registered against the arena property to date, both of which have been discharged, and one more claim is pending. Neither claim involves RG Construction, but rather the sub-contractors. Both RG Construction and the City anticipated liens, and the contract has mechanisms to deal with them. Together with the Builders Lien Act, interests of those involved will be protected. The City has no additional liabilities due to the 10% holdback provisions in the contract.

#### **7. CLOSED MEETING - 11:40 A.M.**

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

Staff Present: D. Atkinson – Director, Parks, Recreation & Community Development; J. Basey – City Solicitor/Director, Planning and Development; J. Daly – Manager, Research, Planning and Design; S. Hortsing – Project Manager; K. Fowler – Manager, Regulatory and Development Services; M.B. MacKenzie - Committee Secretary; J. Martignago – City Manager; M. Mayhew – Executive Assistant to Mayor; A. Meyer – Planner; D. Scoones – Bylaw Enforcement Officer; J. Simpson – Victoria Police Department; B. Wiffen – Property Manager; 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. 04/690

#### **7.1 Adoption of Minutes -**

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Minutes of the Committee of the Whole meeting of the City of Victoria held Thursday, October 21, 2004, at 9:03 a.m. Page 8

**Closed Committee of the Whole, October 14, 2004**

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**Action:** Councillor Holland moved that the minutes of the Closed Committee of the Whole meeting held October 14, 2004, be adopted.

CARRIED. 04/689

**7.2 Land – Offer to Purchase – 182A Wharf Street**

The Planner addressed the Committee's concerns relative to trail width on the subject property.

**Action:** Councillor Fleming moved that the recommendations in the Property Manager's report dated September 27, 2004, regarding an offer to purchase 182A Wharf Street, be approved.

CARRIED. 04/688

**7.3 Bylaw Enforcement – 27 Erie Street**

**Action:** Councillor Savoie moved that Council waive the City's Clean Hands Policy for four weeks, pending submission of a rezoning application for 27 Erie Street.

CARRIED. 04/687

Graham Lee, RG Properties, and Bill Eisenhower, Tartan Public Relations, joined the meeting at 12:17 p.m., for discussion of the following item.

Councillor Fortin left the meeting at 12:42 p.m., during discussion of the following item.

**7.4 Land – Arena Update**

Graham Lee provided an update on the Save-On-Foods Memorial Centre.

Graham Lee and Bill Eisenhower left the meeting at 12:55 p.m.

**7.5 Bylaw Enforcement Presentation**

The Corporate Administrator and Manager, Regulatory and Development Services, reviewed proposed bylaw enforcement initiatives for 2005.

**8. ADJOURNMENT**

The meeting adjourned at 1:56 p.m.

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Mayor Lowe, Chair