

**MINUTES OF THE COMMITTEE OF THE WHOLE MEETING**  
**HELD THURSDAY, FEBRUARY 01, 2007**

**Committee Members Present:** Councillor Chandler in the Chair, Councillors Coleman, Holland, Hughes, Madoff, Thornton-Joe and Young.

**Absent:** Mayor Lowe and Councillor Fortin.

**Staff Present:** R. Woodland - Corporate Administrator; P. Ballantyne - City Manager; C. Havelka - Recording Secretary.

**Staff Present for a Portion of the Meeting:** D. Day – Director, Planning & Development; B. Sikstrom – Senior Planner; E. Robertson – Manager, Water & Environment; C. Carter – Bylaw Enforcement Officer; S. Barber – Senior Heritage Planner; P. O'Reilly – Director of Engineering; D. Koch – Manager, Development Services; G. Slater – Acting Manager, Support Services; S. Hortsing – Manager, Facilities Planning & Projects; P. Sparanese – Deputy Director of Engineering; A. Colantonio – Manager, Streets Engineering; S. McKay – Community Development Coordinator; C. O'Regan – Manager, Facilities & Operations; G. Price-Douglas – Community Development Planner; S. Masters – Manager, Legislative Services & Protocol; D. Atkinson – Director, Parks, Recreation & Community Development; M. McCliggott – Director of Finance; J. Daly – Manager, Research, Planning & Design; J. Day – Community Recreation Coordinator; A. Meyer – Senior Planner.

**1. MEETING CALLED TO ORDER BY THE CHAIR AT 9:03 a.m.**

**2. APPROVAL OF AGENDA**

The Chair outlined the following changes to the February 01, 2007 Committee of the Whole agenda:

- Items # 5 has been deferred
- Additional Item # 14A - Proclamation
- Councillor Sharing: 1. Councillor Thornton-Joe  
2. Councillor Coleman

**Action:** Councillor Hughes moved that the Agenda of the February 01, 2007 Committee of the Whole meeting be approved as amended.

CARRIED 07/083

### 3. ADOPTION OF MINUTES

#### 3.1 January 18, 2007 Committee of the Whole Minutes

**Action:** Councillor Holland moved that the Minutes of the Committee of the Whole meeting held January 18, 2007 be adopted.

CARRIED 07/082

#### 3.2 January 16, 2007 Special Budget Committee of the Whole Minutes

**Action:** Councillor Holland moved that the Minutes of the Special Budget Committee of the Whole meeting held January 16, 2007 be adopted.

CARRIED 07/081

#### 3.3 January 23, 2007 Special Budget Committee of the Whole Minutes

**Action:** Councillor Holland moved that the Minutes of the Special Budget Committee of the Whole meeting held January 23, 2007 be adopted.

CARRIED 07/080

### 4. DELEGATION

#### 4.1 LifeCycles Project Society

Committee received a presentation from Linda Geggie, Program Manager of LifeCycles Project Society with respect to urban agriculture and the role of municipal government.

Urban agriculture is a core component for sustaining agriculture in a community. There are many facets in which agriculture impacts a community, such as food access, economic programs, and the environment. There are also a wide range of activities available to participate in urban agriculture, such as sharing backyards, small livestock keeping, beekeeping, green house production and edible landscaping. Urban agriculture supports the City's issues in the following manner:

- Combating homelessness/emergency food distribution.
- Economic development - helps the working poor / access to local healthy food.
- Environmental impact – water and waste recycled / protects habitat and greenspace.

*Councillor Fortin joined the meeting at 9:10 a.m.*

Many of these activities are employed in the City of Victoria. Currently, the City has endorsed a new policy with respect to community gardens, supports community markets and has a bylaw that supports raising urban poultry. Other areas for expanding this program would be:

- Urban agriculture as a green building policy.
- Implement urban agriculture into the Parks Master Plan.
- Urban agriculture as a component for emergency preparedness.
- City lands inventory and strategy for community gardens.

Committee expressed their appreciation for the presentation. Councillor Madoff will be participating in the process to develop the Parks Master Plan and noted that the focus will be on non-traditional uses of parks.

Committee was advised by Ms. Geggie that “peri-urban” means the surrounding urban area. Also noted is the wait list for all community gardens which will be increased with a community garden in James Bay due to close. LifeCycles also supports a program called “sharing backyards” where gardeners can share the backyards of homeowners who don’t utilize the space. [www.lifecyclesproject.ca](http://www.lifecyclesproject.ca)

## 5. DEVELOPMENT SERVICES

### 5.1 Development Variance Permit Application # 00038 for 536 Cecelia Rd.

Committee received a report dated January 24, 2007 from Development Services with respect to Development Variance Permit Application # 00038 for 536 Cecelia Road. This application is to relax the parking requirement for a ten bed residential care home from one space to nil.

The occupancy of the house was previously a sixteen bed residential care home and the subject of bylaw enforcement to achieve compliance with building and zoning requirements. Its legal use is a single family dwelling. Preliminary building, plumbing and electrical permit approvals have been obtained. Final approvals and occupancy permit approval required approval of the parking relaxation.

The applicant has cooperated with staff to achieve compliance and partially satisfy the City’s *Clean Hands Policy* i.e. the number of beds has been reduced but not vacated. Staff has reviewed the parking relaxation request and have no objection. The applicant has provided a letter dated January 18, 2007 and a report dated September 21, 2006 which provides the rationale and background for this request. Also included are signatures of support from neighbours.

Council’s decision is subject to the *Local Government Act* and *Land Use Procedures Bylaw* notification requirements. A Council Hearing is required for this application. Note: the existing single family dwelling has no onsite parking and, therefore, has the non-conforming right to be one parking stall deficient.

- Action:** Councillor Holland moved that Council:
1. Waive the *Clean Hands Policy* as the applicant has obtained preliminary building, electrical and plumbing approvals for occupancy limited to ten beds.
  2. Authorize the issuance of a Development Variance Permit subject to the development meeting all bylaw requirements with the following variance:

Schedule "C" Section B.1 – Relaxation of parking requirement from one parking space per five beds (one parking stall) to nil.

CARRIED 07/079

## **5.2 Owner Request for Heritage Designation for 3040 Carroll Street**

Committee received a report dated January 02, 2007 from Development Services with respect to an owner request for heritage designation for 3040 Carroll Street. This request is for an existing 1913 Arts and Craft style house in the Burnside neighbourhood, as a municipal heritage site.

The Director of Planning & Development advised that this request was from a staff member and she assured Council that the application was handled appropriately in respect to conflict of interest.

**Action:** Councillor Thornton-Joe moved that, whereas the existing house at 3040 Carroll Street is of heritage significance, City Council designate it as a municipal heritage site.

CARRIED 07/078

## **5.3 Heritage Designation Bylaw No. 07-05 for 2251 Lydia Street**

Committee received a report dated January 23, 2007 from Development Services with respect to 2251 Lydia Street. At its meeting of January 11, 2007, City Council approved a motion to forward rezoning application # 00014 to a public hearing, subject to the heritage value of the house, and is prepared to fulfil the requirements of Section 968 of the Local Government Act.

**Action:** Councillor Thornton-Joe moved that this report be received for information and that staff be instructed to prepare the heritage designation bylaw required.

CARRIED 07/077

# **6. ENGINEERING**

## **6.1 Innovations Fund Grant Application**

Committee received a report from Engineering dated January 15, 2007 with respect to an Innovations Fund Grant Application. In 2006, the Canada-British Columbia-UBCM Agreement on the Transfer of Federal Gas Tax Revenues (GTS) was announced. One section of this agreement is the Innovations Fund (IF), which commits \$31.8 million for projects to be awarded in 2007 with up to 100% of net eligible costs will be funded. Unlike the recent Infrastructure Grants, the costs are not shared by the federal, provincial and municipal governments, but are completely from this fund.

The Engineering department has identified the James Bay Inflow & Infiltration Pilot Project for this grant program. This will be a collaborative effort with the CRD

where the city will closely monitor three sanitary sewer sub catchment areas in James Bay, then apply innovative trenchless technology to line the mains and manholes and deal with other sources within the road right of way in one area, line all laterals in another area and use the last area as a control for the project. Through this approach, staff will develop a blueprint as to the best approach to reduce Inflow and Infiltration throughout the rest of the city, and also provide this information to the region.

Based on the IF criteria it is felt that this project will get serious consideration during the evaluation process. The grant application will be for \$3,000,000 and the work will be completed by 2010.

Staff advised Committee that trenchless technology is new and will be evaluated after one year. After evaluation, staff would like to line all sewer systems and investigate the possibility of lining private laterals. Staff has met with the CRD who is interested in this approach with the goal of bringing it to other jurisdictions.

Councillor Coleman noted this project addresses some aspects of hydrology that he brought up at Committee of the Whole on January 11, 2007.

**Action:** Councillor Fortin moved that Council endorses the James Bay Inflow & Infiltration Pilot Project as an application to the Innovation Fund and instructs staff to apply for the grant prior to the February 16, 2007 deadline.

CARRIED 07/076

## **7. CORPORATE AND REGULATORY SERVICES**

### **7.1 Sign Development Variance Permit for 747 Fort Street**

Committee received a report dated January 11, 2007 from Corporate and Regulatory Services with respect to a Sign Development Variance Permit for 747 Fort Street. The application is to erect two "Staples Office Depot" fascia signs near the top of the office building located at 747 Fort Street. The application was submitted by Colorcraft Signs of Brampton, Ontario on behalf of Staples Office Depot which are opening a retail outlet in the commercial space of the building at street level.

The first fascia sign which has a total area of 125.4 square feet is to be located on the west elevation above the top floors of the building. The second fascia sign which has a total area of 260.42 square feet will be situated on the east elevation again above the top floor of the building.

The location of 747 Fort Street falls within the Arterial Commercial Sign Zone area of the city. Section 9.2(2)(a) of the Sign Bylaw states that a fascia sign in the Arterial Commercial Sign Zone may have up to a two to one ratio. Section 9.2(2)(b) of the Sign Bylaw states that: "a fascia sign shall not have a display surface exceeding 9 square meters" (97 square feet). The property frontage of 747 Fort Street is approximately 42 meters (138 feet) thus providing for a total of 276 square feet of fascia signage for the building.

At present there are two fascia signs on the building for Staples which are each 48 square feet in size. Taking these two signs in to account and adding them to the two being requested in the variance would bring the total fascia signage on the building up to 481 square feet.

Staff have reviewed this proposal and are in support of it for the following reasons:

- The height of the building with eleven floors place this signage far above ground level thus making it appear smaller than what it actually is.
- The size of the signage when compared with the mass of this building can support this size of signage without appearing overbearing.

This application requires notification of the owner and occupant as a Council hearing is required.

Council have the following options to consider in this application:

1. Approve the sign variance as submitted.
2. Approve a scaled down version of the second 260 square foot fascia sign.
3. Reject the Sign Development Variance application.

Committee expressed concerns with the size of the sign and was advised by staff that it does extend beyond the mounting point.

Committee discussed location and design of signs on buildings and it was noted that billboard and roof top signs were prohibited many years prior. Staff advised Committee that this is the largest sign variance he's encountered.

**Action:** Councillor Madoff moved that this Sign Development Variance Permit be declined.

CARRIED 07/075

Committee members requested more information from staff with respect to technical and design parameters of signs. Committee requested a workshop to achieve clarity on the sign bylaw and to propose adjustments or policy changes as required. The Corporate Administrator advised that these concerns can be addressed in a 30 minute workshop.

## **8. COMMUNITY DEVELOPMENT**

### **8.1 Centennial Square Summer Festival Review**

Committee received a report from Community Development with respect to the Centennial Square Summer Festival Review. This report aims to provide Council with recommendations that support a future vision of:

*“Centennial Square as Downtown’s premier civic square making it a safe and welcoming public space; the ‘place to be’; an attractive, inviting destination for local residents and visitors; and a year round host site for festivals, arts and celebration.”*

The recently completed Centennial Square Summer Festival Review strengthens the foundation that continued investment in Centennial Square is a good business decision. The Square needs to be dynamic, animated and welcoming public space with programming, venue design and infrastructure that compliment each other – not to be treated in isolation.

The information and recommendations outlined in the Centennial Square Summer Festival Review and the availability of capital funds from the province towards design and construction of a Spirit Square will provide staff with the guidance and resources to continue the rejuvenation of the Square as Downtown's Premier Civic Square.

Committee discussed concerns related to programming and the development of Centennial Square:

- Programming levels in Centennial Square could be increased to those as observed in Portland, Oregon.
- The vision of Centennial Square and the direction it's headed is a concern, noting the 1996 plan no longer suffices.
- Disapproval was expressed by a Committee member with respect to City supported programming in Centennial Square and noted that future plans for the square remain uncertain.

Staff advised that there will be opportunities in Phase 1 to establish direction and consider options. The City Manager advised that timing is critical for the grant, the deadline being February 16, 2007 and assured Council that this does not imply support of the 1996 plan. This is an interim strategy that achieves programming objectives and attributes to the ultimate plan.

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

1. Receive the Centennial Square Summer Festival Review – Executive Summary of October 31, 2006 for information.
2. Approve the submission of a City of Victoria application to the BC Spirit Squares Program for improving the public space areas of Centennial Square.
3. Approve matching City funding of \$50,000 for the Phase 1 – BC Spirit Squares Program grant for planning and design work.
4. Consider the approval of matching City funding of up to \$450,000 for the Phase 2 – BC Spirit Squares Program grant for project construction, subject to:
  - i) Council approval of the Phase 1 planning and design recommendations; and
  - ii) Approval of matching BC Spirit Squares Program grant funding of up to \$450,000.

CARRIED 07/074

## 9. CORPORATE AND REGULATORY SERVICES

### 9.2 Food-Primary (Restaurant) Licence Application – Patron Participation Entertainment Endorsement (Latin Dancing)

Committee received a report from Corporate and Regulatory Services with respect to a Food-Primary (Restaurant) Licence Application – Patron Participation Entertainment Endorsement (Latin Dancing). The purpose of this report to provide a resolution from Council to the Liquor Control and Licensing Branch related to a new food-primary liquor licence with a patron participation endorsement.

The owner of Mr. Salsa Dine and Dance Place, located at 206-1483 Douglas Street, is applying for a new food-primary liquor license with a patron participation entertainment endorsement to allow Salsa and Latin lessons and dancing. The facility has an occupant load of 55 persons. Hours of liquor service are 11:00h – 24:00h.

The addition of patron participation entertainment (Latin dancing) to a food-primary liquor license requires a local government resolution prior to the Liquor Control & Licensing Branch's consideration of the application.

Staff advised Committee that if approved, this licence remains with the property. If the applicant relocated his business this process of applying for a licence with a Patron Participation Endorsement would have to be undertaken again. Staff advised Committee that the function of this licence is to prevent a restaurant from operating as a nightclub. A seating change at this location cannot be increased without going through an application process.

**Action:** Councillor Coleman moved that Victoria City Council supports the granting of a food-primary liquor license with an endorsement to permit patron participation entertainment (Latin dancing) proposed by Mr. Salsa Dine and Dance Place at 206 – 1483 Douglas Street in the City of Victoria provided:

1. Patron participation entertainment, dancing, must end by 24:00h.
2. Hours of liquor service are 11:00h – 24:00h seven days a week.
3. Victoria City Council, in consideration of the application, provides the following comments on the prescribed conditions:
  - a) The potential for noise is increased from a restaurant operation without patron participation; however, the operation is located within the Activity Zone of the Noise Bylaw allowing for the highest noise level threshold for nuisance.
  - b) The impact on the community will be minor as there is minimal residential in the community;
  - c) The focus of this business is 'dance restaurant', the hours of operation and actual sales receipts will ensure the focus does not change from food to liquor.
  - d) The views of the residents were solicited through a public notice and a notification letter sent to surrounding residents and property owners as described in the staff report to Council dated January 26, 2007 to which Council received no submissions objecting to the

application and 152 signed letters, provided by the applicant, supporting the application.

CARRIED 07/073

## 10. ADMINISTRATIVE MATTERS

### 10.1 Disposition of Communications dated January 19 and January 25, 2007

**Action:** Councillor Holland moved the Disposition of Communications dated January 19 and January 25, 2007 from the Manager, Administration, be received for information and filed.

CARRIED 07/072

### 10.2 Proclamations – “Kidney Month” – March 2007

**Action:** Councillor Fortin moved that March 2007 be proclaimed as “Kidney Month”, in the City of Victoria, Capital City of the Province of British Columbia.

CARRIED 07/071

### 10.3 Proclamations – “International Development Week” – February 4<sup>th</sup> – 10<sup>th</sup> 2007

**Action:** Councillor Fortin moved that February 4<sup>th</sup> – 10<sup>th</sup>, 2007 be proclaimed as “International Development Week”, in the City of Victoria, Capital City of the Province of British Columbia.

CARRIED 07/070

## 11. COUNCILLOR INQUIRIES AND SHARING

### 11.1 Councillor Sharing – Councillor Thornton-Joe

Councillor Thornton-Joe shared her concerns with the news of funding cuts imposed by VIHA for HIV/AIDS and hepatitis C programming in the Southern Vancouver Island region. She spoke about the trickle down affect of such cuts which puts pressure on the community. Committee requested that a letter be sent from the Mayor’s office to VIHA expressing Council’s concerns at the funding cuts for the south island, recognizing that funding is needed for the north end of the island, but not at the expense of the southern region.

### 11.2 Councillor Sharing – Councillor Coleman

Councillor Coleman distributed to Committee brochures for the 2007 BC Tourism Industry Conference being held at the Victoria Conference Centre February 21 – 23, 2007.

**12. CLOSED MEETING AT 10:41 a.m.**

**Committee Members Present:** Councillor Chandler in the Chair, Councillors Coleman, Fortin, Holland, Hughes, Madoff, Thornton-Joe and Young.

**Committee Members Absent:** Mayor Lowe.

**Staff Present:** R. Woodland – Corporate Administrator; P. Ballantyne – City Manager; C. Havelka - Recording Secretary.

**Action:** Councillor Fortin 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 07/069

**12.1 Adoption of In Camera Minutes from the Committee of the Whole Meeting held on January 18, 2007**

**Action:** Councillor Fortin moved that the Minutes from the In Camera Committee of the Whole meeting held on January 18, 2007 be adopted.

CARRIED 07/068

**13. ADJOURNMENT**

**Action:** Councillor Fortin moved that the Committee of the Whole meeting of February 01, 2007 be adjourned at 10:42 a.m.

CARRIED 07/067

---

Councillor Chandler, Chair