

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING
HELD THURSDAY, MARCH 6, 2008, 8:00 a.m.

1. **THE CHAIR CALLED THE MEETING TO ORDER AT 8:05 a.m.**
2. **CLOSED MEETING 8:05 a.m.**

Committee Members Present: Mayor Lowe in the Chair, Councillors Coleman, Holland, Hughes, Madoff, Thornton-Joe and Young.

Absent: Councillors Chandler and Fortin.

Staff Present: M. McCliggott – Assistant City Manager; R. Woodland - Corporate Administrator; J. Jenkyns – Acting General Manager – VCC; C. Havelka – Recording Secretary;

Action: Councillor Coleman 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 08/176

2.1 Proposed Municipal Service

The Assistant City Manager introduced Rod Cameron with Criterion Communications Inc. who presented to Committee information with respect to alternate governance models for the Victoria Conference Centre.

Councillor Fortin joined the meeting at 8:44 a.m.

The discussion and motion were recorded and kept confidential.

(Closed Resolution # 08/175)

2.2 Minutes of the Closed Portion of the Committee of the Whole Meeting held February 21, 2008

Action: Councillor Holland moved that the Closed Portion of the Minutes from the Committee of the Whole Meeting held February 21, 2008 be adopted.

CARRIED 08/174

2.3 Land – New Licence of Use

Committee received a report dated February 18, 2008 from Legislative & Regulatory Services with respect to a New Licence of Use for 743 View Street. The purpose of this report is to obtain Council's approval to enter into a Licence agreement with a new car rental company to occupy vacant office space in the View Street parkade.

Action: Councillor Coleman moved that Council approve a new Licence of Use as follows:

1. Tenant: Cute Wheels Rental Inc
2. Premises: lobby office at 743 View Street, as is
3. Rent: \$3600.00 per annum plus GST
4. Term: One year commencing May 4, 2008 with two further one year extensions
5. Parking: to be arranged with Parking Services and to be at market rates

CARRIED 08/173

2.4 Advisory Committee Appointments – Review

Committee received an update from the Assistant City Manager with respect to a proposed review of Advisory Committees.

The discussion and motion were recorded and kept confidential.

(Closed Resolution # 08/172)

2.5 Land – Legal

Committee received a report dated March 3, 2008 from Engineering regarding a Land – Legal matter.

The discussion was recorded and kept confidential.

3. ADJOURNMENT OF CLOSED MEETING

Action: Councillor Coleman moved that the Closed Committee of the Whole be adjourned at 9:02 a.m.

CARRIED 08/171

4. THE CHAIR CALLED THE OPEN MEETING TO ORDER AT 9:06 a.m.

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

Absent: Councillor Chandler

Staff Present:

M. McCliggott – Assistant City Manager; R. Woodland - Corporate Administrator; C. Havelka - Recording Secretary.

Staff Present for a Portion of the Meeting:

D. Day – Director of Planning & Development; C. Gower – Senior Urban Design Planner; B. Sikstrom – Senior Planner; A. Hudson – Senior Planner; K. Ramsay Cline – Planner; A. Meyer – Manager, Development Services; M. Lam – Senior Urban Design Planner; S. Barber – Senior Heritage Planner; P. Sparanese – Director of Engineering; E. Robertson – Assistant Director, Public Works; S. Masters – Manager, Administration and Protocol; S. Gauley – Senior Planner; M. Hornell – Manager, Community Development; N. Taylor – Senior Advisor, intergovernmental and Strategic Initiatives; J. Mitton – Deputy Approving Officer.

Councillor Chandler joined the meeting at 9:07 a.m.

5. APPROVAL OF THE AGENDA

The Chair outlined the following changes to the March 6, 2008, Committee of the Whole agenda:

Open Meeting:

- Item # 3 – Addition of Site Plan
- Item # 4 – Additional Correspondence
- Item # 10A – New Item – Residential Strata Title Conversion Application
- Item # 14A – New Item – Provincial Memorandum of Agreement

Closed:

- Item # 17 – moved to 8:00 a.m.
- Item # 18A – Land – Legal
- Item # 18B – Legal – MDA
- Item # 18C – Land – Legal – MDA
- Item # 18D – Advisory Committee Appointments - Review

Councillor Inquiries / Information Sharing:

1. Councillor Hughes – two closed inquiries
2. Councillor Chandler – one inquiry
3. Councillor Young – one sharing
4. Councillor Fortin – two closed sharing

Action: Councillor Hughes moved that the Agenda of the March 6, 2008 Committee of the Whole meeting be approved as amended.

CARRIED 08/170

The Mayor announced with sadness the sudden passing of Pamela Charlesworth on March 1, 2008. Ms Charlesworth was a respected architect who was a Fellow

of the Royal Architectural Institute of Canada. She was also on the Provincial Capital Commission for twenty years; ten of those years as the chair.

6. ADOPTION OF MINUTES

6.1 February 21, 2008 Committee of the Whole Minutes

Action: Councillor Holland moved that the minutes from the Committee of the Whole meeting held February 21, 2008 be adopted.

CARRIED 08/169

7. PRESENTATION

7.1 Crystal Garden Block

The Manager of Community Planning introduced for Committee the Planning Options Study on the Crystal Garden block. Chris Gower, Senior Urban Design Planner led Committee through the presentation and hand-outs of the presentation dated March 5, 2008 were distributed.

Councillor Young withdrew from Council Chambers at 9:12 a.m.

Several options for this strategic block were reviewed, including:

- Existing Land Use: Current Laneway and Parking;
- Current Built Occupancy and Proposed Truck Lane;
- Links from Downtown & Inner Harbour to St Ann's & Beacon Hill Park;
- Potential Public Pathway System within the Block;
- Density of Use and Land Use: Commercial versus Civic or Cultural Uses;
- Evolution of Context: Crystal Court Project;
- Commercial Density: Moderate (4:1 FSR) to Higher (5:1 FSR) density options;
- Civic / Cultural: Conference Centre and Art Gallery Options; City Theatre / Auditorium / Concert Hall options; Children's Museum and Cinematique options;
- Inner Harbour Impact: Belleville Terminal View; Songhees Point View.

The Crystal Gardens Block study provides options for a balanced plan for density as well as commercial, civic and cultural uses. This is a unique opportunity to plan for a mixed use downtown cultural precinct.

After the presentation, Committee members commented on the proposed options:

- Creating and enhancing a cultural precinct and taking the time to support this vision.

Councillor Young returned to Council Chambers at 9:16 a.m.

- Importance of taking this unique opportunity and not letting these proposals languish.
- For all ages to enjoy, a Children's Museum and an Art Gallery would be important cultural assets.

- Also maintaining green space is important.
- Animating this street and an opportunity for the public to be heard.

Committee members expressed approval of this proactive approach to this unique block and the cultural precinct it will create.

Action: Councillor Fortin moved that Council support in principle the proposed Planning Options on the Crystal Gardens Block as presented to Council by staff in a presentation dated March 5, 2008.

CARRIED 08/168

8. DEVELOPMENT SERVICES

8.1 Rezoning Application # 00147 for 606 – 612 Speed Avenue

Committee received a report dated February 26, 2008 from Development Services with respect to Rezoning Application # 00147 for 606 - 612 Speed Avenue to construct a 5 storey, 19 unit strata apartment / townhouse building. The application is to rezone a 1285 m² site at the west end of Speed Avenue to permit a five storey residential building. The proposed building, comprised of three townhouses and 16 apartments, is sited at a 45° angle to the street with streetscape improvements on the City right of way. The applicant has offered to enter into a Housing Agreement to ensure rental is allowed in the strata bylaws and that at least six units will be adaptable.

Surface parking for 19 vehicles (rather than 27 spaces required in the Zoning Regulation Bylaw) is provided under and behind the building. The reduced parking is supported by the provision of a vehicle and membership for all units in the Victoria Car Share Co-op along with the provision of a bus pass for each unit for three years.

The following points were taken into consideration in reviewing this proposal:

- A residential building at the density proposed on this site is supportable under the Burnside Neighbourhood Plan policies.
- Surface parking is acceptable on this property as it is abutted by light industrial buildings on two frontages. The provision of one parking space per unit is acceptable in this location provided the Transportation Demand Strategies, as proposed, are secured. It is particularly important that the parking demands generated by the building are handled on-site given that Speed Avenue is a cul-de-sac with limited on-street parking.
- The proposed building height, site coverage, yard setbacks, landscaping and partial enclosure of parking spaces require relaxations to the mid-rise apartment zoning. Some of these are the result of the proposed siting of the building on the property as well as the abutting light industrial buildings. A review of these requested relaxations and their rationale should be undertaken by the Advisory Design Panel (ADP).
- The ADP review of this project should also examine the provision of Crime Prevention Through Environmental Design (CPTED) and noise attenuation measures in the project.

- The option of allowing rental units in perpetuity and the provision of a number of adaptable units in the building should also be secured.
- The London Plane trees on the boulevard require the provision of a tree protection plan.
- The applicant has consulted with residents through the Burnside-Gorge Neighbourhood Association.

A Committee member inquired if the covenant to secure a car for the Victoria Car Share Co-op is in perpetuity. Staff advised they will confirm this detail for Committee.

Committee members discussed the blank wall at the end of the road and options to alleviate its starkness. Mr. Barker, the Architect, advised that the owner was unsuccessful in his bid to purchase all four properties at the end of the road. Plans have been made to redevelop it for visual effect and parking. Committee members discussed maintenance of landscaping noting that the Park's department will be impacted. Also discussed was selling the public way to the applicant as well as access to this street. The applicant advised that there is a plan to maintain the London Plane trees on the boulevard.

Staff advised that they will further investigate landscaping options with regards to land use expectations and maintenance.

Action: Councillor Holland moved that the application be forwarded for consideration at a Public Hearing and that the City's Solicitor be instructed to prepare the necessary Zoning Regulation Bylaw amendments, subject to:

1. Concurrent with consideration of the rezoning, amending the *Official Community Plan* to include the site in Development Permit Area 7, Blanshard Street North, to regulate building form and character.
Note: Council considers consultation under 879 (2) of the *Local Government Act* and determines that no referrals are necessary with the Capital Regional District Board, Councils of Oak Bay, Esquimalt and Saanich, the Songhees and Esquimalt First Nations, the School District Board, and the federal government and its agencies because the amendment affects two properties and can be considered under approved neighbourhood plan policies.
2. Amending the *Official Community Plan* to change the land use designation covering the site to "Primary Centres-Mayfair" from "Industrial".
3. Consideration of a Development Permit with relaxations for building height and storeys, site coverage, setbacks, landscaping, parking enclosure and parking spaces for this proposal concurrent with the rezoning application.
4. Advisory Design Panel review with particular attention to requested relaxations, as well as Crime Prevention Through Environmental Design (CPTED) and sound attenuation measures.
5. Registration of a covenant securing a vehicle for the Victoria Car Share Co-op, membership for each unit in the Co-op and a three-year bus pass for each unit, to the satisfaction of the Director of Engineering.
6. Registration of a Housing Agreement on title, secured by bylaw, to allow rental in the strata bylaws, in perpetuity, and to provide a minimum of six adaptable units to the satisfaction of the Director of Planning & Development.

7. Proposed streetscape improvements to the City's right of way to be secured and constructed to the satisfaction of the Director of Engineering.
8. Applicant providing a sanitary sewer impact assessment study to the satisfaction of the Director of Engineering.
9. Provision of a tree preservation plan for the protection of the London Plane street trees to the satisfaction of the Director of Parks, Recreation & Community Development.
10. **Additional consultation with the Parks Department regarding the proposed landscaping treatments at the end of the street.**

CARRIED 08/167

8.2 Development Permit Application # 000117 for 1321 Blanshard Street

Committee received a report dated March 6, 2008 from Development Services with respect to Development Permit Application # 000117 for 1321 Blanshard Street. This application is for a 7-storey office building with ground level retail and restaurant uses. There is a concurrent Rezoning application in process as the proposal requires an increase in density.

This Development Permit application is consistent with the City's *Advisory Design Guidelines for Buildings, Signs and Awnings*. The applicant has proposed a design that is relevant to the surrounding context in its massing, scale and roofline. A lower building form is proposed in order to preserve adjacent landmarks and acknowledge the historic mid-rise buildings characteristic of Victoria. The horizontal massing also lends itself to the provision of an internal atrium to ensure interior office units have access to natural light and ventilation, one of the LEED feature targets. The departure from the massing setback over 10 metres compensates for a lower height by providing much-needed street definition of Blanshard Street. A high quality pedestrian environment is proposed through rounded corners and curved building faces to facilitate movement through sidewalk intersections and enticement into the semi-public atrium space, as well as the provision of glazing for interest and activity at street level. Landscaped bioswales are proposed to capture storm water run-off and also act as a buffer between pedestrians and the street. Staff recommend that the comprehensive design approach be approved and proceed for consideration by Council concurrent with the Rezoning application.

Staff are currently preparing the Zoning Amendment Bylaw respecting the Rezoning application. Direction from Committee is required respecting two matters that have arisen as this project has evolved and the design analyzed as part of this Development Permit application process. These are related to the massing setback along Blanshard Street and a potential reduction in the minimum number of underground parking spaces. These matters are detailed in Section 4 of the report.

Staff noted there is an error in the report on pages 57 and 58 where it states that the Downtown Victoria Plan envisions open space at the corner of Blanshard and Yates Street. It should read that the plan envisions open space at the corner of Blanshard and Johnson Streets.

A Committee member inquired regarding the bioswales and how they'd affect parking if parking was to be maintained along the street. The applicant Mr. D'Ambrosio advised that discussions have taken place with Engineering staff and that there are walkways that address all parking issues around the bioswales.

A Committee member requested that this application be reviewed by the Advisory Design Panel (ADP) noting the letter dated March 3, 2008 from the Downtown Residents' Association. Committee members discussed policy regarding applications being vetted through the ADP process, noting the applicant would like to have the public hearing on April 10, 2008. Staff noted that there is an RFP currently out for a development process review. A Committee member requested notification at the rezoning application stage if an application is not going through the ADP process.

A Committee member inquired regarding safety within the atrium of the proposed building. Staff advised that the atrium is open to the public during opening hours of businesses.

A Committee member inquired about liability issues on the sidewalk when landscaping forces people onto private property. The applicant advised that this occurs in two other areas in Victoria. Staff will have a site specific answer for Committee on this issue.

Action: Councillor Holland moved:

1. That the proposed resolution noted below be considered at the same public meeting for which a public hearing is held for the Zoning Bylaw Amendment for 1321 Blanshard Street, and subject to Council's adoption of the Zoning Bylaw Amendment.
2. That Council authorize the issuance of a Development Permit in accordance with:
 - a) Plans stamped "Development Permit 000117, dated January 24, 2008.
 - b) Development meeting all Zoning Bylaw requirements.
 - c) Final plans to be in accordance with the plans identified above to the satisfaction of the Director of Planning and Development.
3. That Rezoning Application #00160 continue to proceed towards consideration at a Public Hearing and that the Zoning Amendment Bylaw be prepared based on the draft zone outline attached in part 6.1 of the staff report dated December 4, 2007 with the exception of waiving the massing setback for the front (Blanshard Street) property line and that the minimum number of underground parking spaces be reduced to 160.
4. **That this application be referred to the Advisory Design Panel for review.**

CARRIED 08/166

Councillor Fortin withdrew from the meeting at 10:30 a.m. as he is the Executive Director of the Burnside Gorge Community Association and has a direct pecuniary interest with the following item.

8.3 Development Permit Application # 000112 for 358 Harbour Road

Committee received a report dated March 6, 2008 from Development Services with respect to Development Permit # 000112 for 358 Harbour Road. This application is for a two-storey office building for Farmer Construction Ltd. within the Dockside Development Area D (DA-D). It is located on the west side of Harbour Road at 358 Harbour Road. The proposal is to renovate the northern portion of the former Princess Mary restaurant building. The central portion of the building will be removed to accommodate a drive aisle and parking area. The southern portion that is outside the application site boundary is to be retained as a temporary building.

The proposal is consistent with the overall objectives of the *Design Guidelines for the Dockside Area*. The retention of a portion of the original building is a change from the original *Illustrative Master Plan* which anticipated a new building on this site. The applicant has by letter dated February 20, 2008, provided a detailed description and rationale of the proposal.

At its meeting on January 30, 2008, the Advisory Design Panel reviewed the proposal and recommended its approval.

As this Development Permit application does not include any variances, it is not subject to a notification requirement and a hearing.

A Committee member inquired regarding the exterior material of the building in relation to concerns regarding off-spray from the adjacent ship yard. Staff noted that the material is corrugated metal.

A Committee member inquired if the Princess Mary has a new location. Staff advised that it is outside the current site.

- Action:** Councillor Holland moved that Council authorize the issuance of a Development Permit in accordance with:
1. Plans stamped "Development Permit # 000112" dated February 11, 2008.
 2. Development meeting all bylaw requirements.
 3. Final plans to be in accordance with plans identified above with the incorporation of response to staff comments prior to building permit, to the satisfaction of the Director of Planning & Development.

CARRIED 08/165

Councillor Fortin returned to Council Chambers at 10:33 a.m.

8.4 Development Variance Permit # 00047 for 1827 Fairfield Road

Committee received a report dated March 6, 2008 from Development Services Development Variance Permit # 00047 for 1827 Fairfield Road. The request is to relax the siting, height and parking regulations of the C-1 Zone, Limited

Commercial District. This four-storey mixed residential/commercial development includes two buildings with a total of ten townhouse style units on upper floors and a commercial unit on the ground floor.

Variances were approved previously by Council in a Development Variance Permit application for this site on April 27, 2006. This new application has been prompted by revisions to the proposal aimed at addressing the Building Code requirement for non-combustible construction.

The Land Use Committee of the Fairfield Community Association has been consulted. The applicant reviewed the variances and changes with the Chair on February 25, 2008. Since the application is similar to the original proposal, the Chair of the Fairfield Planning and Zoning Committee waived the 30 day CALUC requirement for additional comments.

This application is subject to sign posting, notification and a public hearing.

A Committee member expressed concerns regarding the transition between the higher density and adjacent residential uses.

A Committee member inquired if the neighbours had been made aware of the changes though it was not determined if this had occurred.

Action: Councillor Holland moved:

1. That this application proceed to a Public Hearing subject to a restrictive covenant being registered on title, restricting the number of seats for restaurant uses, to a maximum of seven, and following the Public Hearing,
2. That Council considers authorizing the issuance of a Development Variance Permit in accordance with plans stamped "Development Variance Permit # 00047" dated February 18, 2008.
3. Development meeting all bylaw requirements, with the following variances:
 - Section 4.1.3 - Height relaxed from 12.0m maximum to 12.51m
 - Section 4.1.4 - Front yard setback relaxed from 6.0m to 1.5m
 - Section 4.1.6 - Rear yard setback relaxed from 6.0m to 1.5m
 - Section 4.1.8 - Side yard setback for access to rear yard relaxed from 3.0m to 1.2m
 - Section 4.1.14 - Side yard setbacks relaxed from 3.1m to nil (east) and 1.2m (west)
 - Schedule "C" Section A 12(c) - Residential parking requirement relaxed from 1.4 parking spaces per dwelling unit (14 spaces) to 1 parking space per dwelling unit. (10 spaces).
 - Schedule "C" Section C 12- Restaurant parking requirement relaxed from 1 parking space per 5 seats (1 space) to nil.
 - Schedule "C" Section 7.2(g) - Visitor parking relaxed from 1 parking space to nil.

CARRIED 08/164

Councillor Young voted against this motion

8.5 Heritage Designation # 000061 for 2008 – 2010 Fernwood Road

Committee received a report dated March 6, 2008 from Development Services with respect to Heritage Designation # 000061 for 2008 – 2010 Fernwood Road. This is an owner request to designate a three-storey, brick apartment building in the Fernwood neighbourhood as a municipal heritage site. The property is on the Heritage Registry and within the Fernwood Village Heritage Conservation Area.

Action: Councillor Thornton-Joe moved that, whereas the building at 2008 - 2010 Fernwood Road is of heritage significance, City Council designate it as a municipal heritage site.

CARRIED 08/163

8.6 Heritage Designation # 000063 for 2201 Chambers Street

Committee received a report dated March 6, 2008 from Development Services regarding Heritage Designation # 000063 for 2201 Chambers Street. This is an owner request to designate a 1911, mixed commercial/residential building at the corner of Chambers Street and Princess Avenue in the Fernwood neighbourhood, as a municipal heritage site. The building is not currently on the Heritage Registry. The owners also have requested heritage designation of the two adjacent properties at 2203 and 2205 Chambers Street.

Action: Councillor Thornton-Joe moved that, whereas the building at 2201 Chambers Street is of heritage significance, City Council designate it as a municipal heritage site.

CARRIED 08/162

9. ENGINEERING

9.1 Sanitary Sewer Condition Report

Committee received a report dated February 25, 2008 from Engineering with respect to a Sanitary Sewer Condition Report. This report is written to advise Council as to the condition of our Sanitary Sewer system, and to outline the challenges and strategies to maintain and improve the system, and how to address various issues, such as attenuation and treatment.

The City of Victoria Sanitary Sewer system was started in 1891, and by 1920 approximately 80% of it was built. There are 240km (149 miles) of mains and 14,108 services that consist mostly of vitrified clay pipe with non-gasket joints that are vulnerable to infiltration of roots and water. This system has served the city well, but there are several concerns.

Our system is very old, and a large portion is quickly approaching the end of its expected lifespan of 100 years. This, coupled with the increased awareness of

Inflow and Infiltration (I&I), and the looming cost of sewage treatment, has become a problem for our sanitary sewer system. In addition there is the problem of system capacity in our downtown core. Many existing pipes do not have the capacity to keep up with demand, and this has caused us to implement a new practice of sewage attenuation in response to the request for additional density on development sites.

A plan for dealing with these problems must be developed that is sustainable, innovative and proactive. We cannot ignore these problems and the impacts that they could have on the environment, the social well being of our neighbourhoods and downtown, and the economic development of our downtown core. This will require ongoing increases in user fees over the upcoming years, in order to implement the solutions that are being developed.

A Committee member inquired regarding funds being put aside for future costs. Staff advised that a financial needs review regarding sewers will be coming to Council in the fall. Also discussed was the value of this asset. Committee members requested that this issue be referred to the Finance Committee to discuss the benefit of holding tanks versus using funds to increase the capacity of the system. Also suggested was a frontage charge for sanitary sewers. Staff advised that the Finance Committee will be dealing with sewers and funding at their meeting the first week of April 2008.

Action: Councillor Coleman moved that Council receive the report dated February 25, 2008 for information.

CARRIED 08/162

9.2 Sewer Utility Rate Increases

Committee received a report dated February 25, 2008 from Engineering with respect to a proposed Sewer Utility Rate Increase. Sanitary sewer services are provided by the City Sewer Utility funded by user fees. Due to increased costs and expenditures, staff recommends an increase in these fees. Some of the significant factors that are affecting the increases this year are funding for design and construction to increase the capacity of our sanitary sewer system that services the Downtown, and projects to reduce Inflow & Infiltration in our sanitary sewer system.

It is proposed that the sewer consumption fee be raised from \$0.93 to \$1.08 (per unit). The sewer frontage rate will remain unchanged.

The impact of these changes will vary between consumers; however, a typical residential user (using 106 units of water per year) would see an increase of \$15.90. Approximately 84% of our customers are in this category.

Action: Councillor Holland moved that Council approve a sewer consumption fee increase from \$0.93 to \$1.08 per unit effective May 1st, 2008.

CARRIED 08/161

9.3 Residential Strata Title Conversion Application 1216 Styles Street

Committee received a report dated March 3, 2008 from Engineering regarding Residential Strata Title Conversion Application for 1216 Styles Street. The owner(s), Mrs. Melanie Smith has applied to do a strata title conversion of a vacant building at 1216 Styles Street. The building had contained 4 vacant light housekeeping units. City policy requires the approval of Council since there are more than three residential units. The property is zoned R1-B and is located in the Victoria West Neighbourhood of the City. The applicant was issued a building permit April 30, 2007 and has completed work associated with the building permit.

Action: Councillor Holland moved that Council approve staff's recommendation that the application to strata title the building at 1216 Styles Street into four residential units be approved as submitted in the report dated March 3, 2008, subject to compliance with applicable Province Codes and Municipal Bylaws.

CARRIED 08/160

10. LEGISLATIVE AND REGULATORY SERVICES

10.1 Application for a Transfer of Location – Liquor Primary Licence #182064 Soundgarden Enterprises Inc.

Committee received a report dated February 26, 2008 from Legislative and Regulatory Services with respect to an Application for a Transfer of Location for Liquor Primary Licence #182064 Soundgarden Enterprises Inc. The purpose of this report is to provide background information in order to provide a Council resolution to the Liquor Control and Licensing Branch. This is regarding an application before Council from Soundgarden Enterprises Inc. for a transfer of location of liquor primary license #182064 from 1630 Store Street to 450 Swift Street. 1630 Store Street was the location of the Soundgarden nightclub which has been inactive for a number of years. 450 Swift Street is the location of Canoe Brewpub, Marina and Restaurant.

The proposed licensed person capacity (occupant load), which includes staff and patrons is 40 persons.

The proposed hours are Sunday to Thursday, 12:00h — 24:00h and Friday and Saturday, 12:00h - 01:00h. The proposed new site is located in a heritage building.

Committee members discussed with staff the details of this application with respect to changing a designated lounge area in the Canoe Club to a liquor primary area and that they hold two separate licenses. The amount of seats cannot be expanded without Council's approval. Also discussed was the ratio of population to liquor primary licences.

Action: Councillor Hughes moved that Council convene a Public Hearing and invite residents and property owners to provide comments regarding the

application from Soundgarden Enterprises Inc. for a transfer of liquor primary licence #182064 from 1630 Store Street to 450 Swift Street, with hours of service Sunday to Thursday, 12:00h - 24:00h and Friday and Saturday, 12:00h - 01:00h, from the hours of Sunday 19:00h - 24:00h and Monday to Saturday 19:00h - 02:00h, with a seating capacity of 40 persons from 225 persons.

CARRIED 08/159

Councillor Fortin withdrew from the meeting at 10:51 a.m. as he is the Executive Director of the Burnside Gorge Community Association and has a direct pecuniary interest with the following item.

10.2 Proposed Use of Ellice Street Playlot by Cool Aid Society

Committee received a report dated February 25, 2008 from Legislative and Regulatory Services with respect to the Proposed Use of Ellice Street Playlot by Cool Aid Housing Society. The purpose of this report is to seek direction from Council regarding the process by which Victoria City Council will consider an application from the Victoria Cool Aid Society (Cool Aid) to construct an emergency shelter and supportive housing facility on City lands located at 525 - 545 Ellice Street.

Cool Aid Society is proposing the development of a new facility that will have approximately 80 shelter beds, 24 self-contained supportive housing units, plus space for support and transition services, which can be converted into an additional 20 temporary beds for extreme weather conditions. The City of Victoria has endorsed the lease of the Ellice Street Playlot located at 525 - 545 Ellice Street through a Memorandum of Understanding, should Cool Aid's facility proposal be approved through the normal regulatory process.

There are two concurrent processes that require City Council approval in order to permit Cool Aid to develop the City's lands for the proposed use:

1. Cool Aid must apply to the City to rezone the lands to permit the proposed use; and
2. City Council must repeal the bylaw that reserves the Ellice Street Playlot as a park.

The use of the City's lands for the proposed facility is supportive of the City's Corporate Strategic Plan objective to enhance the availability of housing and support services for at risk citizens. The use of City lands for this purpose is a tangible commitment by the City to support the recommendations of the *Mayor's Task Force on Homelessness, Mental Health and Addictions*.

A Committee member expressed concerns regarding the process leading to this point, the loss of park land, working closely with the community, confidentiality issues and maintaining an unbiased view for the public hearing. The Corporate Administrator advised that the process has been structured so that Council can bring an open mind to the public hearing process. Setting themselves apart from

the administrative process would help Council make a decision based on the merits of the application and the input received at the public hearing.

A Committee member commented that this issue has not been taken lightly by any Councillors but social housing will create a better community for all. Concerns were expressed at the community meeting and they were heard. A purpose built building will allow for better services.

A Committee member expressed concerns regarding the agreement and how this process could have been public. Also noted was the enormous costs to the City and that there are social issues a small City cannot address.

A Committee member inquired if there could be an asset to offset the loss of park space. The Corporate Administrator advised that a Parks Master Plan process is ongoing which may recommend an increase of parks in this neighbourhood, though another Committee member asked that the idea of no net loss be pursued.

Committee members noted that these are required services and this is an opportunity to move forward in our communities with a thorough consultation process that will bring fairness to the proceedings.

- Action:** Councillor Thornton-Joe moved that Victoria City Council:
1. Gives permission to the Victoria Cool Aid Society to make application to develop the City lands at 525 - 545 Ellice Street for an emergency shelter and transitional housing facility.
 2. Instructs the Corporate Administrator to prepare a bylaw to repeal the reserved park status established by *Miscellaneous Parks Reservation Bylaw No. 80-4* over City Lands at 525 - 545 Ellice Street.
 3. **Authorize staff to pursue a 'no net loss' of park space for this neighbourhood.**

CARRIED 08/158

Councillors Madoff and Young voted against the motion.

Councillor Fortin returned to the meeting at 11:18 a.m.

11. ADMINISTRATIVE MATTERS

11.1 CRD Bylaw No. 3510, *Capital Regional District Climate Action and Adaptation Service Establishment Bylaw, 2008*

Committee received correspondence dated February 18, 2008 from the Capital Regional District with respect to CRD Bylaw No. 3510, *Capital Regional District Climate Action and Adaptation Service Establishment Bylaw, 2008*.

- Action:** Councillor Coleman moved that Council give consent to the adoption of CRD Bylaw No. 3510, *Capital Regional District Climate Action and Adaptation Service Establishment Bylaw, 2008* as requested in the letter from the CRD dated February 18, 2008.

Mayor Lowe left the meeting at 11:25 a.m.

15. WORKSHOP - OPEN TO THE PUBLIC

15.1 Reviewing the City's Approach to Neighbourhood Planning

Committee received a report dated March 6, 2008 from Community Planning with respect to Reviewing the City's Approach to Neighbourhood Planning. The purposes of this report are to present the key finding of a discussion paper on neighbourhood planning and to provide Council with options for moving forward with the renewal of the neighbourhood planning program.

In reviewing the City's approach to neighbourhood planning, staff prepared a paper entitled *Neighbourhood Planning: A Discussion Paper*. The paper reviews the City's historic approach, identifies issues, reviews four case studies, and outlines "lessons learned" to consider in reviewing and updating the City's approach to neighbourhood planning.

The report reviews three issues related to moving forward:

1. Clarify the role of neighbourhood planning in the City's planning system.
2. The City of Victoria's capacity to sustain its neighbourhood planning program.
3. Timeline for the development and implementation of the neighbourhood planning program in the context of the Planning & Development Department's 2008 Work Plan.

The report concludes that combining the creation of a single neighbourhood planning program with the update of the *Official Community Plan (OCP)*, scheduled to begin in 2008, is the most efficient and effective way to proceed. Concurrently, the report also concludes that neighbourhood planning policy and regulatory issues that apply to multiple neighbourhoods could be addressed as comprehensive City initiatives.

Committee members and staff discussed the following:

- Staff resources and responding to issues; the Spaxman report identified a need for greater policy focus and how we can meaningfully address the need for neighbourhood plans.
- Neighbourhood plans have been neglected and communities have expressed their concern.
- Bringing the discussion paper back to the public to see if it accurately reflects the issues that were raised, then closing the loop.
- Considering carefully the neighbourhood plan and weaving it into the OCP; mindful of issues such as neighbourhood villages and climate change.
- Stakeholders such as the School Board and Parent Advisory Committees; directly engaging them and other ancillary agencies.
- Schools and ensuring that the zoning is correct to preserve greenspace.

- Interim neighbourhood policy; the current plan is still coherent and can use those policies for ongoing decision making. If there are items that require the development of interim policy guidelines, that can be carried out.
- Addressing emergency concerns; logical to have consistent process for neighbourhood plan but require a way to identify pressing issues.
- A key question to the community could be to identify pressing issues that are affecting a particular neighbourhood. Can customize unique situations.

Action: Councillor Holland moved that Council:

1. **Direct staff to consult with the community in the Spring of 2008 with the results of the discussion paper and the results of ‘next steps’.**
2. Direct staff to develop a single neighbourhood planning program for all of the City’s neighbourhoods that would establish criteria for determining priorities, provide guidance on the planning process, ensure consistency between neighbourhood planning and overall City goals and objectives, and establish formal linkages with municipal budgeting and grant processes.
3. Endorse the lessons learned and accompanying considerations noted in a discussion paper entitled *Neighbourhood Planning Discussion Paper* as direction to the development of a single neighbourhood planning program.
4. Direct staff to include development of a single neighbourhood planning program as part of the process to review and update the *Official Community Plan* (OCP), with elements of the program to be included in the OCP Bylaw.
5. Direct staff to report back in the Spring of 2008 with a process for combining the creation of a neighbourhood planning program with the review of the OCP.
6. Direct staff to identify and report back in the Spring of 2008 on neighbourhood planning issues that apply to multiple neighbourhoods, which could be addressed from a City-wide perspective and concurrently undertaken with the review and update of the OCP and the renewal of the neighbourhood planning program.

CARRIED 08/156

11.2 Disposition of Communications dated February 29, 2008

Action: Councillor Coleman moved that the Disposition of Communications dated February 29, 2008 from the Manager, Administration, be received for information and filed.

CARRIED 08/155

11.3 Provincial Memorandum of Agreement (MOA) on Local Government Twinning Relationships.

Committee received a report dated March 4, 2008 from Legislative Services and the Mayor’s Office regarding a Provincial Memorandum of Agreement (MOA) on Local Government Twinning Relationships. Last week, a letter was received from

the Minister of Community Services regarding a grant opportunity in support of local government twinning programs. Specifically, under the auspices of the Provincial *Asia Pacific Initiative* (API) one-time funding of \$25,000 is being made available on a pilot project basis to selected municipalities in support of their local twinning initiatives with Asia city counterparts. The City of Victoria qualifies for this funding on the basis of its population and its existing twinning relationships with Morioka, Japan and Suzhou, China.

In order to secure this grant money, City Council must sign the MOA attached to this report, with an accompanying Council resolution, and advise the Ministry of its intentions by March 12, 2008. The MOA obligates the City to use the grant funding to accomplish deliverables that lead towards establishing *economically-robust* twinning relationships with an Asia Pacific government.

Action: Councillor Thornton-Joe moved that City Council supports the signing of the Memorandum of Agreement on Local Government Twinning Relationships between the Province of British Columbia and the City of Victoria:

1. In recognition of objectives of the Asia Pacific Initiative and the Province's commitment to establishing British Columbia as internationally recognized North America's capital for Asia Pacific commerce and culture; and
2. In recognition of the key role of the City of Victoria in meeting the Agreement deliverables through our twinning initiatives.

CARRIED 08/154

12. COUNCILLOR INFORMATION SHARING AND INQUIRIES

12.1 Councillor Chandler – Urban Agriculture

Councillor Chandler inquired if the request from the Environment and Shoreline Committee regarding harmonizing zoning bylaws with the City's Urban Agriculture resolution has been explored. She inquired if staff could investigate the scope of work involved to bring about this harmonization. Staff advised that they could provide Committee with an indication of the work involved to pursue this initiative.

12.2 Councillor Young – E & N Railway

Councillor Young outlined for Committee the request from E & N Railway for approximately 100 million dollars to refurbish the E & N Railway which will allow some freight service back on the line but also to improve commuter service. It is relevant to the City because it adds reality to the issue of addressing our downtown transportation planning. BC Transit also recognizes the need to pre-plan the Douglas Street bus route in the event rail lines need to be installed. The City needs to move ahead and be ready for this eventuality.

13. CLOSED MEETING at 12:38 p.m.

Committee recessed at 12:38 p.m.

Committee reconvened at 12:45 p.m.

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

Absent: Mayor Lowe.

Staff Present: R. Woodland - Corporate Administrator; M. McCliggott – Assistant City Manager; C. Havelka – Recording Secretary.

Staff Present for a Portion of the Meeting: D. Day – Director of Planning & Development; D. Angrove – Fire Chief.

Action: Councillor Thornton-Joe 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 08/153

13.1 Proposed Municipal Service

The Fire Chief updated Committee with respect to a Proposed Municipal Service.

This discussion was recorded and kept confidential.

Councillor Chandler left the meeting at 12:53 p.m.

13.2 Khabarovsk Public Art Project

The Manager of Protocol updated Committee on the Khabarovsk Public Art Project.

The discussion and motion were recorded and kept confidential.

(Closed Resolution # 08/152)

Councillor Fortin withdrew from the meeting at 12:58 p.m.

13.3 Land - Legal – MDA

Committee received presentation from the Director of Planning & Development with regards to a Land – Legal matter with respect to a MDA.

Councillor Forting returned to the meeting at 1:12 p.m.

This discussion was recorded and kept confidential.

13.4 Land - Legal

Committee received a report dated March 4, 2008 from the Director of Legislative & Regulatory Services with respect to a Land – Legal matter.

The discussion and motion were recorded and kept confidential.

(Closed Resolution # 08/151)

13.5 Councillor Hughes – Land – Legal

Councillor Hughes inquired regarding a Land – Legal matter.

This discussion was recorded and kept confidential.

13.6 Councillor Hughes – Legal

Councillor Thornton-Joe left the meeting at 1:38 p.m.

Councillor Hughes inquired regarding a Legal matter.

This discussion was recorded and kept confidential.

13.7 Councillor Fortin – Vancouver Island Health Authority (VIHA)

Councillor Fortin updated Committee on a matter regarding VIHA and the needle exchange.

13.8 Councillor Fortin – CREST Agreement

Councillor Fortin updated Committee on a matter regarding the CREST Agreement.

14. ADJOURNMENT

Action: Councillor Coleman moved that the Committee of the Whole meeting of March 6, 2008 be adjourned at 1:45 p.m.

CARRIED 08/150

Mayor Lowe, Chair