

**MINUTES OF THE COMMITTEE OF THE WHOLE MEETING**  
**HELD THURSDAY, DECEMBER 11, 2008, 9:00 a.m.**

**1. THE CHAIR CALLED THE MEETING TO ORDER AT 9:02 a.m.**

**Committee Members Present:** Mayor Fortin in the Chair; Councillors Chandler, Coleman, Lucas, Luton, Hunter, Madoff, Thornton-Joe and Young.

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

**Staff Present for a Portion of the Meeting:** D. Day – Director of Planning & Development; A. Meyer – Manager, Development Services; B. Sikstrom – Senior Planner; M. Park – Planning Technician; J. Matanowitsch – Senior Planner; M. Lam – Senior Urban Design Planner; K. Stratford – Research Analyst; P. Sparanese – Director of Engineering; K. Friars – Director of Parks, Recreation & Community Development; D. Schaffer – Manager, Legislative Services; G. Price-Douglas – Community Development Planner; C. O’Regan – Manager, Facilities; C. Scott – Planner; S. Barber – Senior Heritage Planner.

**2. APPROVAL OF THE AGENDA**

The Chair outlined the following changes to the December 11, 2008, Committee of the Whole agenda:

**Open Meeting:**

- Item # 13 – Revised report and the addition of attachments

**Closed Meeting:**

- Item # 22 – Legal – Addition of Correspondence
- Item # 29 – Addition of the Report
- Item # 30 – Addition of the Report
- Item # 31 – Addition of Correspondence

**Councillor Inquiries / Information Sharing:**

- Councillor Luton – one inquiry
- Councillor Madoff – one sharing and one inquiry
- Councillor Thornton-Joe – one sharing
- Councillor Lucas – three inquiries and one sharing

**Action:** Councillor Coleman moved that the Agenda of the December 11, 2008, Committee of the Whole meeting be approved as amended.

### 3. ADOPTION OF MINUTES

#### 3.1 November 6, 2008 Committee of the Whole Minutes

Councillor Thornton-Joe moved that the minutes be corrected, as follows:  
Page 15, item 5.8, Harbour Road Industrial Waterfront – Update. The motion should read as follows:

Direct the City Property Manager to include a provision, in any future lease agreements **for 203 Harbour Road** between the City and Ralmax, ~~pertaining to the subject properties~~, requiring that the building at the north end of the site be removed once the existing operations are relocated and that future buildings in that area are built to a smaller scale as described in the Harbour Road Design Guidelines.

and

page 16, item # 6.1 – Heritage Designation # 000077 for 538 Yates Street, should read “**excluding** the wood shingles”.

The Corporate Administrator advised Committee that it is good practice to correct minutes to reflect what transpired noting that these minutes had already been corrected at the Council meeting.

**Action:** Councillor Thornton-Joe moved that the minutes from the Committee of the Whole meeting held November 6, 2008, be adopted as corrected.

CARRIED 08/653

### 4. REQUEST TO BRING FORWARD

**Mayor Fortin canvassed Council, who approved bringing forward the following reports for approval:**

- Item # 11 – Heritage Alteration Permit # 00087 for 1007 Johnson Street
- Item # 14 – Solid Waste User Fee Increase
- Item # 15 – 2008 Holiday Season Courtesy Parking Tickets
- Item # 16 – 2009 Festival Investment and Canadian Heritage Grant Recommendations
- Item # 17 – Loan Authorization Bylaw – Crystal Gardens
- Item # 18 – Application for a Permanent Change to a Liquor Licence, Hecklers Bar & Grill, Liquor-Primary Licence No. 027834

#### 4.1 Heritage Alteration Permit # 00087 for 1007 Johnson Street

Committee received a report dated December 11, 2008, from Community Planning with respect to Heritage Alteration Permit # 00087 for 1007 Johnson Street. On December 14, 2006, City Council approved a rezoning for this property to permit rehabilitation of the existing Heritage Designated house, and for the construction of a three-storey addition in the rear yard. Due to high construction costs, the project as designed is not economic. The applicant submitted a revised proposal in June 2008 for the rehabilitation of the house for five residential units, which also has proved to be uneconomic to develop. The applicant is now proposing to rehabilitate the house for offices for their own company, Three Point Properties. One variance is required: to permit 100% office use. The applicant is also proposing to postpone the restoration of the porch and widow's walk until Phase two. The new proposal requires approval of a Heritage Alteration Permit for the proposed changes to the Heritage Designated house and the variance. A public hearing is required.

Correspondence dated October 29, 2008, was received from the Chair of the Downtown Residents' Association, indicating the Association's support.

**Action:** Councillor Young moved that, pursuant to Heritage Designation Bylaw #544, City Council authorize the issuance of Heritage Alteration Permit #00087 in accordance with:

1. Plans dated October 10, 2008.
2. Development meeting all bylaw requirements except for:  
Section 3.67.4(2) - Maximum non-residential use within building relaxed from 50% to 100% of the floor area.
3. Final plans to be in accordance with plans identified above, and in accordance with Heritage Conservation Plan, Donald Luxton and Associates, April, 2008.

CARRIED 08/652

#### **4.2 Solid Waste User Fee Increase**

Committee received a report dated November 27, 2008, from Engineering with respect to Solid Waste User Fee Increase. The purpose of this report is to recommend an increase to the user fee for the solid waste service to offset the actual cost due to increases in Capital Regional District (CRD) tipping fees, the labour rate, and operational costs of the Saturday residential Yard and Garden Waste drop off facility.

Factors influencing the increased cost of providing the solid waste service are as follows:

- CRD tipping fees have increased by 5.5%.
- The labour rate has increased by 3%.
- Resident's use of the Yard and Garden Waste drop off facility has increased by 58%.

In order to address the increased cost of providing these services, the Engineering Department recommends the City adjust the cost to \$174 per year for each single family dwelling. This new cost will represent an increase of 7.4% over the current rate of \$162.00. The 7.4% cost increase is necessary to ensure that this service continues to be sustainable from an operational perspective.

The increased fee will continue to fund the following services:

- Weekly backyard collection of garbage
- Bi-weekly curb side recycling (blue box)
- Saturday Yard and Garden Waste drop off

Fees for Saturday drop off of garbage will also need to be adjusted as per attachment #2 in order to recover the cost of operating this service.

**Action:** Councillor Young moved:

1. That Council approves the new rate of \$174.00 per year for each Single Family Dwelling and increase the multifamily dwellings rate according to attachment #1 in the report dated November 27, 2008, to adjust the last bylaw change effective January 1, 2009.
2. That Council approves the rate adjustment for Saturday drop off of garbage, effective January 1, 2009, as follows:

Garden Waste Car	<b>No Fee</b>
Garden Waste Truck	<b>No Fee</b>
Garbage Bag	<b>\$3.00</b> - no increase
Garbage Car	<b>\$15.00</b> - \$1.00 increase
Garbage Van / SUV	<b>\$23.00</b> - \$1.00 increase
Garbage Truck	<b>\$34.00</b> - \$2.00 increase

CARRIED 08/651

#### **4.3 2008 Holiday Season Courtesy Parking Tickets**

Committee received a report dated December 2, 2008, from Engineering with respect to the 2008 Holiday Season Courtesy Parking Tickets. Annually, for the past several years, the City has issued "Holiday Season Courtesy Parking Tickets" for a period of approximately two weeks before Christmas at expired on-street parking meters. This temporary program is consistent with the 2007 Parking Strategy and the 2007-2009 Corporate Strategic Plan.

It is important to note that this program is not extended beyond the Downtown core of the City and that parking offence notices can still be issued for infractions of over an hour at expired meters. The program ran smoothly last year with minor abuse by some Downtown workers. It was also noted that some drivers deliberately did not pay until the second hour.

The foregone revenue in parking fines of this temporary program is roughly estimated to be approximately \$60,000. This program is viewed as supporting the Corporate Strategic Plan and Parking Strategy by helping to create an incentive to shop Downtown.

**Action:** Councillor Young moved that Council authorizes the Parking Officers/Commissionaires to issue "Holiday Season Courtesy Parking Tickets" to vehicles at expired on-street parking meters as appropriate instead of a Parking Offence Notice/Ticket during the period December 10<sup>th</sup> — 24<sup>th</sup>, 2008, inclusive.

#### **4.4 2009 Festival Investment and Canadian Heritage Grant**

Committee received a report dated December 2, 2008, from Parks, Recreation and Community Development with respect to 2009 Festival Investment and Canadian Heritage Grant Recommendations. The purpose of this report is to make recommendations to Council for recipients of the 2009 Festival Investment Grants (FIG) and to confirm the cash and in-kind contributions the City is prepared to provide towards the intake of 2009 Canadian Heritage Grant applications.

The total of 27 applications received from 24 organizations reflect a total cash request of \$229,235 towards the support of 30 events. The number of grant applications received for consideration represents a slight decrease over last year. This can be attributed to the absence of a number of the one time 2008 anniversary celebrations and the Tall Ships Challenge.

It is recognized that a grant review is planned for 2009, however, staff are requesting all these grant requests be considered at this time. This will enable the City to meet the confirmation of municipal support requirements for those organizations requesting Canadian Heritage funding and confirm all applicants of the City's 2009 support levels.

The Department, within its operating budget, can commit up to \$157,000 towards festival/celebration grants.

**Action:** Councillor Young moved:

1. That Council approve the Festival Investment Grant allocations as recommended by staff in Appendix 1.
2. That Council endorse the support for the Canadian Heritage Grants as recommended by staff in Appendix 1.
3. That recipients be required to ensure that the City of Victoria receives public recognition of its role as a financial sponsor at a value of both the approved grant and in-kind support.
4. That grant recipients submit a final report upon completion of their event.

CARRIED 08/649

#### **4.5 Loan Authorization Bylaw – Crystal Gardens**

Committee received a report dated November 19, 2008, from Finance with respect to Loan Authorization Bylaw – Crystal Gardens. City Council recently adopted a loan authorization bylaw in the amount of \$3,440,015 to fund the upgrade of the Crystal Gardens building. A counter petition process has been completed and now the City has the Certificate of Approval from the Inspector of Municipalities.

The next step in the process is to obtain a resolution from Council authorizing the Finance Department to proceed with borrowing the funds.

**Action:** Councillor Young moved that Council approve borrowing from the Municipal Finance Authority of British Columbia, as part of their 2009 Spring issue, \$3,440,015 as authorized through Loan Authorization Bylaw No. 08-052 (Crystal Gardens) and that the Capital Regional District be requested to consent to our borrowing over a 15 year term and include the borrowing in their security issuing bylaw.

CARRIED 08/648

#### **4.6 Application for a Permanent Change to a Liquor Licence, Hecklers Bar & Grill, Liquor-Primary Licence No. 027834**

Committee received a report dated November 25, 2008, from Legislative and Regulatory Services with respect to an Application for a Permanent Change to a Liquor Licence, Hecklers Bar & Grill, Liquor-Primary Licence No. 027834. This application is to change the hours of sale:

- To 11:00h - 02:00h, Monday to Saturday and 10:00h - 24:00h, Sunday; from the currently approved hours of 12:00h - 02:00h, Monday to Saturday, and 11:00h - 24:00h, Sunday.

The applicant is requesting the change in hours in order to meet revised business objectives of Manager Derek Tusche.

**Action:** Councillor Young moved that Victoria City Council recommends the following change to the liquor primary licence for Hecklers Bar & Grill, operating at 123 Gorge Road E., Victoria, B.C., Liquor Primary License No.027834 to change the hours of sale:

- To 11:00h - 02:00h, Monday to Saturday and 10:00h - 24:00h, Sunday; from the currently approved hours of 12:00h - 02:00h, Monday to Saturday, and 11:00h - 24:00h, Sunday
1. Victoria City Council provides the following comments on the prescribed conditions:
    - a. The potential for increased noise and nuisance is marginal; the operation is located along a busy street on a large piece of property;
    - b. The impact on the community will be minor as the hours increase opening rather than closing hours and is being requested in order to increase food as well as liquor sales;
    - c. 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 November 24, 2008 to which Council received four letters of response, one objecting and three offering no objection and/or offering other feedback to the city.

CARRIED 08/647

## **5. DELEGATION**

### **5.1 Victoria Butler Book Prize – Presentation of Prize Winner**

The Director of Parks, Recreation and Community Development introduced to Committee Neil Williams with the Victoria Book Prize Society and Arleen Paré, this

year's winner of the Butler Book Prize for her book *Paper Trail*. Neil Williams reviewed for Committee the density of literary talent in Victoria. The Butler Book Prize is supported by three groups; Brian Butler, the Book Prize Society and the City of Victoria. The money the City contributes to the book prize goes directly to the winner. He also reviewed the quality of writers and the unique criteria for the prize, which is that the piece be written by a resident of Greater Victoria in any genre. The event has become very popular and is receiving increased recognition. The winning work is a long, lyric poem and Committee members were presented with signed copies of the book.

Arleen Paré thanked Committee for the prize and described how this win was a surprise to her due to the mixed genre of the book. The competition is stiff due to the quality of Victoria writers. She outlined how this prize had always interested her and why it is important for an author to win awards. She described the book which is set in Vancouver and portrays the workings of a bureaucracy. This prize has made a huge difference to her due to the recognition and support it provides to those in the writing business.

Committee thanked Mr. Williams and Ms. Paré for their presentation and the books.

## 6. DEVELOPMENT SERVICES

### 6.1 Rezoning Application # 00213 and Development Permit Application # 000146 for 755 Caledonia Avenue

Committee received a report dated December 11, 2008, from Development Services with respect to concurrent Rezoning Application # 00213 and Development Permit Application # 000146 for 755 Caledonia Avenue. The landowner has proceeded with excavation for site remediation and commenced construction of the underground parkade structure. However, site works have ceased and construction has not progressed.

Townline Ventures Inc. has completed an agreement to purchase the subject property and has stated that successful financing of the project is contingent on severing the existing office building at 1803-1809 Douglas Street from the remainder of the parcel.

A Committee member inquired about the potential for affordable housing on site. The Director of Planning & Development advised that amenities will be considered at a future meeting. Staff confirmed that the potential for rental is in the Master Development Agreement. Other Committee members stated that they have no concerns with this application, which is to sever the building, but further analysis regarding the semi-public realm and the quality of those spaces will be a topic for discussion.

**Action:** Councillor Madoff moved:

1. That Council forward Rezoning Application # 00213 for consideration at a Public Hearing, and that staff be instructed to prepare a Zoning Bylaw

- amendment and review the Master Development Agreement in consultation with the City's Solicitor to prepare any necessary amendments.
2. That Council consider the proposed resolution noted below at the same public meeting for which a Public Hearing is held for the Zoning Bylaw Amendment for 755 Caledonia Avenue, and subject to Council's adoption of the Zoning Bylaw Amendment:  
That Council authorize the issuance of a Development Permit for subdivision in accordance with:
    - a. Plans stamped "Development Permit 000146", dated October 28, 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.

CARRIED 08/646

## **6.2 Rezoning Application # 00190 for 2740 Doncaster Drive**

Committee received a report dated October 29, 2008, from Development Services with respect to Rezoning Application # 00190 for 2740 Doncaster Drive. The application is to rezone the property from a R1-B Zone, Single Family District, to two R1-S2 Zone, Restricted Small Lot (Two Storey) properties. The rezoning will facilitate the construction of a new single family dwelling on one lot, with the existing single family house being retained on the other small lot.

The following points were considered in assessing this application:

- The project is consistent with the *Official Community Plan* policies and the *Oaklands Neighbourhood Plan*.
- The application is generally consistent with the *Small Lot House Guidelines*.
- The variances requested are supportable, as potential impacts are partially mitigated by design considerations and site circumstances.
- Upon submission, the project had full support of the neighbouring residents. An inadvertent, third-party tree removal reduced the overall neighbourhood support to fall below the petition support policy level.
- The applicant has met the CALUC procedures for community consultation. A meeting was hosted by the Oaklands Community Association
- Both small lots will be included in the *Intensive Residential Development Permit Area 26*, regulating the exterior design, finish, and landscaping.

Staff outlined for Committee the accidental tree removal that affected the privacy of the neighbour, though two trees will be provided to replace the lost one and a hedge will be installed down that side of the property. This event, however, caused the neighbour to withdraw support for this application.

A Committee member requested that staff review the communication process with the community association with regards to small lot rezoning, which many people find challenging.

A Committee member requested that small lot rezoning applications be vigilantly reviewed due to the variances requested along with the generous allowances, to ensure the criteria for the site is being met.

**Action:** Councillor Madoff moved:

1. That Council forward Rezoning Application # 000190 for consideration at a Public Hearing and that the proposed resolution noted below be considered at the same meeting for which a Public Hearing is held for 2740 Doncaster Drive.
2. That subject to Council's adoption of that Zoning Regulation Bylaw amendment that Council authorize the issuance of the Development Permit to allow subdivision and construction in accordance with the plans date stamped "October 28, 2008" and with the following relaxations to the Zoning Bylaw, Part 1.23 for the small lot:
  - a. Section 8(a) — Front yard setback (Westall) relaxed from 6.0 m to 3.77 m
  - b. Section 8(b) — Rear yard setback (south) relaxed from 6.0 m to 5.0 m

CARRIED 08/645

### 6.3 Rezoning Application # 00197 for 1739 Hollywood Crescent

Committee received a report dated December 11, 2008, from Development Services with respect to Rezoning Application # 00197 for 1739 Hollywood Crescent. This proposal is to rezone the property from the R1-G Zone, Single Family Dwelling District (Gonzales) District, to a new zone that would allow the addition of a 13.9 m<sup>2</sup> solarium to a five-unit conversion.

The following points were considered in assessing this application:

- The application is consistent with the *Official Community Plan* and the *Gonzales Neighbourhood Plan*.
- The proposed change would have minimal impact on the existing building as it is a small enclosure on the existing deck.
- The addition is proposed on the rear side of the building. The existing streetscape will not be altered.
- The applicant consulted the immediate neighbours and the Planning and Zoning Committee of Fairfield Community Association.
- There will be no loss of green space.
- Staff support this rezoning application.

Committee discussed the addition and that it could be a bedroom or a solarium. The concern neighbours expressed was the potential for blocking views. However, the plans people saw were for a solarium and a covenant would ensure that this is what is built.

**Action:** Councillor Madoff moved that Council advance Rezoning Application # 00197 for consideration at a Public Hearing subject to the registration of a covenant to ensure that the addition is a solarium.

CARRIED 08/644

*Mayor Fortin withdrew from the meeting at 9:46 a.m. Councillor Thornton-Joe assumed the Chair.*

*Mayor Fortin returned to the meeting at 9:47 a.m. and assumed the Chair.*

#### **6.4 Rezoning Application # 00188 for 1715 – 1721 Davie Street**

Committee received a report dated December 11, 2008, from Development Services with respect to Rezoning Application # 00188 for 1715 – 1721 Davie Street. The application is to rezone the land from the RI-B Zone, Single Family Dwelling District, to the R1-S2 Zone, Restricted Small Lot (Two Storey) District and subdivide a portion of both 1715 and 1721 Davie Street to create a single family lot between these two parcels. The proposal would result in three small single family lots.

The following points were considered in assessing this application:

- The proposed development is consistent with the *Official Community Plan* and *Jubilee Neighbourhood Plan*.
- The three small lots will be included in *Development Permit Area 26, Intensive Residential Development* regulating the exterior design, finish, and landscaping. The proposal is generally consistent with the *Design Guidelines for Small Lot Houses*.
- The proposed variances include a side yard setback for the new lot and a front yard setback for 1715 Davie Street. The proposed variances are considered supportable.
- Staff support this rezoning application.

A Committee member noted that the new zoning won't allow secondary suites. This policy diminishes the capacity to allow secondary suites and there should be further discussion on this matter.

**Action:** Councillor Madoff moved:

1. That Council advance the rezoning application for consideration at a Public Hearing.
2. Subject to adoption of the Zoning Bylaw Amendment, Council authorize the issuance of a Development Permit to allow construction in accordance with the plans date stamped "October 29, 2008" and with the following relaxations to the Zoning Regulation Bylaw, Part 1:23:
  - Lot 2 - New Lot
    - Section 8(c) - Side yard setback (south) for a window in a habitable room relaxed from 2.4 m to 1.83 m
  - Lot 3 - 1715 Davie Street
    - Section 8(a) - Front yard setback for existing house relaxed from 6 m to 3.9 m.
3. Final plans to be in accordance with the plans identified above prior to the issuance of a Building Permit, to the satisfaction of the Director of Planning and Development.

CARRIED 08/643

The Mayor welcomed Mayor Graham Hill from the Town of View Royal who gave his greetings to Committee from the town of View Royal.

The Mayor congratulated Councillor Young on his appointment as the Chair of the CRD.

#### **6.5 Development Variance Permit Application # 00059 for 723 Field Street**

Committee received a report dated December 4, 2008, from Development Services with respect to Development Variance Permit Application # 00059 for 723 Field Street. The application is to convert three existing suites within an apartment complex that were illegally constructed without City-approved building permits into four suites that are compliant with building code standards.

Converting the suites will require variances to the City's Zoning Regulation Bylaw, to reduce off-street parking spaces and reduce minimum suite sizes. Staff has no objection to the proposed parking variance as the property is in close proximity to major transit routes, and given the applicant's willingness to secure access to existing parking that is provided on the lot. Staff has no objection to the proposed reduction in suite sizes given the provision of affordable rental housing and the addition of a window to improve liveability within a smaller space.

This Development Variance Permit application requires sign posting, notification and a hearing.

Staff advised Committee that this property is subject to Remedial Action Required (RAR) with work to be completed by November 17, 2008, which has expired.

A Committee member discussed with staff the square footage of the suites which are from 230 to 350 sq feet and will rent from \$450 to \$750 a month.

Committee members discussed with staff the following:

- The transient nature of the rest of the building.
- The expiration of the Remedial Action Required and the procedure when the time lines are exceeded; the work should have been completed in 120 days but staff are moving forward with this.
- Community consultation; The Burnside Gorge Community Association doesn't normally make comments on DP applications though they were aware of this one.

A Committee member requested that the applicant consider providing Class "1" bike stalls for the 12 stalls that are being offered, rather than Class "2". These provide a higher level of security and protection. Staff advised that this application doesn't trigger additional parking for bikes and that this is a voluntary addition. It can be considered at the public hearing and will be an interesting policy discussion as more smaller, affordable units are being created.

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

1. Plans stamped "Development Variance Permit #00059" dated October 10, 2008.
2. Development meeting all Zoning Regulation Bylaw requirements with the following variances:
  - a. Section 3.3.2 - Minimum unit size relaxed from 33m<sup>2</sup> to 29.84m<sup>2</sup> (Unit 1), 29.2m<sup>2</sup> (Unit 2) and 31.1m<sup>2</sup> (Unit 6).
  - b. Schedule 'C' Section A.11(b) - Parking relaxed from 1.4 parking stalls per unit (6 stalls) to nil for a maximum of 4 dwelling units subject to registration of an easement through the property to the west, to secure access to six parking stalls located on the subject property, to the satisfaction of the Director of Engineering.
3. Final plans to be in accordance with the plans identified above to the satisfaction of the Director of Planning and Development.

CARRIED 08/642

## **6.6 Development Permit Application # 000143 for 2631 Quadra Street**

Committee received a report dated December 3, 2008, from Development Services with respect to Development Permit Application # 000143 for 2631 Quadra Street. The proposal is to make exterior changes to an existing building to accommodate a liquor retail store. This development permit application is in conjunction with a rezoning application to allow the liquor retail store as a permitted use on the property.

The applicant is proposing exterior changes to the existing building, including a new fabric awning with signage, new cedar siding, an improved entry door, and detailing such as window signs.

The following points were considered in assessing this application:

- The property is within *Development Permit Area 28, Quadra Village*. This Development Permit Area provides guidelines for the exterior design and finish of buildings and establishes landscape standards. The exterior changes to the proposed liquor retail store are generally consistent with the *Quadra Village Design Guidelines*.
- The application complies with the *Licensee Retail Store Rezoning Policy*.
- The Victoria Police Department has no concerns with regard to this application.
- The Hillside-Quadra Neighbourhood Action Group has reviewed the application.

A Committee member discussed with the applicant the location of bike racks and adding extra bike space in front of the store. The applicant said that a bike rack is part of the concept for a community store and would be happy to include that.

A Committee member noted that the neighbourhood association had reviewed the application and inquired if they made any comments. Staff advised the comments were included in the rezoning application and that the applicant is working closely with the neighbourhood association regarding the good neighbour agreement. A Committee member noted that concerns will be heard at the public hearing in the new year.

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

1. Plans stamped "Development Permit # 000140 dated October 10, 2008.
2. Development meeting all Zoning Bylaw requirements.
3. Final plans to be in accordance with the plans identified above to the satisfaction of the Director of Planning & Development.

CARRIED 08/641

## **6.7 Development Permit Application # 000145 for 1190 Kings Road**

Committee received a report dated December 3, 2008, from Development Services with respect to Development Permit Application # 000145 for 1190 Kings Road. The Cridge Centre is proposing to convert two of its existing six-bedroom townhouses into a total of eight self-contained one-bedroom units. This proposal would result in six additional self-contained housing units on the property. The application conforms to the Zoning Regulation Bylaw, with the exception of a proposed parking relaxation. The Zoning Regulation Bylaw requires eight parking stalls for the additional six residential units. The applicant is requesting that no additional parking be required.

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

- The proposal is generally consistent with the *Official Community Plan* and the *Oaklands Neighbourhood Plan*.
- The application advances goals contained in the *City of Victoria Comprehensive Housing Strategy*.
- The proposed development consists primarily of interior changes to the building. The exterior changes are considered minor and are consistent with the intent and direction of the *Cridge Centre Design Guidelines, 2001*.
- The requested parking variance is considered supportable because there is sufficient parking on the site to handle the additional units, as many of the existing residents do not own cars.

As this Development Permit application includes variances, notification, sign posting and a hearing are required.

Committee discussed with staff bike parking requirements. This application doesn't trigger a new requirement but each unit has a covered locker where a bike can be parked undercover and secure. Also requested was bike parking for visitors.

A Committee member noted that there are more than twenty parking stalls unoccupied on a daily basis and a further policy discussion may be to use that underutilized land for potential development sites for more of these types of housing units.

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

1. Plans stamped "Development Permit #000145" dated, October 24, 2008.

2. Development meeting all Zoning Regulation Bylaw requirements with the following variances:
  - Schedule "C" Section A.13 - Parking relaxed from 1.4 stalls per unit to 1.15 stalls per unit.
3. Final plans to be in accordance with the plans identified above prior to the issuance of a building permit, to the satisfaction of the Director of Planning and Development.

CARRIED 08/640

## 7. COMMUNITY PLANNING

### 7.1 Heritage Designation # 000073 for 194 Olive Street

Committee received a report dated December 11, 2008 from Community Planning with respect to Heritage Designation # 000073 for 194 Olive Street. This is an owner request to designate a small, California Bungalow-style residence in the Fairfield Neighbourhood.

Councillor Young advised Committee that a relative lives nearby and he would withdraw from this discussion if Council felt there was property value in this designation.

**Action:** Councillor Hunter moved that, whereas the building at 194 Olive Street is of heritage significance, City Council designate it as a Municipal Heritage Site, including the features and finishes of the interior front hallway, living room and dining room.

CARRIED 08/639

### 7.2 Heritage Alteration Permit # 00088 for # 3 Centennial Square

Committee received a report dated December 11, 2008, from Community Planning with respect to Heritage Alteration Permit # 00088 for # 3 Centennial Square. This application is for a proposed new canopy and stage area on the rear elevation of the McPherson Theatre, a Heritage Designated building at 3 Centennial Square, proposed as part of the Spirit Square project for the redevelopment of the southwest corner of Centennial Square.

Staff outlined for Committee the process to date that is part of the Spirit Square program where the City received a \$500,000 grant and how this permit application is a part of that project. The Heritage Advisory Committee unanimously endorsed this canopy.

A Committee member inquired about further design refinements to the canopy. The applicant advised that they met with one of the original architects who provided some ideas which they are taking under advisement. The approach is appropriate but it was requested that there be some flexibility to allow for further refinements to take place without delaying the project.

A Committee member noted that he is not opposed to the heritage alteration permit but he doesn't support the extra components that have been approved by Council for this project. These are extra costs that will be borne by the City and some elements could be postponed.

The Mayor noted that this project was endorsed by the majority of Council and will be moving ahead in the spring. He suggested that the drawings be displayed to share the proposal with people.

A Committee member inquired about the design principles with respect to the canopy. The applicant advised that CPTED principles were considered with this proposal.

**Action:** Councillor Thornton-Joe moved that, pursuant to Heritage Designation Bylaw # 544, City Council authorize the issuance of Heritage Alteration Permit # 00088 in accordance with:

1. Drawings dated December 2, 2008.
2. Development meeting all bylaw requirements.
3. Consideration of further refinement of canopy design.
4. Final plans to be in accordance with plans identified above.

CARRIED 08/638

## **8. SOCIAL PLANNING & HOUSING**

### **8.1 Victoria Housing Trust Fund – Grant to Cridge Centre for the Family, 1307 Hillside Avenue**

Committee received a report dated December 4, 2008, from Social Planning and Housing with respect to Victoria Housing Trust Fund – Grant to Cridge Centre for the Family, 1307 Hillside Avenue. The Cridge Centre for the Family has submitted a grant request for \$80,000 to assist in meeting the capital costs of renovating an existing building which is owned by the Cridge Centre from two six-bedroom units into eight fully self-contained one-bedroom units (approximately 500 sq ft per unit). The target tenant group is vulnerable older single women who have been affected by violence and have no access to safe housing. Tenant referrals will come from the Cridge Transition House and other transition houses in the City. In undertaking this project, the Cridge Centre for the Family will continue in their role helping at-risk and homeless people within Victoria.

The Cridge Centre for the Family require funds for capital costs of \$410,900. The agency is also contributing \$25,000 towards these costs and will manage the project themselves. In addition to the application for \$80,000 from the City, applications have also been submitted to the Regional Housing Trust Fund (\$80,000), the Greater Victoria United Way (\$160,000), the Victoria Foundation (\$16,000 - approved) and the Real Estate Foundation of BC (\$50,000).

This proposal meets the intention, principles and spirit of the Victoria Housing Trust Fund as well as being consistent with the City's approved Comprehensive Housing Strategy. A funding recommendation is presented for Council's decision, based on

application of the policy guideline of a per-unit maximum contribution of \$10,000 towards the capita costs to convert the two large units into eight smaller units.

Committee discussed with staff the following:

- This is the first application received in 2008; the challenge for organizations to complete the requirements for this grant.
- Increasing the funding to \$80,000 due to there being few applications; staff advised this policy only changed in 2007.
- Distributing the information regarding this grant to the community to heighten awareness.
- Reviewing this policy and the suggestion that different approaches be used for different organizations; the CRD Housing Trust Fund has carried out this type of process.

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

1. That Council approve a grant of \$80,000 to assist the Cridge Centre to create six additional units of non-market rental housing for the target tenant group of vulnerable older single women. This grant would be subject to registration of a Section 219 Covenant restricting the use to affordable housing.
2. That The Cridge Centre for the Family ensure that the City of Victoria receives public recognition of its role as a financial contributor to this housing project and submits a final report upon project completion to the Planning & Development Department.

CARRIED 08/637

## 9. LEGISLATIVE AND REGULATORY SERVICES

### 9.1 Proposed 2009 Committee of the Whole and Council Meeting Schedule

Committee received a report dated December 5, 2008, from Legislative and Regulatory Services with respect to the Proposed 2009 Committee of the Whole and Council Meeting Schedule. In compliance with the *Community Charter*, a proposed schedule for 2009 Committee of the Whole and Council meetings is noted below for Committee's consideration. The proposed schedule follows Council's direction to hold Committee of the Whole meetings on the 1<sup>st</sup> and 3<sup>rd</sup> Thursday of the month and Council meetings on the 2<sup>nd</sup> and 4<sup>th</sup> Thursday. It was noted that the City's governance review may result in the creation of new Council committees and the addition of new meetings to the schedule in 2009.

Please note the following 2009 events of interest to Council members:

- February 25<sup>th</sup> – 27<sup>th</sup>, 2009 - Local Government Leadership Academy (Richmond)
- April 3<sup>rd</sup> – 5<sup>th</sup> – AVICC Annual Conference (Nanaimo)
- June 5<sup>th</sup> – 8<sup>th</sup> - FCM Annual Conference (Whistler)
- September 28<sup>th</sup> – October 2<sup>nd</sup> – UBCM Annual Conference (Vancouver)

2009	Committee of the Whole	Council
January	8, 22	15, 29

February	5, 19	12, 19
March	5, 19	12, 26
April	2, 23	9, 30
May	7, 21	14, 28
June	4, 18	11, 25
July	9	16
August	13, 27	20
September	3, 17	10, 24
October	8, 22	15, 29
November	5, 19	12, 26
December	3	10

**Council Workshops**

- Friday, January 9, 2009 9:00am – 4:00pm Priorities & Planning
- Tuesday, January 20, 2009 9:00am – 12 Noon 2009 Financial Plan
- Tuesday, January 27, 2009 9:00am – 12 Noon 2009 Financial Plan

Councillor Luton noted that he is returning to town and available on the 7<sup>th</sup> or 8<sup>th</sup> of January. The Corporate Administrator advised that January 8<sup>th</sup> is a regular Committee of the Whole Meeting and it may be possible to schedule the Priorities and Planning for that afternoon. January 9<sup>th</sup> may also be a date that works for Committee. He also outlined for Committee 2009 events that may be of interest to Committee members.

*Councillor Lucas withdrew from the meeting at 10:50 a.m.*

*Councillor Lucas returned to the meeting at 10:53 a.m.*

Committee discussed various meetings and potential dates with staff.

**Action:** Councillor Luton moved that Council adopts the 2009 meeting schedule outlined in the report dated December 5, 2008.

CARRIED 08/636

**10. ADMINISTRATIVE MATTERS**

**10.1 Disposition of Communications dated November 27 & December 5, 2008**

A Committee member inquired about # 33 and # 34 on the disposition summary and concerns from the Oakland neighbourhood. Also of concern are items # 51 to # 54, regarding proceedings with 1001 Terrace Avenue. Staff advised this is a complex matter and that Committee can anticipate a report from Development Services outlining the process. A report will go to Committee of the Whole and to potentially to public hearing at which time legal advice will be given.

A Committee member inquired regarding # 15 and income derived from gas tax. The Corporate Administrator described the disposition as a summary of all correspondence received and that detailed letters are available on the central

Council table or a staff member can provide a copy. More information on the funds from gas tax will come from the Finance department.

A Committee member inquired about the correspondence from 'Faith in Action', item # 1 on the disposition, noting it may be worthwhile to invite them to present to Committee of the Whole due to their ability to speak with moderation and tolerance on issues such as the needle exchange. The Chair suggested that the best way to facilitate that would be to visit the Access centre.

**Action:** Councillor Luton moved that the Disposition of Communications dated November 27 & December 5, 2008, from the Manager, Administration, be received for information and filed.

CARRIED 08/635

## 11. COUNCILLOR INFORMATION SHARING AND INQUIRIES

### 11.1 Councillor Luton – Bike BC, \$31 Million Infrastructure Fund

Councillor Luton outlined for Committee a new fund available from the province called Bike BC that is shared funding that would support major regional projects. He would like to see the City pursue this program before it is distributed elsewhere. This would help projects such as the Bay Street Bridge, where it is proposed to change the sidewalk and add bike lanes. He hopes funding for this type of project will be through the province and relay this idea of where to spend the funds.

The City Manager advised Committee that Engineering staff are aware of this fund and are in discussion with Ministry staff. The Director of Engineering advised it will be reviewed with other cycling projects and be prioritized as part of the budget program.

Councillor Coleman noted this was rolled out at UBCM and while there has been a focus on Kelowna and Vancouver and is meant to be regional so it may have a greater application.

Councillor Luton advised that Bay Street was identified because it is a pinch point travelling from other municipalities and is significant as a part of the regional growth strategy.

### 11.2 Councillor Lucas – Work Place Health and Welfare

Councillor Lucas outlined for Committee an inquiry regarding Health and Welfare and asked that the City consider including a health and dental package with Council remuneration. There is a current offer to join a plan but would take a significant financial contribution.

Staff advised that the remuneration report will be made available to Committee and if there is an interest to move forward on this, staff will undertake it.

Councillor Chandler noted that helpful information for Council members would be to outline what is available for Councillors outside of their remuneration, such as the BC ProPass program.

### **11.3 Councillor Lucas – Harm Reduction Presentation**

Councillor Lucas outlined for Committee an inquiry regarding a presentation on harm reduction from the people who first did the presentation to VIHA.

### **11.4 Councillor Lucas – Safe Consumption Site**

Councillor Lucas outlined for Committee an inquiry regarding public health and a safe consumption site and described a secondary model that is more community-based and doesn't require federal support. The Dr. Peter centre in Vancouver is such a site in Vancouver. Councillor Lucas would welcome an opportunity to send a delegation to the centre and report back to Committee if this would be a fit for Victoria.

### **11.5 Councillor Madoff – Civic Election Process**

Councillor Madoff outlined for Committee an inquiry regarding the Civic Election and the nomination process. There have been inquiries from individuals but she understands staff will be providing a report with options in the new year and will refer the public to that discussion.

### **11.6 Councillor Madoff – Notice of Motion – Cridge Park & CRD Lawn Bowling Green**

Councillor Madoff declared a Notice of Motion in the new year to request that Committee consider removing both the Cridge Park and CRD Lawn Bowling Green from consideration for redevelopment.

### **11.7 Councillor Thornton-Joe – Downtown Service Providers**

Councillor Thornton-Joe outlined for Committee background information that resulted in the creation of the Downtown Service Providers. There were many service organizations with services overlapping. Reverend Tysick organized the Downtown Service Providers about five or six years ago to share programs and look at gaps. They recently met to discuss this year's accomplishments because the discussion is often about all the problems that exist. It was wonderful to hear each organization say there was one or many new things that have moved forward. At the end they commented on the role of the City, the former mayor and the Mayor's Task Force and Coalition. It was noted that once the Task Force was created, doors opened that never opened before. It was a positive experience to reflect on what has been accomplished.

## 11.8 Councillor Lucas – Report on Homelessness

Councillor Lucas outlined for Committee an inquiry regarding a legal agency in the Downtown East Side who published a report about one month ago that specifically discussed homelessness. The report outlined Councillor Candidates' recommendations on homelessness. There was a lot of relevant information for the City of Victoria and he requested that copies are made for all to review and determine if it is applicable to this region.

## 12. CLOSED MEETING at 11:14 a.m.

*Committee recessed at 11:15 a.m.*

*Committee reconvened at 11:22 a.m.*

### **Committee Members Present:**

Mayor Fortin in the Chair, Councillors Chandler, Coleman, Lucas, Luton, Hunter, Madoff, Thornton-Joe and Young.

### **Staff Present:**

P. Ballantyne – City Manager; R. Woodland – Corporate Administrator; C. Havelka – Recording Secretary.

### **Staff Present for a Portion of the Meeting:**

M. McCliggott – Assistant City Manager; K. Friars – Director, Parks, Recreation & Community Development; B. Naughton – Interim Police Chief; D. Schaffer – Manager, Legislative Services; K. Josephson – Manager, Communications; B. Warner – Director of Finance; A. Meyer – Manager, Development Services; J. Matanowitsch – Senior Planner; G. McDannold – Staples, McDannold Stewart; P. Johnson – Staples McDannold Stewart.

### **Guests:**

K. Stinson – Executive Director of Cool Aid Society; D. Strongitharm – City Spaces Consulting.

**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 08/634

## 12.1 Minutes from the Closed Portion of the Committee of the Whole Meeting held November 6, 2008

**Action:** Councillor Thornton-Joe moved that the Closed Portion of the minutes from the Committee of the Whole meeting held November 6, 2008, be adopted.

CARRIED 08/633

## **12.2 Legal – Litigation – Parks Bylaw Enforcement**

Committee received correspondence from the City's Solicitor dated December 8, 2008, with respect to Legal, Litigation – Parks Bylaw Enforcement.

The discussion and motion were recorded and kept confidential

(Closed Resolution # 08/632)

## **12.3 Land – New Lease – Centennial Square**

Committee received a report dated December 1, 2008, from Legislative and Regulatory Services with respect to a New Lease – Centennial Square.

The Hallmark Society has been a tenant in # 18 Centennial Square for four years. The lease has expired and the tenant has requested a new lease.

**Action:** Councillor Young moved that Council approves a new lease with the Hallmark Society as follows:

1. Term of two years commencing January 1, 2009, with one further renewal term
2. Consideration of \$6,000.00 per annum plus GST.
3. No improvement works funded by the City.
4. Tenant responsible for cleaning, illuminated signage, telephone and cabling.

CARRIED 08/631

## **12.4 Land – New Lease – 738 Johnson Street**

Committee received a report dated December 2, 2008, from Legislative and Regulatory Services with respect to a New Lease – 738 Johnson Street. The City has received an offer to lease this space for two years. The previous lease was surrendered by Greenhouse Travel Ltd. on August 31, 2008, the space has been used by City staff for the municipal elections in the interim.

**Action:** Councillor Young moved that Council approves a new lease with Sang Woo Park as follows:

1. Term of two years commencing January 1, 2009, with one further renewal term
2. Consideration of \$18,600.00 per annum plus GST
3. No improvement works funded by the City.

CARRIED 08/630

## **12.5 Reappointment – Greater Victoria Family Court & Youth Justice Committee**

Committee received a report dated December 3, 2008, from Legislative and Regulatory Services with respect to a Re-appointment to the Greater Victoria Family Court and Youth Justice Committee.

**Action:** Councillor Young moved that Council re-appoint Marlene Lavallee to the Greater Victoria Family Court and Youth Justice Committee for a one-year term, ending December 31, 2009.

CARRIED 08/629

## **12.6 Reappointment – Victoria Athletic Commission**

Committee received a report dated December 3, 2008, from Legislative and Regulatory Services with respect to a Re-appointment to the Victoria Athletic Commission.

**Action:** Councillor Young moved:

1. That Council re-appoint Dr. Dan Buie, Tom Black and George Jones as regular members to the Victoria Athletic Commission for a one-year term, ending December 31, 2009.
2. That Council re-appoint Robert Bryden as an advisory member to the Victoria Athletic Commission for a one-year term, ending December 31, 2009.

CARRIED 08/628

## **12.7 Legal – Zoning Bylaw & Development Permit Authority**

Committee received a report dated December 4, 2008, from Development Services with respect to Legal – Zoning Bylaw and Development Permit Authority.

The discussion was recorded and kept confidential.

## **12.8 Legal – Memorandum of Understanding**

Discussion of this item was postponed.

## **12.9 Appointment – Greater Victoria Public Library Board**

Committee received a report dated December 9, 2008, from Legislative and Regulatory Services with respect to an appointment for the Greater Victoria Public Library Board.

The discussion was recorded and kept confidential.

**Action:** Councillor Hunter moved that Victoria City Council:

1. Reappoint Michelle Wong to the Greater Victoria Public Library Board for a term ending December 31, 2010.
2. Reappoint Donald Hamilton to the Greater Victoria Public Library Board for a term ending December 31, 2009.

CARRIED 08/627

*Mayor Fortin left the meeting at 1:54 p.m. due to a non-pecuniary conflict of interest regarding the following item. Councillor Thornton-Joe assumed the Chair.*

#### **12.10 Lease – 525 – 545 Ellice Street**

Committee received a report dated December 8, 2008, from Legislative and Regulatory Services with respect to the Lease for 525 – 545 Ellice Street.

*Councillor Chandler withdrew from the meeting at 2:17 p.m.*

*Councillor Chandler returned to the meeting at 2:23 p.m.*

The discussion and motion were recorded and kept confidential.

(Closed Resolution # 08/626)

*Councillor Chandler left the meeting at 2:38 p.m.*

#### **12.11 Legal – Housing Emergency Bylaw**

Committee received correspondence dated December 9, 2008, from the City's Solicitor regarding the Housing Emergency Bylaw.

The discussion was recorded and kept confidential.

### **13. ADJOURNMENT**

**Action:** Councillor Coleman moved that the Committee of the Whole meeting of December 11, 2008, be adjourned at 3:06 p.m.

CARRIED 08/625

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Mayor Fortin, Chair