

- 5) Final plans to be in accordance with plans identified above to the satisfaction of the Director of Planning & Development. Carried

HEARINGS – REQUESTS TO ADDRESS COUNCIL

It was moved by Councillor Hughes, seconded by Councillor Fleming, that the following speakers be permitted to address Council. Carried

1. David Miron – Re: Independence and Assistance

Mr. Miron requested Council to petition the government to have his medical records transferred to Ottawa, Ontario, in order for him to receive medical treatment there. Mr. Miron also suggested that the secretaries at the Salvation Army receive a pay raise.

2. Joe Richards – Re: VIA Rail Dayliner

Mr. Richards encouraged Council to continue its efforts to remove graffiti from City property. Mr. Richards also encouraged the continued operation of the VIA rail system on Vancouver Island.

UNFINISHED BUSINESS

1. Motion – Re: Development Variance Permit Application No. 01-14 for property known as 2898 Douglas Street to **be received and filed.**

Development Variance Permit No. 01-14 for 2898 Douglas Street was considered by Council, following a public hearing, on August 23, 2001. Council's motion to decline the application lost on a tie vote. On November 22, 2001, Council reconsidered and tabled the application. This application has been replaced by Development Variance Permit No. 01-14A, which was approved earlier in the agenda.

It was moved by Councillor McLean, seconded by Councillor Holland, that Development Variance Permit No. 01-14 for 2898 Douglas Street **be received and filed.** Carried

REPORTS OF THE COMMITTEE

COMMITTEE OF THE WHOLE – December 13, 2001

1. **SPECIAL PROJECT GRANTS PROGRAM REVIEW - FINAL REPORT.** It was moved by Councillor Savoie, seconded by Councillor Fleming, that the revised Special Project Grants Policy & Guidelines and the Communication Plan, as outlined in the report dated December 13, 2001 from the Community Development Planner, be endorsed, with the following changes:

- 1) Conditions of Funding - Item 4, be changed as follows:
Delete "The City of Victoria reserves the right to request the return of unused funds" and substitute "All unused funds will be returned to the City of Victoria".
- 2) Add as Item 5 under Conditions of Funding:
"No grant will be considered unless Item 3 under Conditions of Funding is met from any previous grant."
- 3) Under Eligibility Criteria the category of "Arts & Culture" be changed to "Heritage, Arts, & Culture". Carried

2. **GOVERNMENT STREET MARKET - CONTRACT RENEWAL.** It was moved by Councillor Savoie, seconded by Councillor Fleming, that approval be given to a three-year contract (2002 - 2004) with Victoria Open Air Markets Ltd. to operate the Government Street Market in the 1600 Block of Government Street. Carried

3. **DESIGN GUIDELINES UPDATE - PHASE 1.** It was moved by Councillor Savoie, seconded by Councillor Fleming, that:

- 1) the City Solicitor be instructed to revise and consolidate Schedule B of Official Community Plan Amendment Below to:

5. **BUDGET STATUS REPORT - OCTOBER 31, 2001.** It was moved by Councillor Savoie, seconded by Councillor Fleming, that the 2001 - 2005 Financial Plan be amended as outlined in the schedule entitled "October 31, 2001 Budget Review Adjustments" attached to the report dated December 13, 2001 from the Manager, Finance Services. Carried

6. **INTERMUNICIPAL COMMITTEE RECOMMENDATIONS.** It was moved by Councillor Savoie, seconded by Councillor Fleming, that the following recommendations of the Intermunicipal Committee, be endorsed:

Disposition of Surplus Funds

That the balance of the Arts Development Office 2001 Budget carry-forward of \$33,977 be applied to assist in the Arts Development Office's transition to the Capital Regional District.

Disposition of the Commonwealth Legacy Fund

That the Greater Victoria Intermunicipal Committee transfer the Commonwealth Legacy Fund to the Capital Regional District.

Social Services - Operating and Special Project Grants

That the Greater Victoria Intermunicipal Committee recommend to the member municipalities that:

- 1) The Greater Victoria Intermunicipal Committee be dissolved.
- 2) The Greater Victoria Intermunicipal Committee Social Services Operating and Special Program grants programs be terminated in their current form.
- 3) Each municipality consider funding the 2002 Operating Grants for the Community Social Planning Council of Greater Victoria, NEED Crisis & Information Line, St. John's Ambulance (Victoria Branch), and Volunteer Victoria at the same level as 2001.
- 4) These four organizations make a joint application directly to each Greater Victoria Intermunicipal Committee member municipality for the 2002 Operating Grants.
- 5) The Capital Regional District integrate a social planning function into its regional planning function. Carried

COMMITTEE OF THE WHOLE – January 10, 2002

1. **DEVELOPMENT PERMIT APPLICATION #01-40 - 60 DALLAS ROAD.** It was moved by Councillor Holland, seconded by Councillor Fleming, that a Development Permit for 60 Dallas Road be issued in accordance with:

- a) Plans stamped "Development Permit Application #01-40, dated January 3, 2002;
- b) Development meeting all bylaw requirements except:

Section 4.53.6	Open site space relaxed from 45% minimum to 22%
Section 4.53.8(1)(a)	Dallas Road setback relaxed from 3m to 1.5m
Section 4.53.8(2)(a)	Simcoe Street setback relaxed from 6m to 1.5m
Section 4.53.9(2)	Relaxation of live/work parking from 2 stalls per unit to 1.5 stalls per unit
- c) Final plans to be in accordance with plans identified above, with the incorporation of the responses to the recommendations of the Advisory Design Panel, to the satisfaction of the Director of Planning & Development. Carried

2. **RESIDENTIAL STRATA TITLE APPLICATION - 2565/2567 BLACKWOOD STREET.** It was moved by Councillor Holland, seconded by Councillor Fleming, that the application to strata title the duplex at 2565/2567 Blackwood Street be approved subject to compliance with the applicable provincial codes and municipal bylaws. Carried

3. **PEMBERTON PARK.** It was moved by Councillor Holland, seconded by Councillor Fleming, that the Margaret Jenkins School Planting project at Pemberton Park be approved, subject to resolution, between staff and the proponents, of final details regarding tree species selection and planting locations. Carried

4. **LEASE - HARBOUR ROAD.** It was moved by Councillor Holland, seconded by Councillor Fleming, that approval be given to a new lease with Western Subsea Technology Limited for Unit #1 at 202

MOTIONS

1. Motion – Parks and Greenways Acquisition Fund

A motion to establish a Parks and Greenways Acquisition Fund was considered by Council, on December 13, 2001. Council's motion lost on a tie vote.

It was moved by Councillor Madoff, seconded by Councillor Savoie, that Council reconsider the following motion:

That approval be given to:

- 1) the establishment of a Parks and Greenways Acquisition Reserve Fund;
- 2) funding this reserve by allocating 10% of all future land sales to the reserve. Carried

Councillors Hughes and McLean voted against the motion.

It was moved by Councillor Madoff, seconded by Councillor Lunt, that approval be given to:

- 1) the establishment of a Parks and Greenways Acquisition Reserve Fund;
- 2) funding this reserve by allocating 10% of all future land sales to the reserve.

It was moved by Councillor McLean, seconded by Councillor Holland, that the motion be amended to read:

That approval be given to:

- 1) the establishment of a Parks, **Public Art** and Greenways Acquisition Reserve Fund;
- 2) funding this reserve by allocating **15%** of all future land sales to the reserve. Lost

Mayor Lowe and Councillors Fleming, Hughes, Lunt, Madoff, Savoie and Vanden Berg voted against the motion.

On the main motion Carried

Mayor Lowe and Councillors Holland, Hughes and McLean voted against the motion.

2. Motion – Zoning Regulation Bylaw – No. 01-148 – Receive and File

Zoning Regulation Bylaw, Amendment Bylaw (No. 632) – No. 01-148 (Dance Club and All-Night Dance Clubs) has been replaced by Zoning Regulation Bylaw, Amendment Bylaw (No. 633) – No. 02-2.

It was moved by Councillor McLean, seconded by Councillor Hughes, that the following bylaw **be received and filed**:

Zoning Regulation Bylaw, Amendment Bylaw (No. 632)	01-148
(Dance Club and All-Night Dance Clubs)	<u>Carried</u>

BYLAWS

INTRODUCTION AND SECOND READING

It was moved by Councillor Fleming, seconded by Councillor Hughes, that the following bylaws **be given two readings**:

Heritage Designation (1614 Pinewood Avenue) Bylaw (No. 474)	02-5
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Heritage Designation (1310 Topaz Avenue) Bylaw (No. 475)	02-6
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Zoning Regulation Bylaw, Amendment Bylaw (No. 633)	02-2
(Dance Club and All-Night Dance Clubs)	<u>Carried</u>

Mayor Lowe returned to the Council Chambers and resumed the Chair at 8:03 PM.

INTRODUCTION, SECOND AND THIRD READING

It was moved by Councillor Lunt, seconded by Councillor Hughes, that the following bylaws **be given three readings:**

Sewer User Charge Bylaw, Amendment Bylaw (No. 9) (Increase Consumption Rate for Use of Sewers)	02-10
Waterworks Bylaw, Amendment Bylaw (No. 19) (Increase Consumption Charge)	02-11
Loan Authorization (Multipurpose Facility) Bylaw	02-12 <u>Carried</u>

ADOPTION

It was moved by Councillor Hughes, seconded by Councillor Lunt, that the following bylaw **be adopted:**

Tax Exemption (1407 Broad Heritage, 2001) Bylaw	01-132 <u>Carried</u>
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THIRD READING

It was moved by Councillor Savoie, seconded by Councillor Lunt, that the following bylaw **be given third reading:**

Storm Water Bylaw	01-154 <u>Carried</u>
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It was moved by Councillor Savoie, seconded by Councillor Lunt, that Ticket Bylaw, Amendment Bylaw (No. 8) – No. 01-155 be amended by deleting the original Schedule A and substituting the revised Schedule A attached, which includes Illegal Soliciting as a Municipal Police Constable enforcement issue under the Streets and Traffic Bylaw. Carried

It was moved by Councillor Savoie, seconded by Councillor Lunt, that the following bylaw **be given third reading, as amended:**

Ticket Bylaw, Amendment Bylaw (No. 8)	01-155 <u>Carried</u>
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QUESTION PERIOD

A question period was held.

ADJOURNMENT

It was moved by Councillor McLean, seconded by Councillor Hughes, that the Council meeting adjourn.
Time: 8:05 PM. Carried

CERTIFIED CORRECT: