

MINUTES - VICTORIA CITY COUNCIL
MEETING OF THURSDAY, MAY 9, 2002 AT 7:30 PM

PLACE OF MEETING: Council Chambers, City Hall

PRESENT: Mayor Lowe in the Chair and Councillors Holland, Hughes, Lunt, Madoff, McLean, Savoie and Vanden Berg

ABSENT: Councillor Fleming

APPROVAL OF AGENDA

The Corporate Administrator outlined changes to the agenda. It was moved by Councillor Lunt, seconded by Councillor McLean, that the agenda be approved. Carried

MINUTES

It was moved by Councillor Lunt, seconded by Councillor Hughes, that the minutes of the regular Council meeting of April 25, 2002 be approved. Carried

PROCLAMATIONS

It was moved by Councillor Lunt, seconded by Councillor Hughes, that the following proclamations be endorsed:

World Partnership Walk Day, May 26, 2002
Leave A Legacy Week, May 13-19, 2002
National Public Works Week, May 19-25, 2002
Hemochromatosis Awareness Week, May 25-31, 2002

Carried

PUBLIC HEARINGS

1. **APPLICATION FOR REZONING OF PROPERTY known as 453 Kipling Street:**

(1) **Rezoning Application No. 02-02:**

REZONING BYLAW (NO. 1084) – No. 02-49:

To rezone land known as 453 Kipling Street to the R1-S2 Zone, Restricted Small Lot (Two Storey) District to permit the land to be used for a new house in the rear yard of an existing house.

Legal description: Lot 108, Fairfield Farm Estate, Victoria City, Plan 884
Existing Zone: R1-B Zone, Single Family Dwelling District

CORRESPONDENCE:

Five (5) letters were received supporting the application.

Six (6) letters were received objecting to the application.

PRESENTATIONS:

Ms. Elizabeth Skaggs (Applicant): read a letter from Mr. Lawrence Skaggs advising that the application is in keeping with the character of the neighbourhood. The proposed new house will be a valuable addition to the neighbourhood and provide a new single family dwelling. The lot orientation is consistent with the neighbourhood. The neighbours have been consulted. The immediate neighbours have no objection to the application. This is an appropriate in-fill project. The exterior of the existing home will be restored. Ms. Skaggs submitted nine (9) letters and a petition with twenty (20) signatures supporting this application.

Ms. Anita Misri, 439 Kipling Street: read a letter from Ms. Colleen Malatest, of 443 Kipling Street, objecting to the application. This development will set a precedent. The proposed house is too large for this site and will create more congestion in the area.

Ms. Mary Doody-Jones, 435 Kipling Street: submitted a letter of petition from neighbouring residents objecting to the application. The proposed house is too large for this site. Green

space will be lost. The Fairfield Community Association is not in support of this application.

Mr. Will Peereboom (Victoria Design): advised that the application is in accordance with planning guidelines. The site coverage is less than the allowable. The new house will be a small, 2-storey building with an interesting design. The applicant has consulted the neighbours, who could have been involved in the design process. The proposed building will be in scale with the surrounding area. This development will be an asset to the neighbourhood. The below grade basement will be the storage space. No out buildings are proposed.

(2) **Bylaw Motion – Consideration of Third Reading:**

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

Rezoning Bylaw (No. 1084)

02-49
Lost

Mayor Lowe and Councillors Holland, Hughes, Madoff, McLean, Savoie and Vanden Berg voted against the motion.

It was moved by Councillor Madoff, seconded by Councillor McLean, that Rezoning Bylaw (No. 1084) – No. 02-49 **be received and filed.** Carried

2. **APPLICATION FOR REZONING OF PROPERTY known as 97 Cook Street:**

(1) **Rezoning Application No. 01-32:**

ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 642) – No. 02-60:

To amend the Zoning Regulation Bylaw

- (a) to create a R1-27 Zone, Cook Office Residential District, which will permit offices for psychologists, residential uses, and the uses permitted in the R1-B Zone, Single Family Dwelling District, and will apply the R1-B Zone's regulations except for new regulations for parking;
- (b) to rezone land known as 97 Cook Street to a new R1-27 Zone, Cook Office Residential District, to permit the land to be used for offices for psychologists and residential use.

New Zone: R1-27 Zone, Cook Office Residential District
Legal description: Lot 20, Fairfield Farm Estate, Victoria City, Plan 960
Existing Zone: R1-B Zone, Single Family Dwelling District

CORRESPONDENCE:

Forty three (43) letters were received supporting the application.

Sixty one (61) letters were received objecting to the application.

A petition was received with ninety two (92) signatures of residents objecting to the application.

PRESENTATIONS:

Ms. Stypka (Applicant): advised that the proposal is to permit two offices for psychological counseling on the main floor of a heritage registry house with an upper floor residential suite. No exterior changes are proposed to the house. Heritage designation of the house and property is proposed to ensure future changes are subject to Council's approval. The new zone will restrict the permitted office use to registered psychologists. There will be no overlapping of patient. Clients will not be dangerous. There will be no signage. She will not be an absentee owner. The building will not be empty with the residential component. The proposed use is consistent with the surrounding neighbourhood.

Mr. Colin Bowen, 1137 May Street: expressed objection to the application. The building will not be owner occupied. This application is disrespectful to the residents.

Mr. Norman Conrad, 1020 Burdett Avenue: expressed support for the application. This amenity will complement the community.

Mr. John Eccles, 40 Wellington Avenue: expressed objection to the application and read a letter from Mr. Noel Schacter, of 1117 Faithful Street, objecting to the application. Commercial use on this site will create ongoing friction and confusion. The current zoning meets the needs of the community. Residential zoning should not include commercial use. There is a shortage of residential use property. There is no shortage of commercial use property. This proposal will set a precedent.

Ms. Evelyn Lettice, 1120 Faithful Street: expressed objection to the application. The applicant will not reside on the premises. This proposal is not in accordance with the Fairfield community plan. The Fairfield Community Association is opposed to this application. This proposal will set a precedent.

Ms. Jessen, 1121 Faithful Street: expressed objection to the application. Residential zoning should not include commercial use. There is no shortage of commercial use property. Once the rezoning is approved the property could be sold and another business established. The heritage house is not in danger of being torn down or neglected, as the owner has spent a considerable amount of money to restore it. The heritage designation should not be contingent upon the rezoning application.

A resident of 18 Cambridge Street: expressed support for the application. The applicant has made a commitment to restore the building. It will be nice to have this business in close proximity. There will be no signage.

Ms. Catriona MacKinnon, 1125 Faithful Street: expressed support for the application. The applicant will occupy the building during the day. This business will provide a needed service to the Greater Victoria area, not just for Fairfield residents. The building will not be empty with the residential component. The application is restricted to two psychologist rooms. This building provides an ideal setting for clients. The petition against this proposal included inaccuracies. There will be no signage. There are other establishments in the area that are not owner occupied. This proposal is in accordance with the Fairfield community plan.

Ms. Dale Ketcheson, 25 Wellington Avenue: expressed objection to the application and read a letter from Ms. Elizabeth Simpson, of 1117 Faithful Street, objecting to the application. Residential zoning should not include commercial use. This proposal will create traffic congestion.

Mr. Byron Macintyre, 915 Cook Street: expressed support for the application. This is a diverse area. There is a need for mental health services in the community, particularly with reduced funding for services such as school counselors. This heritage home will be preserved. This business will not detract from the neighbourhood.

A resident of 389 King George Terrace: expressed support for the application and commended the applicant for her commitment to others.

Ms. Hennie Stibbe, 1047 Richardson Street: expressed support for the application. This is a diverse area. If there are bylaw infractions, Council will be informed and the situation will be resolved.

Ms. Harmatiuk, 177 Joseph Street and 1110 May Street: expressed support for the application and read a letter from Ms. Joan Hughes, of 139 Cook Street, supporting the application. This is a diverse area. Commercial ventures do not have a negative impact on the community. The heritage designation is a generous commitment. Communities are continuously changing. This proposal will not affect the nature of the community or set a precedent.

Ms. Hallschmid, 1112 Faithful Street (on behalf of her mother, Ms. Renate Varwig, 1112 Faithful Street): expressed objection to the application. Residential zoning should not include commercial use. The building will not be owner occupied. This proposal will set a precedent. There is no assurance that this business will be restricted to two psychologist rooms with set hours of operation. This proposal will create increased vehicular traffic. The Fairfield Community Association is opposed to this application. The heritage designation should not be contingent upon the rezoning application.

Mr. Gordon Reid, 1125 Leonard Street: expressed support for the application. The house is worth preserving as heritage. The proposed heritage designation stops commercial uses from creeping into the residential area. This will be a quiet, almost invisible, business.

Ms. Blyt, 159 Cook Street: expressed objection to the application. This proposal supports commercial uses encroaching into the residential area. This proposal will set a precedent. The heritage designation should not be contingent upon the rezoning application. Ms. Blyt inquired as to why renovations have already been made to the building prior to its

designation as heritage, whether the Heritage Advisory Committee had been consulted and whether this house qualifies as heritage.

Mr. John McMillan, 393 Island Highway and 2610 Cook Street: expressed support for the application. The neighbourhood will be enriched by this proposal. This project will have a low impact on the neighbourhood from what is currently permitted. This is a diverse area. No exterior changes are proposed to the house. The heritage designation will ensure that the property remains as it is.

Ms. Carolyn Emo, 643 Cornwall Street: expressed support for the application. This proposal is compatible with the neighbourhood. This proposal will preserve the heritage house with minor impact on the neighbourhood.

Ms. Cynthia Vernal, 159 Cook Street: expressed objection to the application. The heritage designation should not be contingent upon the rezoning application. Residential zoning should not include commercial use.

Ms. Doreen Sisson, 935 Fairfield Road: expressed support for the application. The proposed business is more fitting at this site than in a commercial area. This is a needed facility.

Mr. Harold Sisson, 935 Fairfield Road: expressed support for the application. There is ungrounded opposition to this application. The heritage house will be preserved and maintained. This business will provide a needed service to the Greater Victoria area, not just for Fairfield residents. This proposal will be an asset to the community.

Ms. Anita Galitzine, 451 Durban Street: expressed support for the application. This is a diverse area. It will be nice to have this business in close proximity. This is an excellent proposal. This proposal will be an asset to the community.

Ms. Cornelia Lange, 25 Cook Street: expressed objection to the application. There is diversity on the street already. This proposal puts pressure on the street to accept more commercial uses. If this business terminates, the use will remain. There is diversity in the current zoning. Ms. Lange submitted a booklet on behalf of the Cook Street Circle.

Ms. Valerie Baker, 105 Cook Street: expressed objection to the application. The current zoning allowed the existing businesses to be established without rezoning. The existing zoning allows for flexibility. This is a residential area. The residential component of this proposal is a secondary suite. There is a shortage of residential use property. There is no shortage of commercial use property. The heritage designation should not be contingent upon the rezoning application. The heritage property was neglected by the previous owner, but not abused. If this business terminates, the use will remain. Commercial activity creates fundamental change to communities. The heritage designation will increase the value of this property. The rezoning with the commercial aspect will also increase the value of the property. Residential change is supported, not commercial. Ms. Baker submitted a petition, a portion which was previously submitted.

Mr. Patrick Skillings, 523 St. Patrick Street: expressed support for the application. The applicant has restored this heritage house, which is a benefit to the community. The Fairfield Community Association rejected this application because of the opposition from the neighbours. No exterior changes are proposed to the house. The proposed use is not a true commercial use. This business will provide a respite for the citizens of Victoria.

It was moved by Councillor Hughes, seconded by Councillor Lunt that the Council meeting continue past 11:00 PM. Carried

Mr. Kerry Lange, 25 Cook Street: expressed objection to the application. Residential zoning should not include commercial use. There is diversity on the street already with the current zoning. The current zoning allows for diversity. This proposal will set a precedent.

Ms. Vera Creelman, 1145 Faithful Street: expressed objection to the application. This proposal supports commercial uses encroaching into the residential area.

A resident of 1035 Suttlej Street: expressed support for the application. This is a diverse area. There is a need for mental health services in the community, particularly with reduced funding for services. This proposal will not have a negative impact on the community.

Mr. Joe Richards, 1261 Woodway Road: expressed support for the application. There is a need for mental health services. Heritage designations are in the best interest of the city. This proposal is more of a professional service rather than commercial.

Ms. M. Hallschmid, 1112 Faithful Street: expressed objection to the application. This proposal will set a precedent. Residential zoning should not include commercial use.

(2) **Bylaw Motion – Consideration of Third Reading:**

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

Zoning Regulation Bylaw, Amendment Bylaw (No. 642) 02-60
Lost

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

It was moved by Councillor Madoff, seconded by Councillor Lunt, that Zoning Regulation Bylaw, Amendment Bylaw (No. 642) – No. 02-60 **be received and filed.** Carried

It was moved by Councillor Madoff, seconded by Councillor McLean, that Heritage Designation (97 Cook Street) Bylaw (No. 480) – No. 02-41 **be received and filed.** Carried

Councillor Lunt left the meeting at 11:37 PM.

HEARINGS – REQUESTS TO ADDRESS COUNCIL

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

1. Delton Woolcock – Re: City of Victoria Police

Mr. Woolcock presented an invitation to Council, regarding camp freedom. Mr. Woolcock advised that he is an advocate for sense of responsibility.

2. Neil Williams – Re: Jubilee Road Closures

Mr. Williams expressed concern for some areas of the Consultant Review, regarding the Jubilee Road Closures. Traffic calming is supported. The method for achieving this goal is in question. Mr. Williams urged Council to open the streets and employ more appropriate traffic calming measures.

3. John Cody – Re: Prayer Week

Mr. Cody encouraged people to pray for the guidance of God's wisdom in the choices they make. We should break from protocol and re-introduce God to our legislative process. Mr. Cody thanked Council for proclaiming May 1 – 7, 2002 as Prayer Week.

4. Denis Oliver – Re: Sidewalk Cafes

Mr. Oliver expressed objection to sidewalks being blocked by sidewalk cafes. Sidewalk cafes should have temporary structures so that the sidewalk can return to pedestrian use during closing hours. Sidewalk cafes should not be enclosed with propane heaters similar to a conservatory.

REPORTS OF THE COMMITTEE

COMMITTEE OF THE WHOLE – April 25, 2002

1. **DOGS IN PARKS.** It was moved by Councillor Savoie, seconded by Councillor McLean, that:

- 1) CRD Bylaw Enforcement continue to enforce the existing dog bylaws through a targeted enforcement and education program during peak periods of park usage and according to a schedule established in consultation with city staff.
- 2) City Council permit groups of dog owners to seek approval from Council to undertake a trial period of "off leash" times in non-sensitive park areas through the development of a Memorandum of Understanding with the City. The MOU would set out agreed terms, principles and responsibilities and be referred to the Neighbourhood Association and the Parks, Recreation & Community Services Advisory Committee for recommendations to Council.
- 3) Upon receipt from CRD Animal Control Services of new proposed Animal Control bylaws, staff be directed to undertake a review of these in consultation with the Parks, Recreation and Community Services Advisory Committee and the Downtown Advisory Committee and bring forward recommendations to Council. Carried

2. **RECOVERY STRATEGY OF THE GARRY OAK ECOSYSTEMS RECOVERY TEAM.** It was moved by Councillor Savoie, seconded by Councillor McLean, that a letter of support be forwarded to the Garry Oak Ecosystems Recovery Team to:
 - 1) Endorse the Recovery Strategy for Garry Oak and Associated Ecosystems and Their Associated Species at Risk in Canada, 2001-2006.
 - 2) Encourage funding agencies to recognize the value in the Recovery Program and, by financially supporting the Garry Oak Ecosystems Recovery Team and its partner agencies, to help put the programs into action on the ground.
 - 3) Recognize the value of partnerships in achieving the goals and objectives outlined in the strategy. Carried

3. **CONCERNS ABOUT PROVINCIAL GOVERNMENT CUTS.** It was moved by Councillor Savoie, seconded by Councillor McLean, that:
 - 1) A letter be sent to the provincial government advising of the City's concerns regarding the shortfalls in public education funding to School District #61, given the negative impacts to children and youth, and to the social fabric and the economy of the community.
 - 2) A letter be sent to the provincial legislature, after the second reading of the proposed BC Employment and Assistance Law, regarding the negative implications to the City of Victoria of cuts to employment support and housing assistance, given that 2/3 of residents are renters, 60% of whom are below the poverty line. Carried

4. **ESQUIMALT & VICTORIA EMERGENCY SOCIAL SERVICES AGREEMENT.** It was moved by Councillor Savoie, seconded by Councillor McLean, that the draft Emergency Social Services Agreement between the City of Victoria and the Township of Esquimalt, dated December 20, 2001, be endorsed. Carried

5. **DOCKSIDE – ENVIRONMENTAL CONSULTING BUDGET.** It was moved by Councillor Savoie, seconded by Councillor McLean, that an increase in the environmental remediation options report contract with Morrow Environmental Consultants Inc. be approved, not to exceed \$70,000 plus GST. Carried

6. **JUBILEE NTMP - TRIAL ROAD CLOSURES CONSULTANT EVALUATION.** It was moved by Councillor Holland, seconded by Councillor Savoie, that the following Consultant Review recommendations be endorsed:

Mitigation Measures

- 1) Study the options for traffic calming on the adjacent local streets (Belmont, Elford, Taylor, and Townley).
- 2) Change traffic signal timings at two intersections, (Bay at Shelbourne and Bay at Richmond).
- 3) Design road closures to be mounted by vehicles in an emergency.
- 4) Conduct road safety operational reviews at five intersections (Kings at Richmond, Belmont at Begbie, Pearl at Shelbourne, Elford at Pandora, and Belmont at Pandora).
- 5) Study the roll of Fern Street in the displacement of traffic from the closed streets.

Fine tuning for future neighbourhood studies

- 6) Update documentation for NTMP policy.
- 7) Ensure NTMP study documentation outlines all technical findings and reasons for decisions.
- 8) Use neutral surveyors.
- 9) Consider a larger survey area when road closures are an option.
- 10) Conduct specific and documented stakeholder consultation.
- 11) Do not undertake any NTMP studies during major construction projects or temporary traffic dislocations in the study area. Carried

Mayor Lowe and Councillor Hughes voted against the motion.

COMMITTEE OF THE WHOLE – May 2, 2002

1. **DEVELOPMENT PERMIT APPLICATION #02-09 - 648 HERALD STREET.** It was moved by Councillor Madoff, seconded by Councillor McLean, that a Development Permit for 648 Herald Street be issued in accordance with:
 - 1) Plans stamped "Development Permit Application #02-09" dated April 24, 2002.
 - 2) Development meeting all bylaw requirements.
 - 3) Review by the Advisory Design Panel at building permit stage.
 - 4) Final plans to be in accordance with plans identified above, with the incorporation of responses to the Advisory Design Panel to the satisfaction of the Director of Planning & Development. Carried

2. **REQUEST FOR HERITAGE DESIGNATION - 1272 WALNUT STREET.** It was moved by Councillor Madoff, seconded by Councillor McLean, that, whereas the house at 1272 Walnut Street and the

cabin in the rear yard are worthy of heritage designation, these buildings be designated as a Municipal Heritage site. Carried

3. **REQUEST FOR HERITAGE DESIGNATION - 1276 WALNUT STREET.** It was moved by Councillor Madoff, seconded by Councillor McLean, that, whereas the existing house and garage at 1276 Walnut Street are worthy of heritage designation, these buildings be designated as a Municipal Heritage site. Carried
4. **REQUEST FOR HERITAGE DESIGNATION - GARAGE AT 1311 FRANKLIN TERRACE.** It was moved by Councillor Madoff, seconded by Councillor McLean, that, whereas the garage at 1311 Franklin Terrace is worthy of heritage designation, it be designated as a municipal heritage site. Carried
5. **REQUEST FOR HERITAGE DESIGNATION - 254 BELLEVILLE STREET.** It was moved by Councillor Madoff, seconded by Councillor McLean, that, whereas the Stores Building at 254 Belleville Street is worthy of heritage designation, it be designated as a Municipal Heritage site. Carried
6. **HERITAGE ALTERATION PERMIT #98 - 805 BROUGHTON STREET – ROYAL THEATRE.** It was moved by Councillor Madoff, seconded by Councillor McLean, that pursuant to Heritage Designation Bylaw #265, Heritage Alteration Permit #98 for 805 Broughton Street be issued in accordance with:
- 1) Plans dated March 25, 2002.
 - 2) Development meeting all bylaw requirements except for:
Section 8.3(6) – setback relaxed from 7.5m to nil.
 - 3) Final plans to be in accordance with plans identified above.
 - 4) Registration of an easement for the dressing room stairway over lot 241 in favour of the Royal Theatre with a covenant in favour of the City to guarantee continuance of the easement.
 - 5) Issuance of an encroachment permit by the Director of Engineering for the loading dock door encroachment.
 - 6) Offsite works and services to the satisfaction of the Director of Engineering. Carried
7. **SUMMER MEETING SCHEDULE.** It was moved by Councillor Madoff, seconded by Councillor McLean, that the following schedule for Committee of the Whole and Council meetings be adopted for June to September, 2002:

2002	COMMITTEE OF THE WHOLE	COUNCIL
June	13, 27	13, 27
July	4, 11	11
August	8, 15	15
September	12, 19	12, 19

- Carried
8. **AGREEMENT ON INTERNAL TRADE.** It was moved by Councillor Madoff, seconded by Councillor McLean, that:
- 1) The City of Victoria respond to the UBCM and the Province expressing its objection to the extension of the Agreement on Internal Trade (AIT) to municipalities on the basis that:
 - The City of Victoria already conducts its purchasing activities under fair, competitive, efficient, effective, non-discriminatory and transparent processes and therefore, no discernible benefits are achieved by legislatively forcing municipalities to adhere to the AIT.
 - The procurement provisions of the AIT open an avenue of challenge to the procurement processes based on creative interpretations of the rules and may place local governments in a position of being constantly required to defend the criteria stated in tenders.
 - The dispute resolution process denoted in the AIT is contrary to the stated intent and direction of the Community Charter, and due to the exclusion of the municipalities by a panel of “trade experts” may lead to decisions that are contrary to the successful achievement of municipal objectives and good governance.
 - 2) That, given the likelihood that the AIT MASH Annex will be provincially legislated regardless of municipal opinion:
 - The City of Victoria also requests the Province’s commitment to prior consultation with local government regarding future changes to the AIT, including the dispute resolution process, either initiated by them or others, and that the Province commit to paying all costs arising from disputes within the AIT. Carried
9. **YOUTH SUMMIT ON SUSTAINABLE TRANSPORTATION.** It was moved by Councillor Madoff, seconded by Councillor McLean, that approval be given to funding approximately \$305.00 to cover expenses for Councillor Fleming to attend the Canadian Urban Transit Association Youth Summit in Ottawa, May 10-14, 2002. Carried

COMMITTEE OF THE WHOLE – May 9, 2002

1. **PNI v. CITY OF VICTORIA.** It was moved by Councillor McLean, seconded by Councillor Savoie, that the recommendation of the City Solicitor regarding Pacific National Investments v. the City of Victoria be accepted, and the City Solicitor be instructed to launch an appeal and apply for a stay of execution of Justice Wilson's decision. Carried

2. **SNOWBIRD DEMONSTRATION.** It was moved by Councillor McLean, seconded by Councillor Savoie, that the City acknowledges that the federal government is self-insured and therefore waives the requirement for liability insurance for a Snowbird Demonstration proposed for August 2002. Carried

MOTIONS

PUBLIC HEARING – May 23, 2002

It was moved by Councillor Madoff, seconded by Councillor Holland, that the following public hearing be held in the Council Chambers, City Hall on **THURSDAY, MAY 23, 2002 AT 7:30 PM:**

APPLICATION FOR REZONING OF PROPERTY known as 3180 Douglas Street:

(1) **Rezoning Application No. 01-26:**

OFFICIAL COMMUNITY PLAN BYLAW, 1995, AMENDMENT BYLAW (NO. 42)-No. 02-55

To amend the Official Community Plan to include 3180 Douglas Street in Development Permit Area 7, Blanshard Street North.

REZONING BYLAW (NO. 1085) – No. 02-54

To rezone land known as 3180 Douglas Street from the C-SS Zone, Special Service Station District, to the C1-N Zone, Neighbourhood Shopping District to permit the land to be used for a new commercial development.

Legal description: Lot A, Section 4, Victoria District, Plan 14727, except that part thereof included within the boundaries of Plan 15732

Existing Zone: C-SS Zone, Special Service Station District

(2) **Development Permit Application No. 02-11:**

To construct a new 800m² retail development on the site of a former gas station (demolished) at the south-west corner of Douglas and Alpha Streets, including a sighting variance. Carried

PUBLIC HEARING – May 23, 2002

It was moved by Councillor Madoff, seconded by Councillor Holland, that the following public hearing be held in the Council Chambers, City Hall on **THURSDAY, MAY 23, 2002 AT 7:30 PM:**

APPLICATION FOR REZONING OF PROPERTY known as 1494 Dallas Road:

(1) **Rezoning Application No. 02-05:**

ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 644) – No. 02-63:

To amend the Zoning Regulation Bylaw

(a) to create a RJ-7 Zone, Dallas2 Bed & Breakfast District, which will permit the uses in the R-J Zone, Low Density Attached Dwelling District, and will apply its regulations except for new regulations for a duplex and for the distance between the boundary of a lot and a porch or stairs;

(b) to rezone land known as 1494 Dallas Street to a new RJ-7 Zone, Dallas2 Bed & Breakfast District, to permit the land to be used for a duplex.

New Zone: RJ-7 Zone, Dallas2 Bed & Breakfast District

Legal description: Lot 15, Block F, Fairfield Farm Estate, Victoria City, Plan 340 except that part in Plan 24351

Existing Zone: R-J Zone, Low Density Attached Dwelling District

Carried

PUBLIC HEARING – May 23, 2002

It was moved by Councillor Madoff, seconded by Councillor Holland, that the following public hearing be held in the Council Chambers, City Hall on **THURSDAY, MAY 23, 2002 AT 7:30 PM:**

APPLICATION FOR REZONING OF PROPERTY known as 836-844 View Street:

(1) **Rezoning Application No. 01-33:**

REZONING BYLAW (NO. 1082) – No. 02-31:

To rezone part of the land known as 836-844 View Street from the S1 Zone, Limited Service District, to the R-48 Zone, Harris Green District to permit the land to be used for a new apartment mixed use building.

Legal description: Lots 309, 310 and the westerly 25 feet of Lot 311, Victoria City
Existing Zone: S-1 Zone, Limited Service District

(2) **Development Permit No. 02-07:**

To construct a 13 storey apartment tower (The Stafford) including ground floor offices, with variances for height and sighting. Carried

BYLAWS

INTRODUCTION AND SECOND READING

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

Zoning Regulation Bylaw, Amendment Bylaw (No. 643) (Rezoning 02-01 for 1810 Store Street)	02-58
Zoning Regulation Bylaw, Amendment Bylaw (No. 644) (Rezoning 02-05 for 1494 Dallas Road)	02-63
Heritage Designation (254 Belleville Street Stores Building) Bylaw (No. 481)	02-66
Heritage Designation (121 Wildwood Avenue) Bylaw (No. 482)	02-67 <u>Carried</u>

INTRODUCTION, SECOND AND THIRD READING

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

Election Procedures Bylaw, Amendment Bylaw (No. 1) (Nomination deposit to accompany a nomination)	02-51
Garbage and Recycling Bylaw, Amendment Bylaw (No. 12) (Increase fees)	02-56
Streets and Traffic Bylaw, Amendment Bylaw (No. 50) (Area for riding skateboards or other human powered devices)	02-57 <u>Carried</u>

ADOPTION

It was moved by Councillor Hughes, seconded by Councillor McLean, that the following bylaws **be adopted:**

Streets and Traffic Bylaw, Amendment Bylaw (No. 48) (Consensual fighting)	02-3
Ticket Bylaw, Amendment Bylaw (No. 9) (Consensual fighting)	02-4
Highway Closure (Maddison/Wilmer Streets) Bylaw	02-30
Highway Cancellation and Park Rededication (Wilmer Green Park) Bylaw	02-39
Temporary Borrowing Bylaw, 2002	02-59

Carried

QUESTION PERIOD

A question period was held.

ADJOURNMENT

It was moved by Councillor McLean, seconded by Councillor Hughes, that the Council meeting adjourn.

Time: 12:02 AM.

Carried

CERTIFIED CORRECT:

CORPORATE ADMINISTRATOR

MAYOR OF THE CITY OF VICTORIA