

MINUTES - VICTORIA CITY COUNCIL
MEETING OF THURSDAY, AUGUST 15, 2002 AT 7:30 PM

PLACE OF MEETING: Council Chambers, City Hall

PRESENT: Acting Mayor Hughes in the Chair and Councillors Fleming, Holland, Lunt, Madoff, Savoie and VandenBerg

ABSENT: Mayor Lowe and Councillor McLean

APPROVAL OF AGENDA

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

MINUTES

It was moved by Councillor Lunt, seconded by Councillor Savoie, that the minutes of the regular Council meeting of July 11, 2002, be approved. Carried

It was moved by Councillor Lunt, seconded by Councillor Fleming, that the minutes of the special Council meeting of July 23, 2002, be approved. Carried

PROCLAMATIONS

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

Taoist Tai Chi Awareness Day – September 7, 2002

National Payroll Week – September 3, 2002 – September 6, 2002

Fetal Alcohol Syndrome Awareness Day – September 9, 2002

Carried

ROAD CLOSURE HEARING

1. APPLICATION FOR ROAD CLOSURE OF PROPERTY known as 521 Cecelia Road:

The Council of the Corporation of the City of Victoria proposes to adopt Bylaw 02-74, Road Closure (Cecelia Road Lane) Bylaw, to close to traffic portions of a lane adjacent to Cecelia Road in the City of Victoria.

PRESENTATIONS:

Chuck Mowbrey (3016 Jutland Road): expressed objection to this road closure. Stated that he is the registered owner for 521 Cecelia Road. He was unaware that the lane was being closed. Would like an opportunity to view the property with the hopes to purchase a part or all of it. Stated that if the lane is closed, he will not have any rear access to that property (the location of his garage is in the rear of the house). Expressed his concern about Victoria City's lack of notice to the public in regard to this matter. Stated that as this lane is open to the public (and used to be a fire lane), the public has a right to purchase it.

Councillor Holland arrived to the meeting at 7:39 p.m.

Jack Basey – City Solicitor: answered some questions raised by Mr. Mowbrey stating that the current legislation does not require the City to make this property available to the public immediately. Also outlined that Council and the City have complied with legislation regarding notice to the public. Also stated that he was uncertain whether Mr. Mowbrey had any legal right of access to his garage in the rear of his property.

Duncan Ayre (484 Cecelia Street): expressed support for this road closure with conditions. Stated that should this property be sold, he would like to see the funds invested into the Burnside/Gorge community. Ultimately, he would like a pathway constructed from Balfour to Washington for the children so they could walk to school safely.

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

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

Road Closure (Cecelia Road Lane) Bylaw

02-74
Carried

It was moved by Councillor Madoff, seconded by Councillor Savoie, that Council refer the issue of access to the Director of Planning and the Land Manager and that a report be provided to Council. Carried

HEARINGS – REQUESTS TO ADDRESS COUNCIL

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

1. Peter deWolf – Re: Traffic and pedestrian safety in Victoria. As a part of recreation, Mr. deWolf and his wife enjoy walking. However, two incidents of late have caused danger to him. The first incident involved a vehicle that neglected to stop at Rockland Avenue and Oak Bay Avenue. The second incident was at Fort Street and Fern Road whereby a cyclist failed to stop at a red light. Stated that motorists ignore traffic signals/signs. He completed some research and found that at least 90% of vehicles and almost 100% of cyclists fail to comply with road signs. Stated that any intersection is a permissible crosswalk for pedestrians. Also discussed the excessive speeding on Blanshard (north of Hillside) and the inappropriateness of a 30km zone in the Rockland/Fairfield area. Put forth some resolutions: provide an education program, increase police enforcement, hire additional people to enforce traffic safety, replace all stop signs with yield signs, and remove the 30km zones
2. Anne Fletcher – Re: Towing procedures of ITow and authorization by Victoria City Police. Had some problems with one of her neighbours in her co-op. Stated that she moved into her co-op in 1984 and is on the incorporation documents. She is the closest thing to a landlord. Recently, somebody moved in and they called the police to have them remove Ms. Fletcher's vehicle from its parking spot. Said that the police have no authority to remove a vehicle from private property. She has had no co-operation from the police and would like to find out which police officer authorized the towing of her vehicle so that he or she may be reprimanded.

Councillor Lunt excused herself from the Council Meeting at 8:01 p.m.

3. Leon "Ted" Smith – Re: Health Canada meeting with Victoria City and the police. Fall elections. Panhandling and street outreach. Wanted to know if a meeting date has been set for Health Canada officials and the City of Victoria. Stated that whether or not he becomes Mayor, he would like to see changes in our system including informing the public of various changes to some laws (i.e. the *Residential Tenancy Act*). Also said that the police should be working with outreach programs in order to resolve the panhandling dilemma.

Councillor Lunt returned to the Council Chamber at 8:04 p.m.

4. Colin Blair – Re: Firefighting role in Esquimalt taken over by Victoria. Expressed his frustration with the City of Victoria for delaying the process of merging the fire departments in Esquimalt. Stated that Victoria is not a big city but a small municipality and meetings regarding possible changes to the fire department should not be kept a secret. Asked that without further delay, Council should direct staff regarding the contracting of fire services with Esquimalt to make the information available to the public.
5. Gordon Stewart – Re: Victoria Police not leaving a written statement at Royal Jubilee Hospital under the *Mental Health Act*. Would like the City to ensure the police leave documentation with the physician or hospital as to why a particular individual was admitted. Outlined his own personal situation in which he was arrested at the Victoria Courthouse and taken to Royal Jubilee Hospital. He also believes that there will be a negative impact upon our tourism industry if the police can arrest anybody, anywhere.

REPORTS OF THE COMMITTEE

COMMITTEE OF THE WHOLE – AUGUST 8, 2002

1. **LEGAL – ESCORT AND DATING SERVICES BYLAW.** It was moved by Councillor Holland, seconded by Councillor Lunt, that the City Solicitor be directed to prepare the necessary changes to the Zoning Regulation Bylaw to allow individual escorts to be licensed from their home addresses, including multiple family residences, with the provision that clients are not to be received at the home address. Carried

2. **VICTORIA HERITAGE FOUNDATION ANNUAL REPORT – 2001.** It was moved by Councillor Holland, seconded by Councillor Lunt, that:
 - 1) The 2001 Annual Report of the Victoria Heritage Foundation be received for information.
 - 2) Mayor Lowe send a letter of thanks to the Foundation and its volunteers. Carried

3. **REZONING APPLICATION #02-09 – 160 WILSON STREET.** It was moved by Councillor Madoff, seconded by Councillor Savoie, that Rezoning Application #02-09 for 160 Wilson Street be forwarded for consideration at a public hearing and that the City Solicitor be instructed to prepare the necessary Zoning Bylaw amendments based on the draft zone, subject to:
 - 1) Council passing a resolution that no structure shall be built in Triangle Park within 6 meters of the park's northern property line.
 - 2) Development of a legal agreement, to be registered on title, regarding the marketing and provision of accessible units and improvements to the adjacent Triangle Park to the satisfaction of the Director of Parks, Recreation & Community Development.
 - 3) Establishment of a parking ratio and a fully dimensioned parking and access plan to the satisfaction of the Director of Engineering.
 - 4) Confirmation that the immediate neighbours and Victoria West Community Association have been consulted.

It was moved by Councillor Madoff, seconded by Councillor Savoie, that the motion be amended to read:

that Rezoning Application #02-09 for 160 Wilson Street be forwarded for consideration at a public hearing and that the City Solicitor be instructed to prepare the necessary Zoning Bylaw amendments based on the draft zone, subject to:

- 1) Council passing a resolution that no structure shall be built in Triangle Park within 6 meters of the park's northern property line.
 - 2) Development of a legal agreement, to be registered on title, regarding the marketing and provision of accessible units and improvements to the adjacent Triangle Park to the satisfaction of the Director of Parks, Recreation & Community Development.
 - 3) Establishment of a parking ratio and a fully dimensioned parking and access plan to the satisfaction of the Director of Engineering.
 - 4) Confirmation that the immediate neighbours and Victoria West Community Association have been consulted.
 - 5) ***Referral to the Advisory Planning Commission and the Advisory Design Panel.*** Carried
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4. **REZONING APPLICATION #02-16 – 701 TYEE ROAD.** It was moved by Councillor Holland, seconded by Councillor Lunt, that:
 - 1) Rezoning Application #02-16 for 701 Tyee Road be forwarded for consideration at a public hearing and that the City Solicitor be instructed to prepare the necessary Zoning Bylaw amendments, based on the draft zone outlined in Section 3.9 subject to:
 - a. Review of the land use changes from the Bayside concept by the Advisory Planning Commission.
 - b. Review of the Railyards Development Guidelines by the Advisory Design Panel.
 - c. Noise performance standards and adequate disclosure to initial and future residents to the satisfaction of the Director of Planning and Development.
 - d. Development of a Master Development Agreement, to be registered on the property's title, detailing the provision of community amenities, off-site, and on-site improvements, maintenance, subdivision, phasing, noise attenuation, and other development requirements to the satisfaction of the Director of Planning and Development and the Director of Engineering.
 - e. An amended parking and access plan to the satisfaction of the Director of Engineering.
 - 2) Amendment of the Official Community Plan, Development Permit Area #23 to reference the Railyards Development Guidelines.
 - 3) Council approval of the issuance of a Development Permit, permitting the subdivision of Lots 2 and 3 VIP54427 into 10 lots as shown in Appendix 1 of the report dated August 2, 2002 from the City Planning Division.
 - 4) Council approval of the issuance of a Development Permit to relax Engineering Department's Standards and Specifications to permit the installation of special road treatments to the satisfaction of the Director of Engineering.
 - 5) Council authorization of the release of any covenants or obligations related to the 1995 Bayside Village Development once a new Master Development Agreement has been

successfully negotiated and registered on title of the subject property along with authorization to staff to execute all documentation required to be prepared for the rezoning and subdivision of the subject property. Carried

5. **REZONING APPLICATION #02-17 – 645/655 TYEE ROAD.** It was moved by Councillor Savoie, seconded by Councillor Fleming, that Rezoning Application #02-17 for 645/655 Tyee Road be forwarded for consideration at a public hearing and the City Solicitor be instructed to prepare the necessary Zoning Bylaw amendments based on the draft zone included in Section 3.3, subject to:
- 1) Referral to Advisory Planning Commission and Advisory Design Panel.
 - 2) Confirmation that the applicant has consulted the Victoria West Community Association regarding the revised plans and the development of a community amenity package.
 - 3) Development of an agreement, to be registered on title, detailing community amenities and other development requirements to the satisfaction of the Director of Planning and Development.

It was moved by Councillor Savoie, seconded by Councillor Madoff, that the motion be amended to read:

that Rezoning Application #02-17 for 645/655 Tyee Road be forwarded for consideration at a public hearing and the City Solicitor be instructed to prepare the necessary Zoning Bylaw amendments based on the draft zone included in Section 3.3, subject to:

- 1) Referral to Advisory Planning Commission and Advisory Design Panel.
 - 2) Confirmation that the applicant has consulted the Victoria West Community Association regarding the revised plans and the development of a community amenity package.
 - 3) Development of an agreement, to be registered on title, detailing community amenities and other development requirements to the satisfaction of the Director of Planning and Development.
 - 4) ***The site be reviewed by the Engineering staff, the Advisory Transportation Committee, and the Cycling Committee to improve the landscaping, with particular attention to the boulevard, the trees, and the location of the crosswalk.*** Carried
6. **REZONING APPLICATION #02-12 – 324 KINGSTON ROAD.** It was moved by Councillor Holland, seconded by Councillor Lunt, that:
- 1) Rezoning Application #02-12 for 324 Kingston Street be forwarded for consideration at a public hearing and that the City Solicitor be instructed to prepare the necessary Zoning Bylaw amendments, based on the draft zone outlined set out in Section 3.3 of the report dated July 30, 2002 from the Senior Planner, subject to:
 - (a) Review by the Advisory Design Panel and the Advisory Planning Commission;
 - (b) A Memorandum of Understanding regarding the provision of public art to the satisfaction of the Director of Planning & Development;
 - (c) An amended parking and access plan to the satisfaction of the Director of Engineering.
 - 2) A policy to rezone the site to limit the maximum density to 2:1 be adopted if substantial progress has not been made on initiating the project within 3 years of a rezoning approval. Carried

7. **REZONING APPLICATION #02-15 – 62 GOVERNMENT STREET.** It was moved by Councillor Holland, seconded by Councillor Lunt, that Rezoning Application #02-15 for 62 Government Street be declined. Carried

8. **REZONING APPLICATION #02-18 – 943 WILMER STREET.** It was moved by Councillor Holland, seconded by Councillor Lunt, that Rezoning Application #02-18 for 943 Wilmer Street be forwarded for consideration at a public hearing and that the City Solicitor be instructed to prepare the necessary Zoning Bylaw amendments, subject to:
- 1) Approval of the following Development Permit relaxation for the existing house concurrent with the rezoning:

Section 1.23	To vary the south side yard setback for the existing house from 2.4m to 1.5m.
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 - 2) Approval of the following Development Variance Permit for the proposed new house concurrent with rezoning:

Section 1.1.7	To vary the lot width for the new house to be located in the front yard.
Schedule C	
Paragraph 3	To permit a parking space for the new house to be located in the front yard.
 - 3) An amended, fully dimensioned parking/access plan, to the satisfaction of the Director of Engineering. Carried

9. **REZONING APPLICATION #02-19 – 2516-2524 & 2608 DOUGLAS STREET AND 2515 GOVERNMENT STREET.** It was moved by Councillor Savoie, seconded by Councillor Madoff, that Rezoning Application #02-19 for 2516-2524 & 2608 Douglas Street and 2515 Government Street be forwarded for consideration at a public hearing and that the City Solicitor be instructed to prepare the necessary Zoning Bylaw amendments, based on the draft zone outline set out in the report dated July 25, 2002 from the Economic Development Planner, subject to:

- 1) An amended parking and access plan, to the satisfaction of the Director of Engineering.
- 2) Referral to the Advisory Design Panel, the Advisory Planning Commission, and the Advisory Transportation Committee, provided that review by these advisory committees does not delay the approval process.

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

that Rezoning Application #02-19 for 2516-2524 & 2608 Douglas Street and 2515 Government Street be forwarded for consideration at a public hearing and that the City Solicitor be instructed to prepare the necessary Zoning Bylaw amendments, based on the draft zone outline set out in the report dated July 25, 2002 from the Economic Development Planner, subject to:

- 1) An amended parking and access plan, to the satisfaction of the Director of Engineering.
- 2) Referral to the Advisory Design Panel, the Advisory Planning Commission, and the Advisory Transportation Committee. ***This review process should be expedited if necessary to ensure the timely processing of the application.*** Carried

10. **DEVELOPMENT PERMIT #02-22 – 1413-1415 FORT STREET.** It was moved by Councillor Holland, seconded by Councillor Lunt, that a Development Permit be issued in accordance with:

- 1) Plans stamped “Development Permit Application #02-22” dated July 8, 2002.
- 2) Development meeting all bylaw requirements except for:

Section 3.10.2(a)	Minimum site area relaxed from 920m ² to 696.47m ²
Section 3.10.11	Front yard setback relaxed from 9.0m to 5.0m
Section 3.10.13	West side yard setback relaxed from 3m to 1.8m
Section 3.10.14(a)	Side yard (east) flanking street setback average relaxed from 5.2m to 3.2m; using wall surfaces at a distance (2m) greater than 1.5m allowed in the calculation
- 3) Final plans to be in accordance with plans identified above, with the incorporation of responses to the Advisory Design Panel comments, to the satisfaction of the Director of Planning & Development. Carried

11. **REQUEST FOR HERITAGE DESIGNATION – 2645 FERNWOOD ROAD.** It was moved by Councillor Holland, seconded by Councillor Lunt, that, whereas the house and garage at 2645 Fernwood Road are worthy of heritage designation, they be designated as a Municipal Heritage Site. Carried

12. **REQUEST FOR HERITAGE DESIGNATION – 352 MOSS STREET.** It was moved by Councillor Holland, seconded by Councillor Lunt, that, whereas the house at 352 Moss Street is worthy of heritage designation, it be designated as a Municipal Heritage Site. Carried

13. **REQUEST FOR HERITAGE DESIGNATION – 525 FORT STREET.** It was moved by Councillor Holland, seconded by Councillor Lunt, that, whereas the building at 525 Fort Street is worthy of heritage designation, it be designated as a Municipal Heritage Site. Carried

14. **BEACON HILL POND SYSTEM.** It was moved by Councillor Holland, seconded by Councillor Lunt, that:

- 1) The implementation of a natural pond management system for 2002 at an estimated cost of \$16,000.00 be approved.
- 2) The funding for this project be reallocated from the Dallas Walkway Capital Budget. Carried

15. **LIVING MEMORIAL.** It was moved by Councillor Holland, seconded by Councillor Lunt, that approval be given to the planting of a memorial tree and placing a commemorative plaque, with CUPE Local 947 covering the associated costs. Carried

16. **FERNFEST 2002.** It was moved by Councillor Holland, seconded by Councillor Lunt, that approval be given to a request from the Fernwood Community Centre to operate a beer garden in Stevenson Park on August 24, 2002 from 3:00 p.m. to 9:00 p.m. Carried

17. **MACDONALD PARK FIELD LIGHTING.** It was moved by Councillor Holland, seconded by Councillor Lunt, that the proposal to install field lighting at MacDonald Park be approved, and that the James Bay Athletic Association and MacDonald Park Fastball:

- 1) Cover the total costs for installation, usage, and maintenance.
- 2) Apply for and follow all required permits.
- 3) Continue to work with the Parks Division. Carried

18. **JAMES BAY DAY.** It was moved by Councillor Holland, seconded by Councillor Lunt, that the non-complying events proposed for “James Bay Day” to be held in Irving Park on September 28, 2002, be approved, subject to:

- 1) Approval by the City of Victoria Fire Department of a satisfactory fire safety plan for the proposed event.
- 2) Approval by the City of Victoria Fire Department of a permit for the proposed bonfire. Carried

19. **SPORTS FIELDS PERMITTING AND ALLOCATION.** It was moved by Councillor Holland, seconded by Councillor Lunt, that:
- 1) The report dated July 12, 2002 from the Parks, Recreation & Community Development Department regarding the use of sports fields in the City of Victoria, be received for information.
 - 2) The recommendations from the Sports Field Users' Report be referred for incorporation into the Department work plans for 2002 – 2005.
 - 3) A letter be forwarded to all participants, thanking them for their contribution to the process. Carried
20. **RECREATION INTEGRATION VICTORIA RELEASE OF FUNDING.** It was moved by Councillor Holland, seconded by Councillor Lunt, that grant funding to Recreation Integration Victoria in the amount of \$25,395.00, be released. Carried
21. **MULTIPURPOSE ARENA – IMPLEMENTATION SCHEDULE.** It was moved by Councillor Holland, seconded by Councillor Lunt, that:
- 1) The report dated August 2, 2002 from the Project Manager outlining the Multipurpose Arena Implementation Schedule, be received for information.
 - 2) Staff and Officers of the City be directed to prepare plans, bylaws and documents necessary to implement the schedule as outlined. Carried
22. **MULTIPURPOSE ARENA – FINAL EVENT PROGRAM.** It was moved by Councillor Holland, seconded by Councillor Lunt, that:
- 1) The report dated August 6, 2002 regarding the Final Event Program for the Multipurpose Arena, be received for information.
 - 2) October 5, 2002 be approved as the date for the final Commemorative Event and closing of the Memorial Arena.
 - 3) Approval be given to contributing the net proceeds from the Commemorative Concert to the development of a Veterans Memorial at the new Victoria Centre Facility. Carried
23. **APPLICATION TO CREATE PANHANDLE LOT – 910 RICHMOND STREET.** It was moved by Councillor Holland, seconded by Councillor Lunt, that:
- 1) The application to subdivide 910 Richmond Avenue into two residential strata lots, one being a panhandle lot (Lot B) having less than 10% of its perimeter fronting a highway, be forwarded to a non-statutory public hearing as provided for in the City's Panhandle Lot review process.
 - 2) Notice for the public hearing include adjacent neighbours and the Community Association. Carried
24. **RESIDENTIAL STRATA TITLE APPLICATION - #1 AND #2 – 1267 WALNUT STREET.** It was moved by Councillor Holland, seconded by Councillor Lunt, that the application to strata title the duplex at 1267 Walnut Street be approved subject to compliance with applicable provincial codes and municipal bylaws. Carried
25. **CORRECTIONS TO ASSESSMENT ROLLS.** It was moved by Councillor Holland, seconded by Councillor Lunt, that the assessment variation to supplementary Rolls #1 and #2 for 2002; and #13 for 2001, as outlined in the memorandum dated June 30, 2002 from the Director of Finance, be approved. Carried
26. **REQUEST FOR PROPOSAL #02-016 – BANKING SERVICES.** It was moved by Councillor Holland, seconded by Councillor Lunt, that Request for Proposal #02-016 – Banking Services, be awarded to the Royal Bank of Canada, based on being the proposal that provides the City with the best overall value. Carried
27. **UBCM CONFERENCE.** It was moved by Councillor Holland, seconded by Councillor Lunt, that approval be given to:
- 1) The attendance of Mayor Lowe and Councillors Holland, Lunt, McLean and Savoie at the UBCM Conference in Whistler, September 22 – 27, 2002.
 - 2) Funding of approximately \$8,000.00 to cover related expenses. Carried
28. **CANADIAN CAPITAL CITIES ORGANISATION – 2002 CONFERENCE – FREDERICTON, NB.** It was moved by Councillor Holland, seconded by Councillor Lunt, that funding of up to \$1,990.00 be approved to send Councillor Fleming as the City's delegate to the 2002 Canadian Capital Cities Organisation Conference in Fredericton, September 11-14, 2002. Carried
29. **PROPERTY TAX PENALTIES.** It was moved by Councillor Holland, seconded by Councillor Lunt, that a letter be sent to the Minister of Community, Aboriginal, and Women's Services:
- 1) Requesting that the penalty in the specific case discussed by Committee of the Whole at its August 8, 2002 meeting, be rescinded.
 - 2) Listing the names of all taxpayers who paid all their taxes on time but were charged penalties because they failed to complete the homeowner grant by the deadline.
 - 3) Requesting an immediate change to provincial legislation so that eligible taxpayers are not required to complete a homeowner's grant application every year. Carried

30. **SUPPLEMENTARY EMPLOYMENT INSURANCE BENEFITS.** It was moved by Councillor Holland, seconded by Councillor Lunt, that supplementary Employment Insurance Benefits during maternity leave be made available to eligible exempt staff in a manner similar to other City employee groups, with the costing being treated in a similar fashion. Carried

31. **GREATER VICTORIA PUBLIC LIBRARY STRATA COUNCIL REPRESENTATION.** It was moved by Councillor Holland, seconded by Councillor Lunt, that The Greater Victoria Public Library Board be authorized to select the City of Victoria representative on the Waddington Strata Council. Carried

COMMITTEE OF THE WHOLE – AUGUST 15, 2002

1. **TRAFFIC ORDERS.** It was moved by Councillor Fleming, seconded by Councillor Lunt, that the Traffic Orders outlined in the report dated August 7, 2002, received from the Manager, Transportation, be approved. Carried
2. **MARKET DAY – CHAMBER OF COMMERCE.** It was moved by Councillor Fleming, seconded by Councillor Lunt, that:
- 1) The request for a Proclamation declaring September 21, 2002 as “Victoria Market Day” be submitted directly to the Mayor’s office by the Chamber of Commerce for consideration by Council.
 - 2) Street closures on Broad Street be approved for any block in which there are no objections from businesses either located in that block or requiring delivery or client access through that block.
 - 3) All downtown businesses (within the boundaries of the former DVBA) be permitted to display merchandise on the sidewalk directly in front of their business location on Saturday, September 21, 2002 on a one time, trial basis. A minimum of 1.5 metres must be kept clear for pedestrian use at all times.
 - 4) Any City services required by the event be provided at no charge up to the limit of \$500.00 established for new events. Any additional costs would be the responsibility of the Chamber.
 - 5) Downtown businesses be encouraged to provide their customers with “First Hour Free” coupons available through the Chamber of Commerce, City Hall, and the View Street Parkade and good for use all year. Carried

Councillor Madoff excused herself from the Council Chambers at 8:23 p.m. as she has an association with the following application.

3. **OFFER TO PURCHASE – 528-532 PANDORA AVENUE.** It was moved by Councillor Fleming, seconded by Councillor Lunt, that staff be directed to advise 62661 BC Ltd. that the City is not prepared to extend the completion date for the contract of purchase and sale for the property at 528-532 Pandora Avenue beyond the scheduled completion date of September 6, 2002, and that staff be directed to confirm in writing that the City does not require a public parking arrangement as part of the development of the site. Carried

Councillor Madoff returned to the Council Chambers at 8:23 p.m.

MOTIONS

PUBLIC HEARING – SEPTEMBER 12, 2002

It was moved by Councillor Madoff, seconded by Councillor Savoie, that the following public hearing be held in the Council Chambers, City Hall, on **THURSDAY, SEPTEMBER 12, 2002 AT 7:30 PM:**

APPLICATION FOR REZONING OF PROPERTY known as 246 Gorge Road East:

1. REZONING BYLAW (NO. 1086) – No. 02-61:
To rezone land known as 246 Gorge Road East.
Legal description: Lot A, Section 4, Victoria District, Plan 14062
Existing Zone: T-1 Zone, Limited Transient accommodation District
2. DEVELOPMENT VARIANCE PERMIT RELAXATIONS:
That Council authorize the issuance of a Development Variance Permit in accordance with:
 - 1) Plans stamped “Development Variance Permit 02-18”, dated June 12, 2002;
 - 2) Development meeting all bylaw requirements with the following relaxations:
Section 3.9.6. To reduce minimum dwelling floor area from 33m² to 20m² for up to 26 dwellings;
Section 3.9.13(2) To reduce the parking requirement from 1.3 to 0.5 space per rental bachelor dwelling unit and from 1.3 to 1.0 for a manger’s suite.
 - 3) Final plans to be in accordance with plans identified above, with the incorporation of responses to the Advisory Design Panel’s recommendations, to the satisfaction of the Director of Planning & Development. Carried

BYLAWS

INTRODUCTION AND SECOND READING

It was moved by Councillor Madoff, seconded by Councillor Lunt, that the following Bylaws **be given two readings:**

Zoning Regulation Bylaw, Amendment Bylaw (No. 647) 02-79

Heritage Designation (134 St. Andrews Street) Bylaw (No. 486) 02-84
Carried

INTRODUCTION, SECOND AND THIRD READING

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

Ticket Bylaw, Amendment Bylaw (No. 11) 02-80

Parks Regulation Bylaw, Amendment Bylaw (No. 7) 02-81

Streets and Traffic Bylaw, Amendment Bylaw (No. 51) 02-83

Demolition (2524 Bridge Street) Bylaw 02-85

Road Closure (A Portion of Blanshard Street) Bylaw 02-87

Road Disposition and Exchange (Blanshard Street) Bylaw 02-88
Carried

ADOPTION

It was moved by Councillor Madoff, seconded by Councillor Savoie, that the following Bylaw **be adopted:**

Tax Exemption (536-538 Herald Heritage, 2002) Bylaw 02-68
Carried

QUESTION PERIOD

A question period was held.

ADJOURNMENT

It was moved by Councillor Holland, seconded by Councillor Lunt, that the Council Meeting adjourn.

Time: 8:26 PM.

Carried

CERTIFIED CORRECT:

CORPORATE ADMINISTRATOR

MAYOR OF THE CITY OF VICTORIA