

MINUTES - VICTORIA CITY COUNCIL
MEETING OF THURSDAY, DECEMBER 12, 2002 AT 7:30 PM

PLACE OF MEETING: Council Chambers, City Hall

PRESENT: Mayor Lowe in the Chair and Councillors Coleman, Fleming, Fortin, Holland, Hughes, Madoff, Savoie, and Thornton-Joe

APPROVAL OF AGENDA

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

MINUTES

It was moved by Councillor Savoie, seconded by Councillor Coleman, that the minutes of the regular Council meeting of November 28, 2002, be approved. Carried

It was moved by Councillor Savoie, seconded by Councillor Madoff, that the minutes of the Inaugural Council Meeting of December 2, 2002, be approved. Carried

PUBLIC HEARINGS

1. **APPLICATION FOR REZONING OF PROPERTY known as 2516-2524 & 2608 Douglas Street and 2515 Government Street:**

To amend the Zoning Regulation Bylaw:

- (a) To create a C1N-B Zone, Bus Terminal District, which will permit the uses in the C1-N Zone, Neighbourhood Shopping District, as well a bus terminal, including its ticket office and accessory uses, and will apply the C1-N Zone regulations except for new regulations for parking and the distance between a building and the boundary of its lot;
- (b) To rezone lands known as 2515 Government Street, and 2516-2524 & 2608 Douglas Street to a new C1N-B Zone, Bus Terminal District, to permit the land to be used for a relocated bus terminal.

New Zone:	C1N-B Zone, Bus Terminal District
Legal Descriptions:	2515 Government Street: Lot 29 and the north ½ of Lot 30, Section 4, Victoria District, Plan 162 2516-2524 & 2608 Douglas Street: Lots B, 4, 8 and the southerly 2 feet 6 inches of 9, Section 4, Victoria District, Plan 162
Existing Zones:	2515 Government is removed from the C1-N Zone, Neighbourhood Shopping District 2516-2524 & 2608 Douglas Street are removed from the M2-I Zone, Douglas-Blanshard Industrial District

CORRESPONDENCE:

One petition was received with 52 signatures opposing this application.

One letter was received opposing this application.

Three letters were received supporting this application with proposed changes.

PRESENTATIONS:

Brian Sikstrom (City Planner): The purpose of this application is to relocate the bus terminal and to help reduce traffic congestion at the current location.

Orest Klufas (Applicant) – 1339 Chestnut Street (Vancouver): Provided an overview of the main elements. Their goal was to provide an intercity bus terminal, which capitalizes on the neighbourhoods urban renewal. There will be parking for staff and users, a drop-off and pick-up area, and an off-street taxi lane. As for the massing, there will be three cascading roofs with wood beam structures, brick and soft hues, which will be indicative of the indigenous North West. The landscaping will be set back from both Douglas and Government Streets. There will be land and seating surrounding the building available to the public, as well as a sheltered area. They believe this will provide public interest and visual softening. Overall, they have met with the Advisory Transportation Committee and the Advisory Design Panel, and had three meetings with the Burnside/Gorge Community Association.

Alf Gale (Pacific Coach Lines) – 7878 Patrick Place: They met with the Burnside/Gorge Community Association to discuss the following issues: parking on Douglas Street; landscaping around the entrance; the trees on Government Street; the exit on Government Street; and access to the laneway. They have drafted a letter to Council regarding the parking on Douglas and he believes this shows their willingness to deal with this issue. Also, they will sign a Good Neighbour Policy which would allow business trucks access in the laneway (or large trucks that cannot access via Bay Street).

John Luton – 22 Philippa Street: He is looking forward to a referral to the Cycling Advisory Committee (he is the Chair). He feels cyclists would support this proposal. Hopes there will be adequate facilities for cyclists. Overall, he thinks it is a great project.

Mr. Lai (nearby business owner): He has no objection to the application but he would request that parking for the bus drop-off/pick-up area be adequately provided. Otherwise, it will affect all commercial tenants in the area.

Resident of Resington Park: He has a concern about the effect on his property as well as an increased amount of traffic in this area.

Duncan Ayre (President of the Burnside/Gorge Community Association): He supports this application. He is glad to see the willingness of the Applicant to sign a Good Neighbour Agreement. Believes the parking on Douglas should be for public use but to a maximum of thirty minutes. As this is one of the main transport routes into Victoria, he feels the trees will provide a nice friendly appearance and will be inviting to tourists. This proposal will have an impact on parking and it will need to be monitored so that it doesn't have a negative impact. Also, the design of the laneway should be safe and made available to the public.

Anne Fletcher – 2820 Harriet Street: Believes it is fine to have another bus terminal location; however, we still need to have a downtown location. If the current downtown location is not maintained, it will change the business economy in the downtown area.

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

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

Zoning Regulation Bylaw, Amendment Bylaw (No. 654)

02-98
Carried

(2) **Bylaw Motion – Adoption:**

It was moved by Councillor Holland, seconded by Councillor Fleming, that the following bylaw **be adopted:**

Zoning Regulation Bylaw, Amendment Bylaw (No. 654)

02-98
Carried

MOTION:

It was moved by Councillor Savoie, seconded by Councillor Hughes, that prior to the issuance of a building permit, the landscaping, parking, and lay-by design issues outlined by the Burnside/Gorge Community Association acknowledged by Pacific Coach Lines be addressed by the Applicant to the satisfaction of the Director of Engineering. Carried

2. **APPLICATION FOR REZONING OF PROPERTY known as 701 Tye Road:**

(1) **Rezoning Application No. 02-16:**

Zoning Regulation Bylaw, Amendment Bylaw (No. 651) – No. 02-94:

To amend the Zoning Regulation Bylaw

- (a) To create a CD-5 Zone, Railyards Residential Commercial District, which will permit townhouses, apartments, live-work and commercial uses and will apply regulations for the number of buildings on a lot, the distance between a building and its boundary, parking, height of buildings, floor area of buildings, and the ratio between buildings' floor area and lot area;
- (b) To rezone land known as 701 Tye Road to a new CD-5 Zone, Railyards Residential Commercial District, to permit the land to be used for residential and commercial purposes.

New Zone: CD-5 Zone, Railyards Residential Commercial District
Legal Description: Lot 2, District Lot 119, Esquimalt district, Plan VIP54467, removed from CD-3 Zone

Existing Zone: Lot 3, District Lot 119, Esquimalt District, Plan VIP54467, removed from M-3 Zone
CD-3 Zone, Bayside Comprehensive District
M-3 Zone, Heavy Industrial District

(2) **OFFICIAL COMMUNITY PLAN BYLAW, 1995, AMENDMENT BYLAW (NO. 43) – NO. 02-95**

To change the name of Development Permit Area 23, and to amend its regulations to reference the Railyards Development Guidelines.

(3) **Development Permit #02-36:**

That Council approve the issuance of a Development Permit to relax Engineering Department's Standards and Specifications to permit the installation of special road treatments.

CORRESPONDENCE:

Four letters were received opposing this application.

Five letters were received expressing support for this application with proposed changes.

PRESENTATIONS:

Brian Sikstrom (City Planner): The purpose of this application is to permit 85 waterfront townhouses, 279 apartments in a four-storey building, 72 apartments in a six-storey building facing Bay Street, and 46 live/work units facing Tyee. In total, there will be 1,170m² of commercial space. The Applicant is concerned about marine preservation and will include a public path, docks, public parking, and public washrooms. Approximately 15% of the land will be dedicated parkland. Says the Applicant has consulted with the neighbours and Community Association and they have received approval from the Advisory Design Panel.

Chris LeFevre (Applicant): This project first started 18 months ago. They commenced consultation with the public in the early stages and they have been nothing but open and transparent. The present industry in the area has been consulted and respected. Their main goal was to build affordable housing, especially by the water. They will provide parks, piers, pathways, and will respect the waterfront, as decreed by the City. He believes this development will reduce traffic, as most people who will live there will walk/bike to work. Emphasized that this is what this project is about. He also said that the City should take comfort as to who he is – he is not looking to develop and sell this property. Stated this property already has zoning, they are revisiting it because of the idle transit corridor. He has made changes from his earlier proposals regarding the height of the apartment buildings and townhouses. In the past three weeks, there has been a paper blitz and he is here today to address it, not hide from it. The main problem is traffic – he is sympathetic to change and those affected by it; however, it must be managed and reviewed. They hired a traffic consultant to study traffic flow in the area and on an average day, there is approximately 2,500 vehicles per day. One of the proposed solutions was to relocate traffic under the Bay Street Bridge. The problem with this is that the laneway beneath was not meant to handle residential traffic. Says that one block on Alston Street will be affected by the flow of traffic and asked if changing one street ruins an entire neighbourhood? Further, does it give the right to stop a development such as this?

Crossland Doak (Architecture): This site has been in a derelict state for years. Believes this is a smart growth development and it's the first of its kind in Western Canada. This proposal respects and protects the environment. Mr. LeFevre assembled a team of landscaping architects who were best known for waterfront development. Stated a lot of effort and money has been invested in this project to date. Listed all public meetings they have held during their consultation as well as various issues that were raised including development walkways, parking lots, pedestrian waterfront pathway, wharfs and piers, conservation of the shoreline, and accommodating walkers and cyclists. They took into account the Neighbourhood Transportation Plan when considering the traffic diverter on Alston and Raynor. He believes this plan is better than the 1995 plan. Then proceeded to discuss the design of this project. Believes it pays respect to the heritage area yet it is also contemporary with specific attention to detailing. There is an intricate use of corrugated steel and glass. As for the open space, there will be a dual trail system, a small park on the north section of the lot as well as a public parking lot and loading area. There is the possibility of public art for the south end of the lot. Said that the current road system provides very good support. Summed up by saying that \$2.8 million of public amenities will be spent for this project with a potential of \$1 million in taxes per year.

Councillor Fleming Excused himself from the Council Chamber at 8:38 p.m.

Mike Skene (Transportation Analyst): Provided a model that simulates the traffic flow in this area. Discussed both the am peak traffic and pm peak traffic estimating that 2,550 vehicles will travel through this area over one day. For the am rush, this would be approximately 191 vehicles and approximately 221 vehicles in the pm peak rush. Discussed various traffic patterns and the growth rate on Skinner. Overall, since 1990, there hasn't been any changes; rather, a decrease in traffic due to the opening of the Island Highway.

Councillor Fleming returned to the Council Chamber at 8:40 p.m.

Councillor Savoie excused herself from the Council Chamber at 8:40 p.m.

John Luton (22 Philippa Street): He is very pleased with the development and the team cooperation. He is strongly in favour of this development. A few items he addressed include: (1) it is very important to ensure the trail is not crowded by vehicles with the potential extension of Harbour Road; (2) projected traffic – believes Mr. Skene's projection for the number of vehicles is conservative yet feels that this project will encourage individuals to walk or bike to work; and (3) phasing of project – inquiring when the commercial space will be available. He thinks this is a very good project and believes transportation impacts will be positive.

Councillor Savoie returned to the Council Chamber at 8:43 p.m.

Anne Fletcher – 2820 Harriet Street: Expressed alarm for the Mill site. Said that there are few business people on Council. Now the trend is reversing and she was hoping that business would win in the last election. Said that if business loses, then labour loses.

Jane Baigent – 1040 Alston Street: She is not antidevelopment nor is she suggesting to stop this development; however, she has a real concern regarding traffic in this area. Believes Council needs to carefully consider this development, as it is a large development consisting of 482 units. In the last two months, she has done her own research regarding traffic numbers. The traffic study done for the area close to the Railyards does not include all of Victoria. She projected that existing traffic at Alston and Tyee (east of Skinner) and the Railyards traffic will be approximately 3,500 vehicles per day. Discussed the 1995 Neighbourhood Transportation Plan stating that while 51% voted in favour, at least 70% would have to vote yes before anything is implemented. Feels that the City is now using this plan but not considering other solutions. Said the diverter would only protect part of the neighbourhood and should traffic exceed capacity of Alston and Tyee, the only solution would be to remove the diverter, which would allow traffic into Raynor Street. Feels that an extension of Harbour Road would be the best solution to the traffic problems. However, she was informed that it would be too close to the water and the Galloping Goose Trail. Said another option was to improve the Tyee intersection and feels the City should insist it's the responsibility of the developer to deal with this matter. She trusts Council will consider the neighbours and commercial needs of thousands of people who use the Bay Street Bridge.

Councillor Fleming excused himself from the Council Chamber at 9:11 p.m.

Clive Timms (City Engineer): They have completed an extensive neighbourhood consultation process for the diverter and received approximately 290 responses from Victoria West. Of those saying yes or no to a diverter, over 80% were in favour of the diverter. The diverter allows individuals to set their own route. Discussed the approximate number of vehicles expected per day in this area stating that the consultant's data is quite conservative. Says that people turning from a minor street onto a major street will not be frustrated while waiting to turn. The fall back would be a traffic signal, which is not necessary yet.

Councillor Fleming returned to the Council Chamber at 9:14 p.m.

Damian Cruz (819 Walker Street): He has been a resident in this area for 7 years and he lives on a dead-end street. It would be an ideal situation if there were no traffic problems; however, we will always have traffic. In the summer, he bikes with his daughter to school/work. Feels that more people would want the option to either bike or walk to work.

J. Fitzgerald (402 Raynor Street): He is very concerned about traffic in this area. He drives to work everyday and says there is quite a wait. Feels something has to be done.

Carol Smith (works on Alston): She is a professional Traffic Operations Engineer with 15 years of experience. She has read the 1995 plan and the current plan. She indicated that the 1995 and 2002 traffic impact studies were conducted using accepted traffic engineering procedures for trip generation and distribution. She does not agree with the recommendations from either of these plans. She also questioned why the turn restriction at Tyee, as outlined in the 1995 report, was not included in the new report. She also disagrees with the latest report's traffic analysis of the Bay/Tyee intersection as it indicated that there was level of service B for some movements that are known to queue for significant distances. This results in a much lower level of service than B. She also indicated that the computer simulation shown at the meeting did not show accurate existing queuing. She has concerns about traffic at the Alston Street intersection because at 4:30 p.m., traffic is backed up to Catherine Street. Says a turning lane will help but will not prevent the back-up to Catherine Street. She also has operational concerns regarding the Skinner/Tyee intersection. The 1995 report directed that left turns out of Tyee would be prohibited; however, that traffic would have to be redirected to the Alston Street intersection. She is also very concerned about safety at the Alston/Skinner intersection. Believes this is a great development; however, there are two other developments for this area and is surprised that the City is considering them separately. Says that one traffic impact study should be completed for this entire area. Thinks the extension of Harbour Road is a great idea as it will provide an alternate and safe route. The City needs to consider the serious impact of traffic in this area.

Paul Condon (1135 Catherine Street): His main concerns include density, the nature of the adjacent neighbourhood and the impact of traffic on this area, traffic and congestion, and the public consultation process. Feels this proposal allows for too many units. He is concerned that if this property is sold in the future, new storeys may be added to the proposed buildings. As for traffic, a number of years ago, the

residents wanted Raynor Street improved. They approached the City and 15 to 20 years passed by without anything being done. Finally, the residents paid for the improvements to Raynor Street. He thinks it is unfair that an additional 485 vehicles will now use this street. His neighbourhood has the highest concentration of heritage houses and it is unfair to those residents. He asked Council to imagine turning left at the Alston intersection when there are approaching cars every few seconds. He values the public and greenspace proposed in this project but is concerned with all the developments in this area. Not one single activity or recreational park has been proposed for the children. He advised that he sat on the Advisory Planning Committee years ago and his criteria for potential developments was: (1) good architecture, (2) the impact on the neighbourhood and the community at large; and (3) is it the best use with the most efficient use? In relation to this application, he is not a fan of corrugated iron, thinks the traffic congestion will provide a negative impact on the neighbourhood, and the challenge is to find a road close to the bridge and extend it under the bridge. He asked the applicant to improve this application because we wouldn't want to have any regrets in the future. Also, if we do not take such things into consideration now, then you'll pay through the nose in the future.

Brian Sikstrom (City Planner): Clarified that the maximum height for one proposed building is only six storeys, not ten. The other buildings will be four storeys.

Dianne George (1127 Catherine Street): She is not supporting this application at this time. Said the Burnside/Gorge Community Association provided their support based on the traffic problem being dealt with. Obviously, they haven't dealt with the traffic problem. She supports a diversion under the Bay Street Bridge. She also feels that she was not adequately consulted by the applicant and does not recall any surveys nor canvassing.

Betty Gibbens (933 Convent Place): She asked when the property was purchased? She also asked why this rezoning did not occur before the applicant purchased the property. The Mayor advised that Canadian National sold this property, not the City. She feels that the word "affordable" is thrown around but it needs to be defined. Nor does she agree with the rows of houses fanning out towards the water. Explained that the view to the water will be blocked by the slope and angle of the houses. Believes this development is too close to the water. She further feels that it is an insult that Canadian National authorized this development. Feels this property could potentially be sold for an enormous profit and then discarded. Then she read from a report she wrote outlining her opinion about the City selling this property for redevelopment.

Charlie Garrett-Jones (1131 Catherine Street): He has been a resident in this area for seven years. Feels the Railyards development would be an asset to this neighbourhood. Listed all the heritage buildings in this area stating it has taken residents decades to rebuild this neighbourhood. Feels that routing over 1,000 vehicles is similar to building a highway. Wanted to know if anyone could guarantee the security of the Alston diverter for decades to come. Said there is no quick solution for this problem and suggested that if traffic has not been completely satisfied, then maybe the development should go back to the drawing board. Can the City expect 500 or more families to be introduced to this neighbourhood with no agreeable traffic solution?

Ray Hunt (551 Birch Road): He used to live in the area but moved away five years ago. Itemised the benefits of this project to the community as providing affordable housing, greenspace, and it will connect the community to Victoria Harbour. However, traffic is a prevailing concern by local residents. Said we have many pluses for this project and one negative and we need to find an adequate option for dealing with this issue over time.

Mark Whyte (resident of Shawnigan Lake): He spent a lot of time in this area fishing and biking. He applauds the developer for attempting to make this land useful. Says we need to look beyond the problem to see what this project will do for the community. He would love to move back to this area and a project like this makes it affordable to do so. Says that the traffic concern is hypothetical – the reality is to get away from traffic, not increase it.

Clive Timms (City Engineer): In order to provide assurance that the diverter will not be removed; the City could pass a bylaw. This bylaw would require public consultation before any further action, such as removing the diverter. While a future Council could repeal the bylaw, this does provide a degree of perceived protection. Also, to install an additional traffic light, it would be approximately \$80,000.00 and it could be accommodated into the City budget. However, whether or not any hydro/telephone poles would be affected would have to be researched. The City's position regarding Harbour Road is: there is a soil contamination issue; there is a subdivision issue; the road would be narrower; the road would be 300m longer than the original projected length; and an extra cost due to the longer length. The City has considered this option and the possibility of extending Harbour Road; however, there is no significant advantage of doing so. Used the plans to show the areas that would be affected by extending Harbour Road.

Gary Darrah (Victoria West Community Association): He is the Chair of the Victoria West Land Use Committee. This is a large development offering a shortsighted traffic solution. Believes not enough thought and recognition has occurred in relation to the traffic problem. Based on the traffic engineers, the new residents will out-number the current residents. Believes that maintaining the diverter is critical to the heritage preservation of this area. Said that the impact of extending Harbour Road would pale in comparison to the traffic problem created by this project. The Victoria West neighbourhood will see an increase of 1,300 residents over the next five years – this in only factoring current developments, not new developments.

Anne Field (1135 Catherine Street): She expressed confusion by Mr. Timms projection for the extension of Harbour Road as the area is all cement and its dark and dingy. Feels there is a real safety concern, both to traffic and pedestrians. Currently, she will not allow her children to bike to school. She also expressed concern regarding the potential removal of the diverter at a future date. Does not believe this proposal is reasonable or fair to the traffic concerns and the residents deserve better.

David Bowdenberg (resident): Stated that the Harbour Road extension would spread the impact of access and egress, it would preserve Catherine Street and diminish the use of Raynor Street, and it would improve fire protection for the Railyards. Currently, there is a lot of development in the Victoria West area and while the traffic problems are not the developer's fault, we need to implement a consolidated traffic solution.

Jeffrey Brown (944 Mason Street): Victoria is a city that requires development, especially affordable housing. If this proposal was approved, we would need an effective traffic plan. Said there are quite a few parks in this area. Stated that this area should be used for residents or something that will use the land.

Marilyn Swan (1901 Hamilton Road): She is sympathetic to the resident's traffic concerns; however, she is also thinking about the architect. Vancouver architects have provided innovative solutions to deal with traffic – maybe we should attempt the same for Victoria. She would not like to see the development halted.

Mathew Ronald Jones (1249 Fort Street): A project like this makes it feasible for him and his wife to purchase their own place. As for the traffic problems, feels it should not be diverted to the Galloping Goose Trail.

Sandy McMillan (1055 Alston Street): Feels the public consultation process has been flawed, as he was never consulted. Council has a due diligence obligation to look at the whole picture.

Dave Humphries (55 Songhees Road): He supports this application. He would like to see the land used and he feels it is an underdeveloped area. It seems as though nobody is against the project; rather, that the traffic poses the greatest concern. Suggested that we take a look at the infrastructure.

Chris Walker (800 Tye Road): He fully supports this application and wondered if Council or City has considered placing sensors at the Alston Street intersection to affect the Catherine Street lights.

Clive Timms (City Engineer): Currently, the traffic light at Skinner and Catherine is semi-actuated which means the light will remain green on Skinner until a car or pedestrian approaches on Catherine Street.

Councillor Coleman excused himself from the Council Chamber at 10:42 p.m.

Brian Martin (5121 Wildview – owns 740 Tye Road): He commends the developer for this project. Thinks this is a good thing for the City and is great for this area. A point, not concern, that he wants to raise is that there is a tradition that allows trucks to unload on the road. He would like to see this tradition continue. Albion Fisheries has many employees and they were encouraged to set-up their business in this area a number of years ago. He would like to see them stay there. Thinks that staff parking should be allowed on Tye Road as Albion employees start as early as 4:00 a.m. and there are no buses running at that hour. Also thinks that an "on-street permit parking" system should be allowed on Tye Road.

Councillor Coleman returned to the Council Chamber at 10:49 p.m.

Councillor Fortin excused himself from the Council Chamber at 10:50 p.m.

Peter Laughlin (1102 Fort Street): He is happy to work in conjunction with Mr. LeFevre. It is very important that Council recognizes the importance of development in Victoria West as it provides new employment opportunities and affordable housing. He urges Council to push forward this application by recognizing that it is a phased development.

Councillor Fortin returned to the Council Chamber at 10:52 p.m.

Michael Watkins (69 – 426 Sitkum Street): Traffic generated at this site is finite. Thinks this proposal is well thought out and it respects the Galloping Goose Trail (and walkers). Said we will always have traffic problems.

C. Joe Richards: He is upset that two people have berated the Victoria West area. Wants Council to think about what happened in the Jubilee area. Feels the Harbour Road extension should be allowed. He has been drawing attention to the Bay/Tye intersection for two years and nothing has been done.

Jeff Courtnall (1014 Catherine Street): He is concerned about traffic in this area. Thinks something else needs to be done. He provided a list of individuals who could not attend the meeting but wanted to express the support for the extension of Harbour Road. Thinks we need a better consensus process.

Valerie Evans (820 Delmonte Lane): She has communicated with Mr. LeFevre regarding this application. She feels he has been open and respectful. However, she wants to protect the viability of her tenants (and her financial investment). Says the City of Victoria has shown a need for residences within walking distance

to the downtown area. This project improves the status of the land and it is environmentally aware. Suggested the Victoria Harbour Ferry be extended to the Railyards. For the past five or ten years, there has been significant delays and congestion in this area. She is wondering what will happen in an emergency situation as more development takes place in Victoria West. In Victoria West, there is no all day public parking facility – parking is a limited resource and is precious. She would like to see more parking made available for this area, but she and her husband dislike the bulb and tree replacement for the Railyards as it reduces on-street parking.

MOTION:

It was moved by Councillor Fleming, seconded by Councillor Hughes, that the Council Meeting be extended past 11:00 p.m. Carried

Heather Clarke (1014 Catherine Street): She is in favour of this application as she thinks it is wonderful for the neighbourhood. She is concerned about traffic. While there are only a few residents on Alston Street, their opinions or needs should not be disregarded. As a lot of the houses don't have driveways, if the diverter is ever removed, it will interfere with the residential traffic.

Councillor Holland excused herself from the Council Chamber at 11:03 p.m.

Frank Lane (resident): All traffic figures are hypothetical. Perhaps we should address this matter in five years. The need and use of a diverter still needs to be proved.

George Barstow (1120 Arthur Currie Lane): He is in full support of this project. He would like to know how it will impact the residents on Arthur Currie Lane. This area was developed around 15 years ago to retain the heritage flare. He is also concerned about the height of the new buildings and whether or not they will detract from residents on Arthur Currie Lane – questioned if the sight lines will be blocked.

Councillor Hughes excused herself from the Council Chamber at 11:07 p.m.

Bylaw Motion – Consideration of Third Reading:

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

Zoning Regulation Bylaw, Amendment Bylaw (No. 651)

02-94
Carried

Councillors Holland and Hughes returned to the Council Chamber at 11:09 p.m.

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

Official Community Plan Bylaw, 1995, Amendment Bylaw (No. 43)

02-95

It was moved by Councillor Madoff, seconded by Councillor Hughes, that the Official Community Plan Bylaw, 1995, Amendment Bylaw (No. 43) be amended as follows:

To replace the Railyards Development Guidelines dated November 6, 2002, with those dated November 14, 2002. Carried

On the main motion.

Carried

MOTION:

It was moved by Councillor Holland, seconded by Councillor Hughes, that consideration of Development Permit #02-36 and adoption of Zoning Regulation Bylaw, Amendment Bylaw (No. 651) and the Official Community Plan Bylaw, 1995, Amendment Bylaw (No. 43) be postponed to the Council Meeting of January 23, 2003, pending a report from the City Engineering Department addressing the traffic concerns raised. Carried

Recess from 11:35 pm to 11:37 pm

Mayor Lowe excused himself from the Council Chamber at 11:37 p.m. as he is an immediate neighbour, which may create a conflict of interest.

Deputy Mayor Helen Hughes assumed the Chair.

NON STATUTORY PUBLIC HEARING

The preparation of a long-term campus plan by Glenlyon Norfolk School with consultation and input from residents, the neighbourhood and the City is an important recommendation of the Gonzales Neighbourhood Community Plan.

The major campus plan elements include: the provision of a driveway access to the school from Richmond Road with on-site drop off and visitor parking, expansion of the school's playing field to Richmond Road with removal of three houses, and modifications to the parking access from Maddison Street. The plan includes campus design guidelines and analysis of traffic problems and impacts of a Richmond Road access driveway.

CORRESPONDENCE:

Seven letters were received objecting to this application.

One letter was received expressing support this application with proposed changes.

PRESENTATIONS:

Barbara Emerson: She is the Head of Glenlyon Norfolk School and has been since early this year. Two major plans she has tried to implement are an educational plan and this campus plan. Stated that Glenlyon Norfolk School has been a long-time member of the community providing approximately 90 years of educational instruction.

Councillor Fleming excused himself from the Council Chamber at 11:40 pm

Keith Elwood – 940 Falkland Road: He is on the Board of Governors for Glenlyon Norfolk School and he has previously served on the Gonzales Neighbourhood Steering Committee. Says the Board has a responsibility to community relations. They want to hasten their plan, which includes a walk-able green, scalable landscape. He believes this plan will decrease uncertainty, show a level of commitment to their neighbours, and the plan respects and adheres to the Gonzales Neighbourhood Plan. This plan contributes to the elements of the school. Also stated that this plan recognizes the impact of traffic loads on the community. The regulation size soccer field is for the physical education classes and will permit the school to host home games. Overall, he believes the plan enhances the level of safety for the students. He would like to see a Traffic Demand Management plan implemented. Said that the school has attempted to consult with the public through their website and leafleting as well as they have held meetings and invited the public. Stated that their relations with neighbours have not always been positive but that they are continually improving. Said that Glenlyon needs the community but that the community also needs the school. It is the largest employer and landowner and represents an important asset to the entire City of Victoria. Closed by saying that the achievements of their students are recognized internationally.

Councillor Fleming returned to the Council Chamber at 11:47 pm

Christopher Rowe (Architect): Three main goals they were aiming for: (1) adherence to the Gonzales Neighbourhood Plan; (2) consultation process with the public; and, (3) to find the best possible solution with the smallest impact. In addition, they wanted to maintain and improve the greenways, reduce the amount of traffic and parking, and to seek a greater certainty with the schools future plans. They had a design charrette last January and presented it at an open house in February. They also held a public open house in July. In addition, they held two meetings each for the Fairfield Community Association and the Gonzales Neighbourhood Association. While their plan may not be perfect, they have worked together with the community. In regards to finding a workable traffic solution, they found that 1/3 of the cars came from Richmond, 1/2 from Oak Bay, and the rest from Fairfield. As Maddison is very narrow, they felt that if they reduce the amount of traffic they would increase the safety level. They would also like to take the congestion off the street and onto the school property. A proper driveway is intended to create a new front door for the school. With this proposal, no trees would be lost. Also, kindergarten to grade 5 will be relocated to the Beach Drive campus so that will help reduce traffic. Alternative arrangements have been suggested but they feel this plan optimizes the situation and will have a minimal, negative impact on Richmond.

John Luton (22 Philippa Street): Feels the addition of more access for motor vehicles is counter intuitive of any Traffic Demand Management plan that the school might implement. Need to minimize the traffic impact for the area. He does like the addition of greenspace.

Todd Weir (850 Somenos Street): He has been affiliated with the Glenlyon Norfolk School for approximately 10 years. He hopes this solution will allow the school to go forward in a constructive manner. In regards to the two meetings with the school, approximately 60 members attended. The first meeting did not go well due to a lack of clarity, a traffic consultant was not present, and there was no formal representative from the school. The second meeting was more positive and constructive. It showed conformity to the Gonzales Neighbourhood Plan, they outlined probable traffic concerns, and they addressed a good deal of technical issues. He is concerned that in the past, the Glenlyon Norfolk School has made a number of promises yet nothing or little was done to fulfill those promises. He wants to know what assurance the public has that the

school will follow through with this plan. Will a committee be created to oversee the actions of the school? How will they mitigate the impact on the residents of this area?

Katherine Gordon (863 Richmond Avenue): She supports the school and does not object to the proposal; however, she has concerns regarding implementation and traffic flow. There are no driveways on Richmond Avenue and feels there will be a real temptation for people to park on the street. She would also like to know how emergency vehicles will be affected, especially with children in and around the area. As for implementation, she feels that the school needs to follow through on its promises. She currently has no reason to rely on Glenlyon Norfolk School. Currently, the school provides no maintenance for its residential properties. Three of the vacant lots are attracting teens at night and she would like a real committee to oversee aesthetic values.

Myra Waller (870 Somenos Street): Feels that the 120 added vehicles will cause stress to the neighbourhood. Says it is already difficult to maneuver on Richmond Avenue. She reminded Council that the traffic consultants said there would be no problems on Richmond Avenue when they closed Fern Street. She agrees that the school zone should be extended along Richmond. Also suggested the implementation of a round-a-bout for the five-way intersection at Despard, Gonzales and Richmond. This way, a right-of-way onus is placed on the driver. She feels this area is an accident waiting to happen and the City needs to deal with traffic in this area. She also has concerns with the school's proposal of landscaping.

Kevin Brewster (723 Richmond Avenue): Provided Council with a hand-out. Said there is unrestricted street parking on Richmond Avenue. On evenings when the school has a function, cars are parked bumper to bumper along Richmond. As such, he is unable to safely exit his driveway due to limited visibility. He would like to see a recommendation added to this proposal that implements residential parking only along Richmond Avenue. His second recommendation is that the speed limit along Richmond Avenue be reduced to 40km/h.

Christopher Rowe (Architect): Says the school has no objections to any of these recommendations. Also stated that the school has no plan to use Richmond Avenue as a drop-off. Currently, there is no school zone surrounding Glenlyon Norfolk School and believes that if there is no drop-off activity on Richmond, then there will be no need for a school zone.

Richard Pearson (762 Richmond Avenue): Said that he is one of six houses directly opposite the proposed new driveway. Believes this proposal is asking for traffic conflict. Feels that the location of the driveway should be put at the north end of the existing playing field. While he is aware that visibility is not ideal, he feels that when his suggestion is balanced with the south end proposed driveway, the wrong choice was made. Feels the school needs to look at this issue again.

James Bateman (866 Maddison Street): He has owned his property since 1958. Glenlyon Norfolk School owns nine properties and are about to demolish three. Feels this is contrary to the Gonzales Neighbourhood Plan. Acknowledges that the school has high academic achievements; however, it is a private school that belongs to the non-tax paying sector of business. Would like to know what is going to happen to the other six properties owned by the school.

Leslie Wilson (735 Richmond Avenue): She feels her property will be most impacted by this proposal. If the school wants to be a good neighbour and fit into the community, then they will have to prove it. This plan has relocated the problem from one street and put it in her backyard. Feels the proposal is only decreasing the number of people affected rather than addressing the problem. Said that there will be a huge loss of privacy and security and an increase in noise and fumes for her property. She has no intention of living next to a parking lot considering there used to be a house behind her house.

Rod Windjack (837 Maddison Street): The key to evaluating this plan is: Richmond is an arterial street and Maddison is a resident street yet Maddison takes 90% of the school traffic. He does believe any relief he gets will make the quality of life on Maddison better. Feels there needs to be a redistribution of traffic because 90% is too much for Maddison Street.

Councillor Thornton-Joe excused herself from the Council Chamber at 11:42 p.m.

Foster Griezic (724 Oliver Street): He walks by the school on his way to work and he would never send his children to a private school. Feels this is not an education issue. He suspects the school is trying to build a better perception of themselves for public relations. Feels the school is trying to solve the problem by closing out the world – if that's the case, then why not apply it to Maddison Street? He questions the entire issue, especially the use of buses and cars. Currently, there are good sidewalks to get to the school and he suspects that a large percent of the students live within 4, 5, or 6 blocks of the school. This is a walkable distance. If there are not enough sidewalks, then build more. Then, we cannot complain about the cars because they will not be there. Glenlyon Norfolk School is a business corporation and there is no question about that. While they may have an educational interest, they are the landlord and tenants for the entire area. Wanted to know if the school will be satisfied with this proposal or will they want to change it in the future. The school has admitted that they are poor neighbours so how can we accept them at their word when they haven't been forthright. Feels their words do not have much substance. Should put what the school will be providing and how they provide it in a legal document in order to hold the school accountable.

Asked about the City's due diligence in reviewing the traffic consultant's review. Began to debate the matter of private versus public corporations.

Councillor Thornton-Joe returned to the Council Chamber at 11:47 p.m.

Mike Skene (Traffic Consultant): Advised Council that the studies were not done by the City; rather, the school hired a traffic consultant to perform the study.

Councillor Madoff excused herself from the Council Chamber at 11:49 p.m.

Dennis Clarke (848 Bank Street): He supports the request for endorsement but would like a written commitment from the school regarding landscaping. Also, he would like to see a 30km/h zone on Richmond Avenue. As he understood it, there would be no future action taken on behalf of the school until the Gonzales Neighbourhood Plan was in place. Instead, the school is removing three houses outside of the public information process.

Councillor Madoff returned to the Council Chamber at 11:53 p.m.

Caleb Small (1832 Gonzales Avenue): He has lived here for 32 years. The school directly borders his property. Feels the school is consuming the neighbourhood by buying and demolishing houses. This plan allows the school to make a fourth access point to the school. As the school's current plan limits their growth, the implementation of this proposal will allow the school to expand. Does not believe there is a fair public information process. He received notification on Sunday for a Monday meeting. He is asking Council to respect the wishes of the neighbourhood – they do not want to be consumed by this machine. The residents do not want a bigger school. The school needs a plan that addresses the immediate affected area.

MOTION:

It was moved by Councillor Fleming, seconded by Councillor Holland, that Victoria City Council:

1. Endorse the Glenlyon Norfolk School Campus Plan, permitting the removal of the three houses at 755, 771, and 781 Richmond Avenue.
2. The relevant maps in the Gonzales Neighbourhood Community Plan be amended to include the three houses on Richmond Avenue as part of the area occupied by the school.
3. A commitment be obtained from Glenlyon Norfolk School that its remaining six houses will remain in residential use for one year, or until the Gonzales Neighbourhood Community Plan is implemented.
4. Refer to the Transportation Staff for review and report the traffic safety issues relating to:
 - a) The five-way intersection as Despard, Gonzales, and Richmond.
 - b) Residential only parking on Richmond Avenue.
 - c) Traffic speed on Richmond Avenue.
5. Ensure that landscaping is reviewed by the Fairfield Community Association in accordance with the Campus Master Plan. Carried

HEARINGS – REQUESTS TO ADDRESS COUNCIL

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

1. Anne Fletcher – Change to Council Minutes of November 28, 2002. Says that it is a real crisis that people who's families have been here since the 1800s are not honoured. Believes that the *Local Government Act* or the Community Charter should be changed to reflect those individuals of English families who have been here in Victoria since the 1800s. Such individuals should be acclaimed in an election.
2. Ted Smith – Business licence, lease of Johnson Street space and Health Canada meeting. Has a business licence at 826 Johnson Street. Says that decriminalization of marijuana is a national issue yet he does not believe any thing will be done, as reflected by Health Canada. There will be a case tomorrow in the Supreme Court of Canada regarding an individual who is in a similar situation as himself – trying to inform the public about the uses of marijuana. It has been proved in the courts that marijuana use causes minimal harm.

UNFINISHED BUSINESS

It was moved by Councillor Fleming, seconded by Councillor Coleman, that the following Bylaws **be adopted:**

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

Ticket Bylaw, Amendment Bylaw (No. 14) 02-123

REPORTS OF THE COMMITTEE

COMMITTEE OF THE WHOLE – NOVEMBER 28, 2002

1. **REQUEST FOR HERITAGE DESIGNATION – 902 FOUL BAY ROAD.** It was moved by Councillor Fleming, seconded by Councillor Holland, that, whereas the house and land at 902 Foul Bay Road is worthy of heritage designation, it be designated as a municipal heritage site, including the following interior and landscape features:
 - Main floor - living room, dining room/inglenook, den, front hall and stair
 - Second floor - stair and landing
 - Landscape features - trees, stone walls, and iron gate

Carried

2. **REQUEST FOR HERITAGE DESIGNATION – 1421 GRANT STREET.** It was moved by Councillor Fleming, seconded by Councillor Holland, that whereas the existing house, garage and garden shed at 1421 Grant Street are of heritage significance, these structures be designated as a municipal heritage site, including the following interior features and fixtures for the main floor dining room, entrance hall and den and the stairway to the second floor, including
 - 1) All woodwork and mouldings
 - 2) Heat registers
 - 3) Leaded glass windows

Carried

3. **REQUEST FOR HERITAGE DESIGNATION – 86-88 DALLAS ROAD.** It was moved by Councillor Fleming, seconded by Councillor Holland, that:
 - 1) Whereas the building at 86-88 Dallas Road is worthy of heritage designation, it be designated as a municipal heritage site.
 - 2) The hearing and final adoption of the Heritage Designation Bylaw be considered at the same meeting for which the rezoning public hearing is scheduled, after the public hearing has been completed.

Carried

4. **HERITAGE ALTERATION PERMIT APPLICATION #107 – 86-88 DALLAS ROAD.** It was moved by Councillor Fleming, seconded by Councillor Holland, that:
 - 1) Pursuant to the Heritage Designation bylaw of this property, City Council authorize that issuance of Heritage Alteration Permit #107 in accordance with:
 - i. Plans dated September 6, 2002.
 - ii. Development meeting all bylaw requirements.
 - iii. Retention of the original glass on Dallas Road façade.
 - iv. Removal of all existing shingles where drop siding exists underneath.
 - v. Consideration of retaining the existing chimney on the south façade above the roofline.
 - vi. Review by the Heritage Advisory Committee at the building permit stage.
 - vii. Finals plans to be in accordance with plans identified above.
 - 2) This resolution of approval be considered at the same meeting for which the rezoning public hearing is scheduled, after the public hearing has been completed.

Carried

5. **HERITAGE ALTERATION PERMIT APPLICATION #106 – 620 ST. CHARLES STREET.** It was moved by Councillor Fleming, seconded by Councillor Holland, that, pursuant to Heritage Designation Bylaw #402, Heritage Alteration Permit #106 be issued in accordance with:
 - 1) Plans dated October 21, 2002.
 - 2) Development meeting all bylaw requirements.
 - 3) Finals plans to be in accordance with plans identified above.

Carried

6. **RESIDENTIAL STRATA TITLE APPLICATION – 928 EMPRESS AVENUE.** It was moved by Councillor Fleming, seconded by Councillor Holland, that the application to strata title the residential building at 928 Empress Avenue into two strata units, be approved.

Carried

COMMITTEE OF THE WHOLE – DECEMBER 5, 2002

1. **DEVELOPMENT PERMIT APPLICATION #02-40 – 1020/1030 YATES STREET.** It was moved by Councillor Savoie, seconded by Councillor Coleman, that Council authorize the issuance of a Development Permit in accordance with:
 - 1) Plans stamped “Development Permit Application 02-40” dated November 6, 2002.
 - 2) Development meeting all bylaw requirements except:
 - Section 3.67.1 Relax percentage of first storey building wall on build to line (setback) from 75% to 64.5%
 - 3) Review by Advisory Design Panel prior to Building Permit stage.
 - 4) Site consolidation to be arranged to the satisfaction of the Director of Engineering.

- 5) 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. **HERITAGE ALTERATION PERMIT APPLICATION #103 – 1437 STORE STREET.** It was moved by Councillor Madoff, seconded by Councillor Holland, that this be tabled at the request of the Applicant:
 - 1) Pursuant to Heritage Designation Bylaw, City Council declines the Plans and Sign Permit application dated August 1, 2002 and the issuance of Heritage Alteration Permit #103.
 - 2) The Planning division prepare letters to the owner and property manager of Market Square requesting they advise all future tenants of the City of Victoria sign regulations for Old Town.
 - 3) This matter be referred to the Regulatory and Development Services for a report on whether the issuance of sign permits can be tied to the issuance of building permits. Carried

3. **COMMERCIAL USE OF PUBLIC SPACE REVIEW.** It was moved by Councillor Savoie, seconded by Councillor Coleman, that Council direct staff to commence a review of the issues and bylaws recommended above, and a written notice of review to go out to all affected business licensees with the 2003 renewal notices. Carried

4. **ENFORCEMENT UPDATE – 2111 SPRING ROAD AND 2120 RIDGE ROAD.** It was moved by Councillor Savoie, seconded by Councillor Coleman, that:
 - 1) This matter be referred to the Advisory Housing Committee for a report on the remedies available in this situation.
 - 2) The Mayor and a member of Council approach the owner of 2111 Spring Road and 2120 Ridge Road to discuss the possibility of a building rehabilitation program for the renovation of the subject properties. Carried

5. **DOCKSIDE REDEVELOPMENT PROJECT – PHASES 5 THROUGH 8.** It was moved by Councillor Savoie, seconded by Councillor Coleman, that Council approve, for the Dockside Redevelopment Project, the:
 - 1) Proposed timeframe, process and deliverables for the project phases 5 through 8 (including public consultation).
 - 2) Dockside Advisory Committee Term of Reference.
 - 3) Proposed Budget not to exceed \$121,000 be issued to British Columbia Buildings Corporation to provide the deliverables listed above, including sub-contract maintenance. Carried

6. **BUSINESS LICENCE.** It was moved by Councillor Savoie, seconded by Councillor Coleman, that this matter be referred to Regulatory and Development Services for a report in consideration of pursuing the remedy in accordance with the Intermunicipal License Agreement. Carried

7. **REQUEST FOR PROPOSAL #02-035 – COLLECTION SERVICES.** It was moved by Councillor Savoie, seconded by Councillor Coleman, that the Request for Proposal No. 02-035 – Collection Services, be awarded to the Accounts Recovery Corp., based on being the proposal that provides the City with the overall best value. Carried

8. **ADVISORY COMMITTEE APPOINTMENTS.** It was moved by Councillor Savoie, seconded by Councillor Coleman, that:
 - 1) Michael Davidson and Daniel Paterson be re-appointed to the Board of Cemetery Trustees of Greater Victoria for a three-year term, ending February 1, 2006.
 - 2) Donald Hamilton and Patrick Murphy be re-appointed to the Greater Victoria Public Library Board for a two-year term, ending December 31, 2004.
 - 3) Rick Goodacre be re-appointed to the St. Ann's Academy Advisory Committee for a one-year term, ending October 31, 2003.
 - 4) Dr. Dan Buie, Robert Bryden, George Jones, Tom Black, and Michael Heppell be re-appointed to the Victoria/Esquimalt Athletic Commission for a one-year term, ending December 31, 2003. Carried

9. **LEGAL – FIRE SERVICES AGREEMENT.** It was moved by Councillor Savoie, seconded by Councillor Coleman, that:
 - 1) Council authorize City staff to issue a letter to the Township of Esquimalt, as a notice of claim pursuant to section 286(1) of the *Local Government Act*.
 - 2) A 30-day termination notice be issued to the Township of Esquimalt in accordance with the Mutual Aid/Fire Protection Agreement dated December 18, 1980, between The Corporation of the City of Victoria, The Corporation of the District of Saanich, The Corporation of the District of Oak Bay, and the Corporation of the Township of Esquimalt.
 - 3) Council authorize City staff to issue layoff notices effective January 3, 2003, to nine firefighter recruits in accordance with the Collective Agreement. Carried

COMMITTEE OF THE WHOLE – DECEMBER 12, 2002

1. **APPLICATION FOR TAX INCENTIVE FOR RESIDENTIAL CONVERSION – 850 HUMBOLDT STREET – ST. JOSEPH'S HOSPITAL.** It was moved by Councillor Holland, seconded by Councillor Fleming, that:
 - 1) The City Solicitor be instructed to prepare a Tax Exemption Bylaw for 850 Humboldt Street for 10 years pursuant to Section 342 of the *Local Government Act*, with the following conditions
 - a) That a covenant identifying the tax exemption be registered on land title and any possible future strata titles.
 - b) Final costs of seismic upgrading be verified by the Victoria Civic Heritage Trust.
 - c) That the landscaping be completed in accordance with Heritage Alternation Permit #100 (Landscape Plan by Forth Land Planning, dated July 8, 2002) prior to:
 - Issuance of the occupancy permit;
 - Implementation of the tax exemption;
 - Arrangements to implement the final configuration of the traffic roundabout to the satisfaction of the Director of Planning & Development.
 - 2) That the Managers of both the Community Development and Planning Divisions review the existing minimum square footage requirement for residential units and provide a policy recommendation to Committee of the Whole, independent of Council's consideration of the T.I.P. application for 850 Humboldt Street. Carried

2. **2002 CIVIC ELECTION OFFICIAL RESULTS REPORT.** It was moved by Councillor Holland, seconded by Councillor Fleming, that the 2002 Civic Election Official Results Report be received for information. Carried

3. **VICTORIA WEST LAND NEGOTIATIONS.** It was moved by Councillor Holland, seconded by Councillor Fleming, that staff be directed to:
 - 1) For Lot 102 – accept the offer of \$262,500 through release of the Province’s obligation of \$200,000 of park improvements in the Songhees Hillside master agreement, and \$62,500 from the park acquisition fund.
 - 2) For Lot 1 – bring forward a Statutory Right of Way agreement for Council approval.
 - 3) For the Dockside former transit corridor lands – offer \$491,000 for the five lots, which includes a discounted amount for environmental remediation. Carried

4. **HOLLOWAY ET AL V. CITY OF VICTORIA.** It was moved by Councillor Holland, seconded by Councillor Fleming, that the recommendation of settlement, as set out in the report of the City Solicitor dated December 5, 2002, be approved. Carried

5. **OFFER TO PURCHASE – CLOSED PORTION OF MARY STREET.** It was moved by Councillor Holland, seconded by Councillor Fleming, that staff be instructed to:
 - 1) Counter the Offer to Purchase at \$128,000; and
 - 2) Register a driveway easement in favour of 403 Raynor Avenue, prior to closing. Carried

MOTIONS

It was moved by Councillor Savoie, seconded by Councillor Fleming, that the following public hearing be held in Council Chambers, City Hall, on **THURSDAY, JANUARY 9, 2003, AT 7:30 PM:**

1. **APPLICATION FOR REZONING OF PROPERTY known as 86/88 Dallas Road:**

Zoning Regulation Bylaw, Amendment Bylaw (No. 656) – No. 02-113:

To amend the Zoning Regulation Bylaw:

- (a) To create a R2-38 Zone, Dallas Conversion District, which will permit the uses in the R-2 Zone, Two Family Dwelling District, and will apply its regulations except for restriction on alterations and additions to a building, the number of dwelling units, the floor area of a building, the height of a building, the distance between a building and the boundary of its lot, parking and the portion of a lot that is not occupied by a building;
- (b) To rezone land known as 86/88 Dallas Road to a new R2-38 Zone, Dallas Conversion District, to permit the land to be used for an increased number of dwelling units.

New Zone: R2-38 Zone, Dallas Conversion District
 Legal Descriptions: Lot 3A, Section 29, Beckley Farm, Victoria City, Plan 224 except Parcel B(DD61847-I)
 Existing Zones: R-2 Zone, Two Family Dwelling District

APPLICATION FOR HERITAGE DESIGNATION OF PROPERTY known as 86/88 Dallas Road:

To designate the building at 86/88 Dallas Road as protected heritage property.

HERITAGE ALTERATION PERMIT APPLICATION #107 – 86/88 Dallas Road:

That a Heritage Alteration Permit be issued in accordance with:

- (a) Plans dated September 6, 2002.
- (b) Development meeting all bylaw requirements.
- (c) Retention of the original glass on Dallas Road façade.
- (d) Removal of the existing shingles where drop siding exists underneath.
- (e) Consideration of retaining the existing chimney on the south façade above the roofline.
- (f) Review by the Heritage Advisory Committee at the building permit stage.
- (g) Final plans to be in accordance with plans identified above. Carried

PUBLIC HEARING – JANUARY 9, 2003

It was moved by Councillor Savoie, seconded by Councillor Fleming, that the following public hearing be held in Council Chambers, City Hall, on **THURSDAY, JANUARY 9, 2003, AT 7:30 PM:**

1. **ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 658) – No. 02-125:**

To amend the off-street parking regulations in Schedule C of the Zoning Regulation Bylaw to allow specified types of permeable surfaces, in addition to asphalt and concrete.

MOTION:

It was moved by Councillor Holland, seconded by Councillor Madoff, that the Mayor be requested to forward, on a without prejudice basis, the attached letter dated December 12, 2002, to the Mayor of Esquimalt. Staff is empowered to finalise an agreement if the terms are accepted. Carried

BYLAWS

INTRODUCTION AND SECOND READING

It was moved by Councillor Savoie, seconded by Councillor Holland, that the following Bylaw **be given two readings:**

Zoning Regulation Bylaw, Amendment Bylaw (No 658) <i>(Amend Off-Street Parking Regulations)</i>	02-125
Heritage Designation (86-88 Dallas Road) Bylaw (No. 492)	02-134 <u>Carried</u>

ADOPTION

It was moved by Councillor Fleming, seconded by Councillor Holland, that the following Bylaws **be adopted:**

Recreation Reserve Fund Expenditure (Crystal Pool – Roof Replacement) Bylaw	02-115
Recreation Reserve Fund Expenditure (Crystal Pool – Class System Implementation) Bylaw	02-116
Recreation Reserve Fund Expenditure (Crystal Pool – Upgrades) Bylaw	02-117
Recreation Reserve Fund Expenditure (Royal Athletic Park – Upgrades) Bylaw	02-118
Recreation Reserve Fund Expenditure (Cecelia Ravine Park – Restoration) Bylaw	02-119
Tax Sale Money Expenditure (Landscape/Remediation – 652 Fisgard Street) Bylaw	02-127
Tax Sale Money Expenditure (Gorge Road Reconstruction) Bylaw	02-128
Tax Sale Money Expenditure (Finlayson – Mainstreets Revitalisation Program) Bylaw	02-129
Tax Sale Money Expenditure (Beacon Hill Park Management Plan) Bylaw	02-130
Tax Sale Money Expenditure (Dockside Remediation) Bylaw	02-131
Tax Sale Money Expenditure (Property Purchase – 508 Selkirk Avenue)	02-132
Development Cost Charge Reserve Fund Expenditure (Leighton Prv Station Replacement) Bylaw	02-133 <u>Carried</u>

QUESTION PERIOD

A question period was held.

ADJOURNMENT

It was moved by Councillor Holland, seconded by Councillor Fleming, that the Council Meeting adjourn.
Time: 1:17 a.m. Carried

CERTIFIED CORRECT:

CORPORATE ADMINISTRATOR

MAYOR OF THE CITY OF VICTORIA