

MINUTES - COMMITTEE OF THE WHOLE

MEETING HELD THURSDAY, JULY 4, 2002, AT 9:00 A.M.

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

Mr. Jack Basey, Acting City Manager attended the meeting from 9:00 a.m. to 10:25 a.m.; Mr. Joe Martignago, City Manager, attended for the remainder of the meeting; and Messrs. Galavan, Koch, Kresse, Lam, Leskiw, Sikstrom, Timms, Wiffen, Woodland, Ms. Atkinson, Ms. Mayhew, Ms. Price-Douglas, Ms. Ramsay, Ms. Zink, and Dr. Gorman attended for portions of the meeting.

Recording Secretary: Linda Johnson

DELEGATIONS

YOUTH EMPLOYMENT PROJECT

02/273

Mr. Richard LeBlanc and Mr. Mike Buchanan from the Youth Employment Project (YEP) addressed Committee regarding their request for funding to assist with the implementation of a fund-raising program entitled "BC Caring". Mr. LeBlanc outlined YEP's history in working with street youth to provide them with employment training and job searching skills. The program has been operating since June, 1998 and has an excellent record, with 92% of graduates (175) finding jobs within 10 days. 72% (137 youth) have remained employed.

Mr. Buchanan, a YEP student, described his situation before being accepted in the program, and outlined the positive changes YEP has brought to his life.

Mr. LeBlanc discussed the funding crisis YEP is facing, with federal and provincial funding programs being eliminated or altered. The "BC Caring" program is being developed as a positive, proactive solution to stabilize and diversify YEP's revenue base.

COMMUNITY DEVELOPMENT

YOUTH EMPLOYMENT PROJECT GRANT REQUEST FOR BC CARING

02/272

Committee received a memorandum dated June 27, 2002 from the Manager, Community Development Division, regarding a request from the Youth Employment Project (YEP) for a grant to assist with the development of the "BC Caring" Program. The program will be a point-of-sale donation plan that would partner YEP with Victoria area retailers.

ACTION: Councillor McLean moved that it be recommended to Council that the City of Victoria provide a program grant of \$15,000, funded from the 2002 contingency fund, to the Youth Employment Project, for the promotion and launch of the "BC Caring" Program.

NEIGHBOURHOOD DEVELOPMENT FUNDING PROGRAM
2002/2003 GRANTS

02/271

Committee received a memorandum dated June 14, 2002 from the Community Development Planner regarding grant applications received through the Neighbourhood Development Funding Program. The Program provides funding support to the City's community and neighbourhood associations to ensure provision of basic programs and services in accordance with the City's Neighbourhood Development Policy. The Program administers Base Funding, Matching Grants, and Celebration Grants. For the 2002-2003 fiscal year, the budget is \$64,000 for Base and Matching Funds and \$5,000 for Celebration Grants.

ACTION: Councillor Savoie moved that it be recommended to Council that approval be given to 2002-2003 funding requests of \$35,755 for Base Funding, \$28,245 for Matching Grants, and \$4,910 for Celebration Grants, as follows:

Neighbourhood	Base Funding	Matching Grants	Celebration Grants
Hillside/Quadra (Blanshard)	\$3,400	\$ 845	\$ 500
Burnside/Gorge	2,450	2,500	500
Downtown	500	4,300	50
Fairfield	6,920	4,300	1,000
Fernwood Comm. Association and Fernwood Comm. Centre	3,800		850
James Bay	5,200	3,400	750
North Jubilee	2,325		250
North Park	1,420	4,300	
Oaklands	3,250	4,300	500
Rockland	1,670		
South Jubilee	650		160
Vic West	2,550	4,300	350
Fairfield Community Assoc. – General Liability Insurance for 5 Associations	1,350		
Totals	\$ 35,755	\$ 28,245	\$ 4,910

PARKS

INTEGRATED PEST MANAGEMENT POLICY

02/270

Committee received a memorandum dated June 28, 2002 from the Parks Division regarding an Integrated Pest Management (IPM) Policy. In 1992 the Parks Division recognized the need for environmentally sound stewardship of the City's parks and public open green spaces. Through the understanding of pest biology and population, the development of alternate pest management strategies, and using IPM practices that minimize the potential for pest problems, the Parks Division has been successful in significantly reducing pesticide use. As leaders in the use of alternative pest management strategies, it is opportune that the City formalize its procedures into an IPM policy. The Integrated Pest Management Policy dated May 2, 2002 was attached for Committee's review.

ACTION: Mayor Lowe moved that it be recommended to Council that:

- 1) the Integrated Pest Management Draft Policy, as attached to the report dated June 28, 2002 from the Parks Division, be received and approved in principle.
- 2) the IPM Draft Policy be forwarded to the Capital Regional District and the Environment and Shoreline Advisory Committee for information and review, and to assist in the development of a Model Internal Policy and Pesticide Bylaw.

PESTICIDE REGULATION

02/269

Committee received a draft motion from Councillor Savoie regarding pesticide regulation.

ACTION: Councillor Savoie moved that it be recommended to Council that:

Whereas the May 2000 report of the federal Standing Committee on Environment and Sustainable Development on pesticide use in Canada concludes that more research is needed to address the effects of pesticides on children, in light of new information regarding the particular vulnerability of children, and potential for significant exposure due to play time on lawns, playing fields, etc;

Whereas Health Canada's memorandum to pesticide registrants, applicants and agents (January 25, 2001) notes that the U.S. Environmental Protection Agency will start incorporating an additional tenfold margin of safety in the assessment of toxicity of new and existing pesticides, due to new concerns about vulnerability of infants and children;

Whereas in the case of Hudson, Quebec v. Spraytech and Chemlawn (2001), the Supreme Court of Canada ruled unanimously to uphold the right of the Town of Hudson to enact and enforce a pesticide use bylaw. The Supreme Court noted that its decision respects international law's "precautionary principle" and its tenet of preventive action. (In the Supreme Court ruling, "precautionary principle" means that environmental measures must anticipate, prevent and attack the causes of environmental degradation, and where there are threats of serious or irreversible damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. Definition source cited as: Bergen Ministerial Declaration on Sustainable Development, 1990);

Whereas The Ontario Public Health Association passed a resolution November 7, 2001 urging the restriction on non-essential use of chemical pesticides on public and private lands;

Whereas The Ontario College of Physicians and Surgeons' Environmental Health Committee has issued a statement on pesticides and human health which outlines the toxicological basis for concern about human exposure to chemical pesticides;

Whereas a growing number of Canadian municipalities are passing bylaws to restrict the use of pesticides within the City (including Hudson, Quebec; Chelsea, Quebec; Halifax, Nova Scotia);

Whereas in 2001 the Federation of Canadian Municipalities prepared a model resolution that would reduce use of pesticides by municipal staff due to concern for human and environmental health;

Whereas in January, 2002, City Council approved a motion from the City of Victoria Environment and Shoreline Advisory Committee;

Whereas in January of 2002 the CRD Environment Committee approved the workplan of the CRD Roundtable's Subcommittee on Toxic Contaminants which outlines (a) public education on pesticides, (b) municipal government policies to reduce pesticides, and (c) creation of a model bylaw.

Whereas the City's solicitors have prepared a legal opinion on the ability of the City to enact a pesticide bylaw, and have identified the likely need for approval by the Provincial Minister of Health or the Provincial Cabinet;

Therefore be it resolved that in collaboration with the CRD Roundtable's Subcommittee on Toxic Contaminants, the City, and the Victoria Environment and Shoreline Advisory Committee continue to develop and implement a pesticide education program for residents in the CRD.

Be it further resolved that the City continue to develop an internal policy governing municipal use of pesticides, in collaboration with the CRD Roundtable's Subcommittee on Toxic Contaminants, to be brought forward for approval by Committee of the Whole by the end of September 2002.

Be if further resolved that the City and the Victoria Environment and Shoreline Advisory Committee continue to work in collaboration with the CRD Roundtable's Subcommittee on Toxic Contaminants to develop a draft model bylaw restricting the use of pesticides by residents, businesses and municipal staff.

Be if further resolved that once a draft model bylaw has been prepared, the City and the CRD jointly approach the Minister of Health to explore the Minister's willingness to support a bylaw, and if so, whether any conditions would be imposed.

Be it finally resolved that if the Minister of Health indicates potential support for a pesticide bylaw, the City in collaboration with the CRD will conduct stakeholder consultations on the draft bylaw prior to its finalization.

PLANNING & DEVELOPMENT

DEVELOPMENT VARIANCE PERMIT #02-20 **880 COURTNEY STREET (YM-YWCA)**

02/268

Committee received a memorandum dated June 28, 2002 from the Senior Planner regarding Development Variance Permit #02-20 for 880 Courtney Street. The YW-YMCA is requesting relief from providing an additional 16 parking spaces occasioned by interior changes that convert offices and lobby space to exercise use. The "Y" location, on the Downtown edge of Fairfield, imposes a suburban standard of parking even though "Downtown" sites within one block are exempt from parking.

ACTION: Councillor Madoff moved that it be recommended to Council that a Development Variance Permit be issued to vary Schedule "C16 B3" of the Zoning Bylaw from: one parking space per 9.5 to one parking space per 12.4 sq.m. of floor area (to permit a net reduction of 16 parking spaces), subject to the provision of an additional 32 bicycle parking spaces secured in a form satisfactory to the Director of Engineering.

HERITAGE ALTERATION PERMIT APPLICATION #101
932 BALMORAL AVENUE / 1701 QUADRA STREET

02/267

Committee received a memorandum dated June 28, 2002 from the Heritage Planner regarding Heritage Alteration Permit Application #101 for 932 Balmoral Avenue / 1701 Quadra Street. The application is to replace the existing handrails on the north and south elevations of the First Metropolitan United Church, a Heritage Designated building. The handrails do not meet the building code and do not provide sufficient protection to prevent falls into the window wells at the basement level.

ACTION: Councillor Madoff moved that it be recommended to Council that, pursuant to Heritage Designation Bylaw #137, Heritage Alteration Permit #101 be issued in accordance with:

- 1) Plans dated June 14, 2002.
- 2) Development meeting all bylaw requirements.
- 3) The handrails being wrought iron or steel, and not aluminum.
- 4) Final plans to be in accordance with plans identified above.

ROOF REPLACEMENT
GREATER VICTORIA PUBLIC LIBRARY

02/266

This item was withdrawn from the agenda, and will be considered following further discussions with library representatives.

STATUTORY RIGHT-OF-WAY
REGENT HOTEL

02/465

This item was withdrawn from the agenda, and will be considered following receipt of additional legal information.

TRANSPORTATION

TRAFFIC ORDERS

02/464

Committee received a memorandum dated June 26, 2002 from the Senior Technician, Transportation, outlining a list of 7 Traffic Orders for consideration by Council. Staff have conducted an onsite investigation for each and recommend that the orders be approved.

ACTION: Councillor Holland moved that it be recommended to Council that the Traffic Orders outlined in the report dated June 26, 2002 received from the Senior Technician, Transportation, be approved.

LIQUOR LICENSING

CITY LIQUOR LICENSING POLICY

02/463

Committee received a memorandum dated June 28, 2002 from the Corporate Administrator regarding a draft City of Victoria *Liquor-Primary Licensing Policy*, outlining the City's objectives, process, and strategy in regulating liquor-primary businesses. The policy provides a framework for the evaluation of liquor-primary applications submitted to the City and outlines the City's strategy for seeking licensee compliance with City bylaws and Provincial liquor licensing regulations.

Following discussion of the draft policy, Committee requested that:

- the *Policy* include a reference to Hours of Operation, linking it to the anticipated noise zones contemplated for the City's *Noise Bylaw*.
- staff ensure that additional Designated Food Optional seats, recently approved for specific restaurants, be included in calculations for those restaurant's business license fees.

Committee also discussed *Good Neighbour Agreements*, endorsed by Council on June 13, 2002, as part of the City's liquor licensing enforcement and compliance policy. It was suggested that all establishments enter into these agreements with the City before their next business license is renewed.

ACTION: Councillor McLean moved that staff be directed to:

- 1) integrate the suggestions made by Committee of the Whole into the draft *Liquor-Primary Licensing Policy*, and return it for further consideration to an August Committee meeting.
- 2) forward the draft *Policy* to liquor-primary licensees for their review.

ADMINISTRATIVE MATTERS

DISPOSITION OF COMMUNICATIONS

02/462

Committee received a memorandum dated July 2, 2002, from the Manager, Administration, reporting that certain communications received in the Legislative Services Division have been dealt with on the date and in the manner indicated.

ACTION: Councillor Holland moved that the Disposition of Communications dated July 4, 2002 from the Manager, Administration, be received for information and filed.

COUNCILLOR INQUIRIES

PUBLIC RIGHT-OF-WAY CLOSURES

02/461

Councillor Savoie requested a staff report on the public rights-of-way through Eatons' Centre and St. Andrews Square, specifically detailing agreements for hours of opening, and whether these agreements are being respected by the building managers.

CLOSED MEETING - 11:04 A.M.

Councillor Hughes moved that Committee of the Whole convene a closed meeting that excludes the public under Section 10(6) of the Council Bylaw for the reason that the following agenda items deal with matters specified in Section 10 (3) of the Council Bylaw.

LAND – CONFERENCE CENTRE LEASE REVIEW

02/460

Committee received a memorandum dated June 27, 2002 from the Property Manager regarding a request for rent reduction for the Stephen Lowe Art Gallery at the Victoria Conference Centre. Mrs. Eunice Lowe and Mr. W. Eng were present to discuss the request with Committee.

ACTION: Councillor Holland moved that it be recommended to Council that

- 1) the request for rent reduction for the Stephen Lowe Art Gallery at the Victoria Conference Centre, be denied.
- 2) the tenant be advised of another smaller space at the Victoria Conference Centre that is available for lease.

LAND/LEGAL – MULTIPURPOSE FACILITY

02/459

Committee received an update on negotiations with RG Properties regarding the development of the Victoria Multipurpose Facility.

The meeting adjourned at 12:20 p.m.

Councillor Fleming, Chair