

MINUTES - COMMITTEE OF THE WHOLE

MEETING HELD THURSDAY, MARCH 27, 2003, AT 9:00 A.M.

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

ABSENT: Mayor Lowe

Mr. Joe Martignago, City Manager, attended for the entire meeting and Messrs. Basey, Dowdall, Leskiw, Livelton, McCliggott, Silvester, Wiffen and Woodland, Ms. Atkinson, Ms. Fowler, Ms. Masters, Ms. Meyer, and Ms. Zink attended for portions of the meeting. Mr. Macquisten from Staples McDannold Stewart also attended.

Recording Secretary: Linda Johnson

DELEGATION

UVIC – CITY’S HISTORY ON THE INTERNET

03/255

Dr. John Lutz, Department of History, University of Victoria, addressed Committee regarding an initiative by students of the University and Malaspina University College to create a history of Victoria on the internet. The project has three goals:

- to make the City’s history more accessible via the internet.
- to provide university students with skills in website construction and archival research, and to make university research available to the public.
- to expand the links between the university and the City and to formalize this relationship.

He demonstrated two websites:

- Victoria’s Victoria – a showcase for student research, plus links to maps, books, articles and images about Victoria in the Victorian era.
- viHistory – census and directory databases.

Dr. Lutz invited members of Council to attend the formal launch of the new sites on April 7, 2003 at 4:00 p.m. at the Centre for Innovative Teaching at the University of Victoria. He joined Councillors in thanking the City’s Archives staff for their support with this project.

PARKS

VICTORIA INTERNATIONAL WALKING FESTIVAL

03/254

Committee received a memorandum dated March 6, 2003 from the Manager, Parks Division, advising that the Victoria International Walking Festival Society has applied to the Parks Division for permission for approximately 900 participants to walk through Beacon Hill Park, stopping at a checkpoint in the park, on April 20, 2003. This annual international walking

event also includes many streets throughout Victoria where spring blossoms can be viewed. This event has taken place since 1998 with no problems or complaints.

ACTION: Councillor Coleman moved that it be recommended to Council that the Victoria International Walking Festival be approved as proposed for 2003, and subsequent years, if there are no significant changes, under the following conditions:

- 1) the organizer must obtain a Special Event Permit
- 2) a post-event evaluation must be conducted prior to consideration of future event approval.

ANNUAL KITE FESTIVAL AT CLOVER POINT

03/253

Committee received a memorandum dated March 11, 2003 from the Manager, Parks Division, advising that the Capital Mental Health Association has applied to the Parks Division for permission to hold its annual Kite Festival at Clover Point on May 4, 2003. The Kite Festival has grown in scope, and this year's application includes a request for permission for several activities that do not conform to Parks Bylaws.

ACTION: Councillor Savoie moved that it be recommended to Council that the Capital Mental Health Association Kite Festival at Clover Point be approved for 2003, including the non-complying activities as outlined in the report dated March 11, 2003 from the Manager, Parks Division.

CHERRY BLOSSOM FESTIVAL AT IRVING PARK

03/252

Committee received a memorandum dated March 25, 2003 from the Manager, Parks Division advising that the Grace Human Life Society has applied to the Parks Division for permission to hold a Cherry Blossom (Sakura Matsuri) Festival at Irving Park on April 12, 2003. It is intended to make this an annual event to share cultural and artistic traditions of local Japanese and Canadian communities. The application includes a request for permission for several activities that do not conform to Parks Bylaws.

ACTION: Councillor Fleming moved that it be recommended to Council that the Cherry Blossom (Sakura Matsuri) Festival at Irving Park be approved for 2003 and subsequent years, including the non-complying activities as outlined in the report dated March 25, 2003 from the Manager, Parks Division, under the following conditions:

- 1) Park use be restricted to entertainment, demonstrations, and information dissemination, and the "public market" oriented vendor sales proposed be conducted at James Bay New Horizons.
- 2) The applicant obtain a Park permit and abide by all rules and regulations.

WELL IN BEACON HILL PARK

03/251

Committee received a memorandum dated March 21, 2003 from the Manager, Parks Division regarding a proposal to dig a well in Beacon Hill Park. The Park's lake system is made up of nine lakes with a combined volume of 8,227,000 liters and a surface area of 13,511 square meters. During the summer, significant water volume is lost and the lake system requires topping up from the potable water system. After careful research and consideration it has been determined that a well could eliminate the need to use potable water for the lake system. The approximate cost to install the well and equipment is estimated at \$20,000 - \$25,000 with a payback in 4 to 5 years. Funding for the construction of the well will come from the approved Capital Budget for irrigation.

ACTION:

Councillor Savoie moved that it be recommended to Council that:

- 1) approval be given to the proposal outlined in the report dated March 21, 2003 from the Manager, Parks Division to drill a well in Beacon Hill Park.
- 2) the proposal be referred to the Environment & Shoreline Advisory Committee for its review and comments.

COMMUNITY DEVELOPMENT

ADMINISTRATIVE SUPPORT

SOCIAL PLANNING & HOUSING ADVISORY COMMITTEES

03/250

Committee of the Whole, at its meeting on March 13, 2003, requested a staff report identifying the additional financial resources required by the Community Development Division to support the two advisory committees created from the former Social Planning & Housing Advisory Committee.

Committee received a memorandum dated March 25, 2003 from the Manager, Community Development Division advising that staff requirements would be approximately 240 hours at a cost of \$8,065.

ACTION:

Councillor Holland moved that the following request be referred to 2003 budget discussions:

- the addition of approximately \$8,065 as the annual cost of adding 240 hours of administrative support to the Social Planning and Housing Advisory Committees.

ENGINEERING

PROVISION OF WATER SERVICES TO CFB ESQUIMALT

03/249

Committee received a memorandum dated March 18, 2003 from the Manager, Water & Environment advising that the Department of National Defense (DND) on behalf of CFB Esquimalt wishes to enter into an agreement with the City of Victoria for the provision of

water service that includes direct billing to DND residences. There are two agreements that cover both the Work Point area and the Dockyard/Signal Hill/Naden areas of Esquimalt. The agreements are an update and confirmation of a long standing arrangement that the City has had with CFB Esquimalt. The basic goal of the agreements is to have all DND residents pay direct costs for water consumption based on individual meter readings, as opposed to all water bills being directed to the Canadian Forces Housing Authority. This initiative is compatible with the City's philosophy of encouraging water conservation through a user pay system.

ACTION: Councillor Holland moved that it be recommended to Council that, pursuant to the Department of National Defense's desire to enter into a Memorandum of Agreement with the City of Victoria, the following Agreements be approved and executed:

- the Work Point Barracks Service and Access Agreement.
- the Dockyard, Signal Hill and Naden Areas Access Agreement.

ADMINISTRATIVE MATTERS

2002 CIVIC ELECTION

03/248

Committee received a memorandum dated March 24, 2003 from the Corporate Administrator advising that Section 90 of the Local Government Act requires that all declared candidates and each elector organization file a campaign financing disclosure statement within 120 days of the 2002 General Voting Day. The deadline for filing the disclosure statement was 4:30 p.m., Monday, March 17, 2003.

Section 92.2 of the Act requires the Corporate Administrator to present a report to Council identifying candidates and/or elector organizations that failed to file within the prescribed time period. Attached was *Schedule A – Candidates Failing to File Section 90 Disclosures by March 17, 2003*.

ACTION: Councillor Fortin moved that it be recommended to Council that the report dated March 24, 2003 from the Corporate Administrator, with attached *Schedule A – Candidates Failing to File Section 90 Disclosures by March 17, 2003*, be received for information.

DISPOSITION OF COMMUNICATIONS

03/247

Committee received a memorandum dated March 24, 2003, 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 Hughes moved that the Disposition of Communications dated March 24, 2003 from the Manager, Administration, be received for information and filed.

COUNCILLOR INQUIRIES

120 KINGSTON STREET

03/246

Councillor Savoie expressed concerns regarding the time share building at 120 Kingston Street. She requested a staff report providing information on the following issues:

- bright lights around the building and in the pool area after 10:00 p.m.
- rules regarding the use of barbeques.
- design changes made to the building after Council's approval.

COUNCILLOR INFORMATION SHARING

NATIONAL TOUR ASSOCIATION MEMBERS

03/245

Councillor Thornton-Joe reported that Tourism Victoria is hosting 388 members of a national tour association visiting the city to assess facilities for possible inclusion in future tour promotions.

HONOURARY 2010 HOST COMMUNITY

03/244

Councillor Thornton-Joe attended the opening ceremony of the "It's Our Time to Shine – 2010 Exhibit Tour" at Mayfair Shopping Centre on March 26, 2003. The exhibit provides British Columbians with a chance to learn more about the Vancouver / Whistler 2010 Olympic bid. Victoria was recognized as an Honourary 2010 Host Community, and Councillor Thornton-Joe was presented with a 2010 Candidate City flag.

HARBOUR AUTHORITY INFORMATION

03/243

Councillor Holland announced that Mr. Michael Cormier has been appointed as the new General Manager for the Greater Victoria Harbour Authority effective May 1, 2003.

Councillors inquired about the agendas and minutes of Harbour Authority Board meetings. City staff was requested to ensure that the minutes are distributed to Council.

CLOSED MEETING - 9:55 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 NEGOTIATIONS WITH LWBC – VICTORIA WEST

03/242

Committee received a memorandum dated March 20, 2003 from the Manager, Regulatory & Development Services Division providing an update on negotiations with Land and Water British Columbia (LWBC) to purchase three properties in Victoria West.

ACTION: Councillor Hughes moved that it be recommended to Council that Mayor Lowe be requested to discuss the outstanding liability issue with the Honourable Stan Hagen, Minister of Sustainable Resource Management, and the Honourable Geoff Plant, Attorney General.

LEGAL – LEAKY CONDOS

03/241

Committee received a memorandum dated March 20, 2003 from the Director of Finance and the City Solicitor regarding legal claims against the City for condominium construction deficiencies.

Committee requested that reports from the Union of BC Municipalities dealing with legal aspects of the leaky condo issue be collected and distributed to Councillors.

ACTION: Councillor Fleming moved that it be recommended to Council that the four recommendations outlined in the report dated March 20, 2003 from the Director of Finance and the City Solicitor, be endorsed.

LEGAL – HARRIS GREEN PEACE CAMP

03/240

City staff provided an update on the "Peace Camp" established on Harris Green. Staff, including members of the Police department, will continue to monitor the situation and keep members of Council informed.

LEGAL – OFFER TO PURCHASE SILVER THREADS PROPERTY

03/239

Committee received a verbal report from the Property Manager regarding an Offer to Purchase received from the Capital Regional District (CRD) for the city-owned Silver Threads property in Centennial Square.

ACTION: Councillor Savoie moved that it be recommended to Council that:
1) staff be directed to draft an Agreement of Purchase and Sale for the sale of city property (Silver Threads) in Centennial Square to the Capital Regional District for \$974,500, based on the principles outlined in the

verbal report of the Property Manager presented to Committee of the Whole on March 27, 2003, subject to final review by Council.

- 2) a representative of the architectural firm designing the new CRD building be invited to attend the April 3, 2003 Committee of the Whole meeting to discuss the proposed width of the public right of way.

LEGAL – VICTORIA SILVER THREADS
AGREEMENT IN PRINCIPLE

03/238

At its meeting on March 13, 2003, Victoria City Council directed staff to proceed with negotiations for the sale of city-owned property in Centennial Square that is currently home to the Victoria Silver Threads Society. At that time Council confirmed its commitment to assist with relocating the Society.

Committee received a memorandum dated March 27, 2003 from the Director, Parks, Recreation & Community Services outlining temporary and permanent relocation principles and options.

The Director, Parks, Recreation & Community Services distributed a revised copy of the “principles” with a suggested change to one paragraph in the “permanent relocation” section.

ACTION: Councillor Fortin moved that it be recommended to Council that the principles for temporary and permanent relocation of the Victoria Silver Threads, as attached to the report dated March 27, 2003 from the Director, Parks, Recreation & Community Services, be approved, as amended.

DOWNTOWN ACTIVITY CENTRE

03/237

Councillor Thornton-Joe provided an update on the proposed change of operations at the Downtown Community Activity Centre.

The meeting adjourned at 11:25 a.m.

Councillor Madoff, Chair