

## **MINUTES - COMMITTEE OF THE WHOLE**

### **MEETING HELD THURSDAY, MAY 8, 2003, AT 9:00 A.M.**

**PRESENT:** Mayor Lowe, in the Chair, and Councillors Coleman, Fleming (arrived at 10:30 a.m.), Fortin, Holland, Hughes, Madoff, Savoie and Thornton-Joe.

Mr. Patrick O'Reilly, Acting City Manager, attended for the entire meeting and Messrs. Carlsen, Dolan, Dowdall, Hennesey, Hill, Kerr, Koch, Lam, Oberg, Phillips, Plevin, Scoones, Skinner, Stevenson, Timms, and Wiffen, Ms. Atkinson, Ms. Chase, Ms. Higgins, Ms. Fowler, Ms. Masters, Ms. Mayhew, and Deputy Chief Varley attended for portions of the meeting. Mr. Peter Johnson from Staples McDannold Stewart also attended.

Recording Secretary: Linda Johnson

### **PLANNING & DEVELOPMENT**

#### **DEVELOPMENT PERMIT #02-36** **701 TYEE ROAD**

03/373

Committee received a memorandum dated May 2, 2003 from the Head, Urban Design regarding Development Permit #02-36 for 701 Tyee Road, previously approved by Council on January 9, 2003. The project, know as The Railyards, Phase 1, includes 13 townhouses, 4 mews, and 78 apartment units. It has reached Building Permit stage, and due to endeavours to include improvements through design development, to comply with code requirements, to strengthen material durability, and to reduce maintenance frequencies, refinements are proposed for the exterior of the buildings. These changes were outlined in the report.

**ACTION:** Councillor Madoff moved that it be recommended to Council that:

- 1) The report dated May 2, 2003 from the Head, Urban Design outlining proposed adjustments to the development at 701 Tyee Road, previously approved through Development Permit #02-36, be received for information.
- 2) This information be received by Council at its meeting on May 8, 2003.

### **CASINOS WORKSHOP – APRIL 24/03 CONCLUSION** **DEVELOPMENT OF REZONING POLICIES**

03/372

Committee received a memorandum dated May 2, 2003 from the Manager, City Planning outlining for Committee's consideration key outstanding questions originating from the April 24<sup>th</sup>, 2003 Casino workshop. If Council wishes to alter its current policy of prohibiting large casinos with slot machines, then the following issues should be considered:

- preferred location
- number of casinos
- single or multiple use
- facility size and services offered
- mitigation of social impacts
- allocation of gaming revenue

- ACTION:** Councillor Hughes moved that:
- 1) the report dated May 2, 2003 from the Manager, City Planning regarding Casinos, be received for information.
  - 2) Staff be requested to develop, as an urgent priority, a policy document incorporating the following directions from Committee of the Whole:
    - a) no more than one casino will be supported
    - b) the casino should be part of a multi-use structure
    - c) parking should be enclosed, preferably underground
    - d) the size of the casino will be determined by the provincial Lottery Corporation
    - e) locations that will be considered include: Downtown, Tourism Precinct of James Bay, Douglas-Blanshard Corridor (from north edge of Downtown to city boundary)
    - f) areas that will not be considered include: any location near an established residential area, Harbour shoreline, "Old Town", former Hudson's Bay block portion of Downtown, and the Humboldt Valley precinct of Fairfield.

Councillor Madoff advised that she has a personal association with the next application. Because of this potential conflict of interest, she left the meeting at 9:50 a.m.

**REZONING #03-1 – 240-252 COOK STREET AND  
1035/39/43 SUTLEJ STREET – FACILITATOR’S REPORT**

03/371

Committee of the Whole, at its meeting on April 17, 2003 tabled consideration of Rezoning #03-1 for 240-252 Cook Street and 1035/39/43 Sutlej Street, pending the completion of a facilitated dialogue between the applicant and the community association.

The Manager, Planning Division advised that Mr. Gordon White was hired to facilitate the meeting, which took place April 30, 2003. A report has been completed and forwarded to the two parties. The Amadon Group (applicant) has signed the report, however the Fairfield Community Association (FCA) has requested additional time to review the document.

Speaking on behalf of the applicant, Mr. Max Tomaszewski advised that he has agreed to a one week extension to allow additional time for the FCA to review the Facilitator's Report. The report will be placed on the May 15<sup>th</sup>, 2003 Committee of the Whole agenda, and will be considered at the same time as the original report regarding the Rezoning Application.

- ACTION:** Councillor Coleman moved that the verbal report from the Manager, Planning Division, regarding the facilitated dialogue between the Fairfield Community Association and The Amadon Group, be received for information.

Councillor Madoff returned to the meeting at 10:00 a.m.

## **PROPOSED NEW INDUSTRY TRAINING MODEL**

03/370

Committee of the Whole, at its meeting on April 3, 2003, requested that staff provide a report outlining risks to the City of potential changes to the provincial Trades and Apprenticeship programs.

Committee received a memorandum dated April 25, 2003 from the Manager, Regulatory & Development Services, outlining changes proposed by the provincial government. The changes would permit specialization in specific portions of construction, with the possible result of a long-term shortage of fully qualified trade workers. The provincial discussion paper also suggests an option whereby local government licensing and inspection authorities would oversee the compulsory certification process.

If these changes are adopted, City Inspectors may require more time to review submitted plans and correct errors. They will also have to review multiple plans, instead of one, leading to longer response times and increased workloads.

- ACTION:** Councillor Savoie moved that it be recommended to Council that a letter be sent to the Honourable Shirley Bond, Minister of Advanced Education, with copies to the Honourable George Abbott, Minister of Community, Aboriginal & Women's Services; local MLA's; and UBCM, objecting to:
- 1) Any local government involvement with compulsory certification of industry training.
  - 2) The removal of compulsory certification designation, which will result in "de-skilling" of trades, limiting worker mobility, decreased public safety, and increased cost to the industry, province, and local government.

## **BYLAW ENFORCEMENT CASES**

03/369

The Manager, Regulatory & Development Services and the Senior Bylaw Officer advised Committee of bylaw enforcement cases that will result in the closure of two rooming houses in the Fernwood neighbourhood. Inspections at 1409 Camosun Street and 959 Balmoral Road have revealed illegal plumbing and electrical work, over-occupation of the houses, and serious health concerns. These buildings are considered unsafe, and will be evacuated. The Ministry of Human Resources will assist the renters in finding alternate accommodations.

- ACTION:** Councillor Savoie moved that the verbal report from the Manager, Regulatory & Development Services and the Senior Bylaw Officer regarding the closure of rooming houses in Fernwood, be received for information.

## **FINANCE**

**TENDER #03-007**  
**STORMWATER REHABILITATION UNIT**

03/368

Committee received a memorandum dated May 5, 2003 from the Senior Buyer advising that Tender #03-007 – Stormwater Rehabilitation Unit was advertised and twenty-one packages were issued. Two responses were received and evaluated by staff and a project consultant.

**ACTION:** Councillor Holland moved that it be recommended to Council that Tender #03-007 – Stormwater Rehabilitation Unit be awarded to G & E Equipment Rentals Ltd., for a total cost of \$396,221.00, based on being the overall lowest tender.

**ENGINEERING**

**WELL IN BEACON HILL PARK**

03/367

Committee of the Whole, at its meeting on March 27, 2003, referred the issue of digging a well in Beacon Hill Park to the Environment and Shoreline Advisory Committee (ESAC).

Committee received a memorandum dated May 5, 2003 from the ESAC advising that the issue was reviewed on April 16, 2003, and the following motion was passed:

*The Environment and Shoreline Advisory Committee support in principle the proposal from the Parks Department to dig a well in Beacon Hill Park.*

**ACTION:** Councillor Savoie moved that it be recommended to Council that the report dated May 5, 2003 from the Environment & Shoreline Advisory Committee, be received for information.

**ADMINISTRATIVE MATTERS**

**DISPOSITION OF COMMUNICATIONS**

03/366

Committee received a memorandum dated May 5, 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 Coleman moved that the Disposition of Communications dated May 5, 2003 from the Manager, Administration, be received for information and filed.

**PROCLAMATIONS**

03/365

**ACTION:** Councillor Holland moved that the following proclamations be approved and forwarded to the appropriate Council meeting:

<i>World Partnership Walk Day</i>	<i>May 25, 2003</i>
<i>Child Find's Green Ribbon of Hope Month</i>	<i>May, 2003</i>
<i>National Missing Children's Day</i>	<i>May 25, 2003</i>
<i>Fair Trade Week</i>	<i>May 11-17, 2003</i>
<i>Falun Dafa Week</i>	<i>May 11-17, 2003</i>
<i>National Public Works Week</i>	<i>May 18-24, 2003</i>

Councillor Fleming joined the meeting at 10:30 a.m.

### **COUNCILLOR INQUIRIES**

#### **FAIR TRADE COFFEE**

03364

Committee received a memorandum dated May 5, 2003 from Councillor Savoie providing information on Fair Trade Coffee. The report also listed Victoria stores and restaurants where the coffee is sold.

**ACTION:** Councillor Savoie moved that it be recommended to Council that the following policy be adopted:

*Given the availability of competitively priced Fair Trade Coffee, the City will purchase Fair Trade Coffee whenever possible for all requests and calls for coffee. Vendors are to be asked to indicate whether coffee that will be supplied is from companies that:*

- 1) have received the Fair trademark Canada label (Transfair), or*
- 2) support sustainable agricultural policies in the coffee sector of producing countries, i.e. fairly traded coffee*

*This policy will be considered in evaluating from which companies coffee will be purchased.*

### **COUNCILLOR INQUIRIES**

#### **SPAM**

03/363

Councillor Madoff requested that Information Systems staff review methods of reducing the amount of SPAM (unsolicited e-mail) received by Councillors and staff.

### **CORE AREA LIQUID WASTE MANAGEMENT PLAN**

03/362

Councillor Savoie provided information regarding the Capital Regional District Core Area Liquid Waste Management Plan. The Minister of Water, Land and Air Protection has approved the plan, with several conditions, which Councillor Savoie briefly outlined.

### **CAPITAL REGION HOUSING CORPORATION**

03/361

Councillor Fleming advised that the Capital Region Housing Corporation has decided against moving its office to the Phase 1 Engineering Services building in Centennial Square.

### **CLOSED MEETING - 10:50 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.

### **LEASE RENEWAL** **2516 PLEASANT STREET**

03/360

Committee received a memorandum dated April 30, 2003 from the Property Manager advising that the lease with C&F Equipment Rentals Ltd. for the City-owned lots at the corner of Bay and Pleasant Streets has expired. The lease contains one further 5 year renewal clause and the lessee has requested renewal.

- ACTION:** Councillor Holland moved that it be recommended to Council that lease with C&F Equipment Rental Ltd. for property at the corner of Bay and Pleasant Streets be renewed, with the following amendments:
- 1) Net rental rate of \$59,904 per annum.
  - 2) Land subject to lease: Lots 1-4, Block G, Section 4, Victoria District, Plan 16.
  - 3) Termination clause for Lots 3 and/or 4 with 12 months notice.
  - 4) Effective date of renewal: June 1, 2003.
  - 5) Expiry: July 31, 2007.

### **BYLAW ENFORCEMENT – PARKING LOTS**

03/359

Committee received a verbal report from the Manager, Regulatory & Development Services, regarding parking lots in the City operating without a business license and in contravention of the Zoning Bylaw.

- ACTION:** Councillor Hughes moved that it be recommended to Council that the owners of properties presently being used for pay parking, that are not in compliance with the City's Zoning Bylaw, be advised that they have until October 8, 2003 to complete a rezoning process for these properties.

### **VICTORIA WEST LAND NEGOTIATIONS**

03/358

Committee received a verbal update from the Manager, Regulatory & Development Services, regarding Victoria West Land Negotiations.

**ACTION:**

Councillor Holland moved that it be recommended to Council that:

- 1) The Mayor and Corporate Administrator be authorized to execute a contract of purchase and sale with Land and Water British Columbia Inc. in the amount of \$200,000 for Lot 102, DL 119, Esquimalt District Plan 3237, subject to final review of the terms of that agreement by the City Solicitor. The purchase price is to be paid through release by the City of the Province's obligation to provide \$200,000 of park improvements under the Songhee's Hillside Master Agreement.
- 2) If the Province exercises its reverter clause, the City be paid back the purchase price at net present value.

The meeting adjourned at 11:55 a.m.

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Mayor Lowe, Chair