

MINUTES - COMMITTEE OF THE WHOLE

MEETING HELD THURSDAY, OCTOBER 23, 2003, AT 9:00 A.M.

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

Mr. Joe Martignago, City Manager, attended for the entire meeting and Messrs. Basey, Carlsen, Daly, Dolan, Dowdall, Koch, Lamb, O'Reilly, Thomas, and Woodland, Ms. Atkinson, Ms. Chase, Ms. Fowler, Ms. Masters, and Ms. Taylor attended for portions of the meeting. Mr. Ron Brunsdon, Greater Victoria Labour Relations Association also attended.
Recording Secretary: Linda Johnson

DELEGATIONS

VICTORIA CONFERENCE CENTRE

03/720

Ms. Jocelyn Jenkyns, Director of Marketing and Event Sales; and Ms. Jane Newman, Human Resources Coordinator – Victoria Conference Centre (VCC), addressed Committee regarding a new sales and marketing strategy recently developed to repackage the VCC to appeal to US and international event planners. They introduced a new logo inspired by Victoria's first nations' culture and west coast location.

GREATER VICTORIA HARBOUR AUTHORITY

03/719

Mr. Stewart Johnston, Chair, Greater Victoria Harbour Authority (GVHA), provided an outline of recent negotiations between the GVHA, Huron Street Developments Ltd. (Huron), and the City of Victoria regarding lands owned by each of the parties in the area of Fisherman's Wharf. He announced that GVHA and Huron have endorsed a Memorandum of Understanding for use of adjacent lands, and requested Council's endorsement of the document.

PARKS

FISHERMAN'S WHARF MASTER PLAN AND MEMORANDUM OF UNDERSTANDING

03/718

Committee received a memorandum dated August 23, 2003 from the Director, Parks, Recreation & Community Development; the Director, Planning & Development; and the Manager, Parks, Recreation & Community Development regarding the Master Plan and Memorandum of Understanding for Fisherman's Wharf.

The issue of access to the parking area between the Shoal Point Development and Fisherman's Wharf has now been resolved through a Memorandum of Understanding

between The Greater Victoria Harbour Authority, Huron Street Developments Ltd., and the City of Victoria.

As part of the Shoal Point rezoning application in 1997, the developer purchased a portion of the Huron Street right-of-way from the City for \$186,000. At that time Council agreed that this money would be used to upgrade City-owned property adjacent to Fisherman's Wharf Park. It is now proposed that the funds be re-allocated to the development and implementation of a master plan to improve the public lands owned by the Greater Victoria Harbour Authority and the City at Fisherman's Wharf. These lands encompass the pier, the public walkway areas, and Fisherman's Wharf Park.

- ACTION:** Councillor Holland moved that it be recommended to Council that:
- 1) Approval be given to the re-allocation of \$186,000 currently allocated for Fisherman's Wharf Park development in the Five Year Capital Plan, towards the development and implementation of a master plan for Fisherman's Wharf Park and the adjacent publicly owned waterfront lands in partnership with the Greater Victoria Harbour Authority.
 - 2) Authorization be given to the Memorandum of Understanding (attached to the report dated August 23, 2003) between The Greater Victoria Harbour Authority, Huron Street Developments Ltd. and the City of Victoria.

PLANNING & DEVELOPMENT

REZONING APPLICATION #02-29 **21 DALLAS ROAD**

03/717

Committee of the Whole, at its meeting on March 6, 2003 tabled Rezoning Application #02-29 for 21 Dallas Road, to provide time for the applicant (Huron Street Developments Ltd.) and the Greater Victoria Harbour Authority to reach an agreement regarding the adjacent parking lot.

Committee received a memorandum dated October 16, 2003 from the Economic Development Planner advising that the two parties have worked together to draft a Memorandum of Understanding. The proposed MOU is the subject of a separate report from the Director of Parks, Recreation and Community Development.

- ACTION:** Councillor Hughes moved that it be recommended to Council that Rezoning Application #02-29 for 21 Dallas Road be forwarded for consideration at a public hearing and the City Solicitor be instructed to prepare the necessary Zoning Bylaw amendments, based on the draft zone outline set out in the report dated February 14, 2003 from the Economic Development Planner.

PILOT PROJECT – VENDING MACHINES IN PARKS

03/716

Committee of the Whole, at its meeting on August 7, 2003, considered a proposal from the Business Support Division regarding a pilot project for beverage vending machines in Topaz Park and Victoria West Park. Committee referred the issue to the Parks, Recreation and Community Services Advisory Committee.

Committee received a memorandum dated October 9, 2003 from the Manager, Business Support and Risk Management, with an attached report from the Advisory Committee outlining their recommendations.

- ACTION:** Councillor Fleming moved that it be recommended to Council that:
- 1) the proposal for vending machines in Topaz Park and Victoria West Park, be declined.
 - 2) Council's appreciation be extended to Business Support staff and the Parks, Recreation and Community Services Advisory Committee for their work on this proposal.

BYLAW ENFORCEMENT

COMPLETION OF B & B COMPLIANCE PROGRAM

03/715

Committee received a memorandum dated October 20, 2003 from the Business License Inspector advising that in June 2003 there were approximately 70 – 80 Bylaw Enforcement files pertaining to illegal and/or unlicensed Bed and Breakfast businesses operating in the City. The majority of the files were a result of the B & B Compliance Program established by the City in 1998. Bylaw Enforcement staff have worked with the operators to bring their businesses into compliance, and, as a result, only seven are now operating contrary to bylaws.

The report listed the properties and advised that these remaining files will be completed by early 2004.

- ACTION:** Councillor Holland moved that it be recommended to Council that Bed & Breakfast Enforcement continue on an on-going basis as regular function of Business Licensing.

LIQUOR LICENSING

APPLICATION TO CHANGE HOURS OF SALE **HUGO'S GRILL AND BREW HOUSE**

03/714

Committee received a memorandum dated October 17, 2003 from the Manager, Administration regarding an application from Hugo's Grill and Brew House to change the hours of sale permitted on their Liquor Primary License. The request is to change the Sunday night hours currently approved (11:00h – 24:00h) to 11:00h – 02:00h.

- ACTION:** Councillor Fleming moved that it be recommended to Council that:
- 1) Victoria City Council recommends the following amendment to the liquor primary license for Hugo's Grill and Brew House, operating at 625 Courtney Street, Victoria, BC, Liquor Primary License #184041.
 - a) On Sunday extending the hours of sale to 11:00h – 02:00h from 11:00h – 24:00h.
 - 2) Victoria City Council, in consideration of the applicant's need to remain competitive in the industry by matching hours to similar establishments, provides the following comments on the prescribed conditions:

- a) The potential for noise is slightly increased from that of the current operation; the operation is located within the Intermediate Zone of the Noise Bylaw, which allows for a higher noise level threshold for nuisance;
- b) The impact on the community will be minor as there is no residential in the community and the Pub is operated until 02:00h the other six days of the week;
- c) The views of the residents were solicited through a public notice and a notification letter sent to surrounding residents and property owners as described in the staff report to Council dated October 17, 2003 to which Council received one submission.

ADMINISTRATIVE MATTERS

NATIONAL CRIMINAL JUSTICE ASSOCIATION 29TH CONGRESS

03/713

Committee received a memorandum dated October 17, 2003 from the Executive Secretary, Office of the Mayor advising that Mayor Lowe has been asked to be the lead speaker and moderator for the National Criminal Justice Association's 29th Congress in Vancouver on November 9, 2003.

- ACTION:** Councillor Hughes moved that it be recommended to Council that:
- 1) Mayor Lowe's attendance at the National Criminal Justice Association's 29th Congress, be approved.
 - 2) Funding of approximately \$236.86 be approved to cover related expenses.

DISPOSITION OF COMMUNICATIONS

03/712

Committee received a memorandum dated October 20, 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 October 20, 2003 from the Manager, Administration, be received for information and filed.

PROCLAMATIONS

03/711

- ACTION:** Councillor Coleman moved that the following proclamations be approved and forwarded to the appropriate Council meeting:
- | | |
|---------------------------------------|----------------------------------|
| <i>Autism Awareness Month</i> | <i>October 2003</i> |
| <i>Community Living Month</i> | <i>October 2003</i> |
| <i>Foster Family Month</i> | <i>October 2003</i> |
| <i>Kristallnacht Remembrance Days</i> | <i>November 9 & 10, 2003</i> |
| <i>Restorative Justice Week</i> | <i>November 16-22, 2003</i> |

COUNCILLOR INQUIRIES

TIME LIMITS POLICY FOR THE NEW INCOME ASSISTANCE SYSTEM

03/710

Councillor Hughes advised that the Social Planning Advisory Committee has considered impacts of provincial cuts and is particularly concerned about the new Income Assistance System.

- ACTION:** Councillor Hughes moved that it be recommended to Council that Mayor Lowe write to the Minister of Human Resources:
- 1) requesting that the City be advised of the number of citizens who will be affected by the time limits policy of the new Income Assistance System scheduled for April 2004.
 - 2) advising that this information is required by the City's Social Planning Advisory Committee and the Mayor's Task Force on the Impact of Provincial Downsizing in Victoria.
 - 3) requesting that the Minister or his representative attend a Committee of the Whole meeting to discuss this policy with Council.

LAND TITLES OFFICE

03/709

Councillor Coleman advised that in July 2003 he was part of a delegation, including representatives from the Land Titles Office, the Victoria Real Estate Board, the Victoria Bar Association, and First Nations, that met with the Minister of Sustainable Resource Management to request that the Victoria Land Titles office not be closed. They provided letters of support from the Chamber of Commerce, law firms, researchers, and Island municipalities, including Victoria. Since then, local MLA's have expressed support for keeping the office open.

Councillor Coleman announced that the decision to close the office has been re-affirmed, and staff termination notices have been issued.

- ACTION:** Councillor Coleman moved that it be recommended to Council that Mayor Lowe write to the Honourable Stan Hagen, Minister of Sustainable Resource Management, with copies sent to the Minister of Finance and local MLA's:
- 1) expressing disappointment with the decision to close the Victoria Land Titles office;
 - 2) requesting that he re-consider the decision and the alternate funding options presented.
 - 3) requesting assurance that the transfer of documents, especially historic documents, will be seamless.
 - 4) advising that the City of Victoria endorses the Heartland Strategy, but it should not be instituted at the expense of other regions of the province.

Councillor Thornton-Joe advised that a member of her family is employed by BC Transit, and because of this potential conflict of interest, she left the meeting at 10:50 a.m.

BC TRANSIT FUNDING AND SERVICE STRATEGY CHOICES

03/708

Councillor Fleming advised that the Advisory Transportation Committee, at its meeting on October 21, 2003, reviewed the BC Transit Funding and Service Strategy and prepared a report outlining recommendations for Council's consideration.

- ACTION:** Councillor Fleming moved that it be recommended to Council that:
- 1) the report dated October 21, 2003 from the Advisory Transportation Committee regarding its review of the BC Transit Funding and Service Strategy and outlining future service options, be received and endorsed.
 - 2) this information be forwarded to the BC Transit Authority.

Councillor Thornton-Joe returned to the meeting at 10:55 a.m.

Councillor Fleming left the meeting at 10:55 a.m.

Councillor Hughes left the meeting at 10:55 a.m.

CLOSED MEETING - 10:55 A.M.

Councillor Coleman 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.

RELOCATION OF CENTRAL LIBRARY

03/707

The Corporate Administrator provided an update on the possible relocation of the Central Library to the former Bay building.

COUNCILLOR INQUIRIES

EMPTY BUILDING ART GALLERIES

03/706

At the June 19th, 2003 Committee of the Whole meeting, Councillor Savoie outlined a project reviewed by Councillors at the FCM Convention in Winnipeg where local art, youth art, and some professional art is displayed in windows of empty buildings.

Councillor Savoie advised that staff have not had time to work on the project, and she requested other suggestions. It was proposed that the Chamber of Commerce and the Arts Council be approached to assist with the project. In addition, the proposal could be introduced at the upcoming Downtown Visions conference.

APPOINTMENTS – HUMBOLDT VALLEY FOCUS GROUP APPOINTMENTS

03/705

Committee received a memorandum dated October 22, 2003 from the Planning Division outlining the applications received from residents, property owners, and institutional stakeholders for consideration of appointment to the Humboldt Valley Focus Group.

ACTION: Councillor Thornton-Joe moved that the following appointments be made to the Humboldt Valley Focus Group: Jack Jeffrey, Sukumar Periwal, Bob Crane, Sister Freida Raab, Lowell Ann Fuglsang, Ian Mackay, Peter Kerr, Kathleen Bunn, Blair Humphrey, Nicole Beach, Councillor Holland, Councillor Madoff.

LABOUR RELATIONS

03/704

Mr. Ron Brunson, Greater Victoria Labour Relations Association, provided an update on Victoria City Police labour relations issues. In addition, he discussed the progress of negotiations with the International Brotherhood of Electrical Workers.

The meeting adjourned at 11:35 a.m.

Mayor Lowe, Chair