

**Minutes of the Committee of the Whole Meeting of The City of Victoria
Thursday, February 12, 2004**

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

Staff Present: J. Martignago – City Manager; and M.B. MacKenzie - Recording Secretary

Staff Present for a Portion of the Meeting: D. Atkinson – Director, Parks, Recreation & Community Development; L. Chase – Planner; W. Clark – Manager, Business Support; K. Dowdall – Director of Finance; K. Fowler – Manager, Regulatory and Development Services; C. Higgins – Coordinator, Corporate Communications; M. Leskiw – Manager, Parks Division; S. Masters – Manager, Administration; S. McKay – Community Development Coordinator; P. O’Reilly - Director of Engineering; D. Scoones – Senior Bylaw Officer; K. Silvester – Manager, Water and Environment; N. Taylor – Executive Assistant to Mayor; and R. Woodland – Corporate Administrator

1. CALL TO ORDER

The Mayor called the meeting to order at 8:20 a.m.

2. CLOSED MEETING - 8:20 A.M.

Action: Councillor Fleming 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.

CARRIED. 04/111

2.1 Advisory Transportation Committee Appointment

Action: Councillor Fleming moved that:

- (a) Council appoint Kuldip Madhar to the Advisory Transportation Committee for a one-year term ending December 31, 2004; and
- (b) this matter be brought forward for consideration at the February 12, 2004 Regular meeting of Council.

CARRIED. 04/110

P. Gerrard, Greater Victoria Public Library Board, and S. Anderson, Chief Executive Officer, Greater Victoria Public Library, joined the meeting at 8:21 a.m. for discussion of the following item.

2.2 Legal/Land - Central Library Project Update

The Corporate Administrator reviewed his memo dated February 11, 2004, and a letter dated February 9, 2004, from R.G. Properties Limited regarding property negotiation issues.

P. Gerrard and S. Anderson were excused from the meeting at 8:51 a.m.

2.3 Legal/Claim – Strata Plan VIS3900

Action: Councillor Coleman moved that:

- (a) Council approve the settlement presented in the letter from Staples McDannold Stewart dated February 11, 2004; and
- (b) this matter be brought forward for consideration at the February 12, 2004 Regular meeting of Council.

CARRIED. 04/109

2.4 Advisory Housing Committee Appointment

Action: Councillor Fortin moved that:

- (a) Council appoint Mary P. La Boucane to the Advisory Housing Committee for a one-year term ending December 31, 2004; and
- (b) this matter be brought forward for consideration at the February 12, 2004 Regular meeting of Council.

CARRIED. 04/108

2.5 Councillor Inquiry, Land/Legal – Crystal Gardens

Councillor Fleming had questions regarding the City's interest in Crystal Gardens.

3. ADJOURNMENT OF CLOSED MEETING

The Closed meeting adjourned at 9:03 a.m.

4. CALL TO ORDER – REGULAR COMMITTEE OF THE WHOLE MEETING

The Mayor called the Regular Committee of the Whole meeting to order at 9:05 a.m.

5. ADOPTION OF MINUTES – COMMITTEE OF THE WHOLE, FEBRUARY 5, 2004

Action: Councillor Coleman moved that the minutes of the Committee of the Whole meeting held February 5, 2004, be adopted, with the following corrections:

- Page 1, Committee Present: add "Councillor Coleman";
- Page 5 , Item 5.4 – replace the words "in City bylaws" with "in City's Storm Water Bylaw"; and
- Page 7, Resolution #04/75 – "Moved by Councillor Holland".

CARRIED. 04/107

6. COMMUNITY DEVELOPMENT

6.1 2004 Festival Investment Grants

The Community Recreation Development Co-ordinator presented her report dated February 4, 2004, reviewing 25 Festival Investment Grant (FIG) applications from 22 organizations requesting a total of \$193,000.00 which is \$98,000.00 more than the City's Festival Investment Grant program budget of \$95,000.00. An increase in applicants and a limited budget has resulted in some groups receiving reduced grants.

Committee members discussed the low cost per capita to provide funding for festival grants. Answering a question regarding alternative funding for these groups, staff advised that the Capital Regional District provides arts grants, and some groups are also eligible for special project grants. Staff also indicated that the City provides in-kind services for festival events totaling approximately \$100,000 annually.

Discussion ensued regarding the potential impact to groups receiving reduced grants. The Committee reiterated its wishes to treat all groups fairly and justify reduced grants.

Action: Councillor Coleman moved that Council approve the following:

- (a) 2004 Festival Investment Grants listed below, totaling \$88,500.00:

| EVENT | APPLICANT | AMOUNT APPROVED |
|---|--|--|
| Victoria Independent Film/Video Festival & Free B Film Festival | Victoria Independent Film and Video Festival | 2,500.00 |
| Victoria Rhythm & Blues Festival | NEED Crisis & Information Line | Refer to Special Project Grant Program |
| CineYouth Film Festival | CineVic Society of Independent Filmmakers | Refer to Special Project Grant Program |
| Victoria Asian Heritage Month | Victoria Asian Heritage Month Society | 750.00 |

| EVENT | APPLICANT | AMOUNT APPROVED |
|--|--|------------------------|
| Uno Festival of Solo Performance | Intrepid Theatre Company Society | 2,250.00 |
| Provincial Festival (aka "The Provincials") | Performing Arts BC Festivals Society | 2,000.00 |
| JazzFest International | Victoria Jazz Society | 5,500.00 |
| Folkfest | Inter-Cultural Association of Greater Victoria | 12,000.00 |
| Dragon Boat Kidsfest | Victoria Dragon Boat Festival Society | 1,000.00 |
| Victoria Shakespeare Society's Summer Festival | Victoria Shakespeare Society | 1,000.00 |
| SKA Festival | Victoria BC SKA Festival | 3,500.00 |
| Latin and Carribean Festival | Victoria Immigrant and Refugee Centre Society | 4,500.00 |
| Walking With Our Ancestors – A Cultural Celebration | Victoria Native Friendship Centre | 4,500.00 |
| Victoria Dragon Boat Festival | Victoria Dragon Boat Festival Society | 4,500.00 |
| Victoria Fringe Theatre Festival | Intrepid Theatre Company Society | 9,000.00 |
| Vancouver Island Blues Bash | Victoria Jazz Society | 4,000.00 |
| Victoria International Improv Festival | Impromaniacs Theatre Company Society | 1,000.00 |
| Victoria Octoberfest | Victoria Multi-Cultural Event Centre Society | 1,500.00 |
| Victoria Christmas Festival | Victorian Christmas Festival Society | 4,000.00 |
| Victoria Day and Santa's Light Parade and Times-Colonist Greater Victoria Christmas Lighting | Greater Victoria Festival Society | 8,000.00 |
| Art Gallery of Greater Victoria Moss Street Paint In | Art Gallery of Greater Victoria | 1,000.00 |
| Luminara Victoria | Inter-Cultural Association of Greater Victoria | 12,500.00 |
| Symphony Splash | Victoria Symphony Society | 3,500.00 |
| TOTAL: | | \$88,500.00 |

CARRIED. 04/106

Councillor Fortin, declared a potential non-pecuniary conflict of interest with the following item and was excused from the meeting at 9:37 a.m.

Action: Councillor Coleman moved that Council approve the Festival Investment Grant listed below, totaling \$2,000.00;

| EVENT | APPLICANT | AMOUNT APPROVED |
|-----------------------------|----------------------|-----------------|
| Selkirk Waterfront Festival | Foundation 2000 Plus | 2,000.00 |

CARRIED. 04/105

Councillor Fortin rejoined the meeting at 9:38 a.m.

Councillor Madoff, declared a potential non-pecuniary conflict of interest with the following item and was excused from the meeting at 9:38 a.m.

Action: Councillor Coleman moved that Council approve the 2004 Festival Investment Grant listed below, totaling \$4,500.00;

| EVENT | APPLICANT | AMOUNT APPROVED |
|----------|--|-----------------|
| Bandfest | Victoria Military Music Festival Society | 4,500.00 |

CARRIED. 04/104

Councillor Madoff rejoined the meeting at 9:39 a.m.

Action: Councillor Coleman moved that:

- (a) all recipients of the City's 2004 Festival Investment Grants be required to:
 - (i) ensure that The City of Victoria receives public recognition of its role as a financial sponsor at a value of both the approved grant and in-kind support;
 - (ii) submit a final report upon completion of their event, including a financial statement;
 - (iii) participate in the 2004 "City of Festivals" web page feature and any other City marketing initiatives;
- (b) the Festival Investment Grant recommendations be referred to the 2004 budget review process; and
- (c) the Community Development Division report to Council within the next three months, after conducting a financial analysis of the FIG program, with recommendations for consideration in the 2005 budget process.

CARRIED. 04/103

7. PLANNING AND DEVELOPMENT

7.1 **Noise Bylaw Study Case – Arthur Currie Lane**

In a report dated February 3, 2004, the Planner provided background information noting that on December 11, 2003, the Committee tabled a previous report and recommendations regarding amendments to the Noise Bylaw. Staff was requested to conduct additional noise monitoring in the Arthur Currie Lane area of Victoria West.

Committee discussed the difficulty in having industrial and commercial zones abutting residential zones, as they often result in an increase in noise complaints. Options considered to reduce complaints included a gradual decrease in decibel levels, and continued monitoring.

Action: Councillor Hughes moved that Council direct staff to:

- (a) create a new Harbour Intermediate District with a slightly higher daytime noise limit, but no change in the evening limit;
- (b) report to Committee regarding the proposed requirement that all new developments provide a report from an acoustical engineer certifying the standards of the Noise Bylaw are being met;
- (c) proceed with preparing an amendment to Noise Bylaw #03-12 as outlined in the report dated February 3, 2004 from the Planner; and
- (d) monitor noise complaints for one year after adoption of the bylaw and prepare quarterly reports outlining further recommended amendments to the bylaw.

CARRIED. 04/102

8. **PARKS**

8.1 **Ginko Tree – Centennial Square**

The Committee reviewed a report dated February 4, 2004, from the Supervisor of Arboriculture, advising of the Agreement of Purchase and Sale for the Silver Threads site included a contribution of \$12,500 from the Capital Regional District to assist in the relocation of the Ginko Tree. The tree was a gift from the Rockland garden of Mayor Wilson's mother, but it would cost an estimated \$23,000 to relocate the tree to Centennial Square. Due to the size of the tree and the extensive root system, the predicted survival rate is only 45%.

Action: Councillor Madoff moved that Council approve the use of the \$12,500 contribution from the Agreement of Purchase and Sale for Silver Threads for:

- (a) the removal of the Ginko tree from the Silver Threads property;
- (b) the propagating of this tree; and

- (c) the planting of two additional Ginko trees in the vicinity.

CARRIED. 04/101

Councillor Coleman, declared a non-pecuniary conflict of interest with the following item and was excused from the meeting at 10:07 a.m.

8.2 Tree and Raised Planter – 1040 Southgate Street

In a report dated February 5, 2004, the Supervisor of Arboriculture advised that ownership of the tree and planter in the lane behind 1040 Southgate Street is shared between the City and the owners of Strata Plan #92. The strata owners request that the City remove the hazardous tree and cost share in the removal of the planter and paving. The resident of 1011 Pakington Street requests that the tree remain, and if it must be removed, the planter remain.

Action: Councillor Madoff moved that Council:

- (a) approve and cost share with Strata Plan #92, the removal of the planter and paving of the hole in the lane behind 1040 Southgate Street, to be funded from the 2004 Parks budget; and
- (b) direct staff to discuss the possible planting of a green buffer zone with the resident of 1011 Pakington Street and agree in principle to fund the development of this, subject to further reporting to Council; and
- (c) direct staff to forward this matter for consideration at the February 12, 2004 Regular meeting of Council.

CARRIED. 04/100

Councillor Coleman rejoined the meeting at 10:09 a.m.

9. ENGINEERING

9.1 Federation of Canadian Municipalities – Partnership, Tipitapa, Nicaragua

The Committee reviewed a report dated February 4, 2004 from the Director of Engineering advising that the Federation of Canadian Municipalities (FCM) facilitates partnerships between Canadian and developing country municipalities through its International Centre for Municipal Development (ICMD) program. FCM identified Tipitapa, Nicaragua, as a potential partner for The City of Victoria. Elected officials and staff from each municipality would work together on community development, urban planning and sustainable development. The project is funded by CIDA through FCM and covers costs for technical missions, communications and translation. Participating municipalities make a valuable contribution to the program by allowing time for leaders and staff to participate in technical exchanges and other program activities.

Action: Councillor Savoie moved that Council endorse in principle, a partnership with the Municipality of Tipitapa, Nicaragua, under the Municipal

Development Partnership Program of the International Centre for Municipal Development (ICMD) of the Federation of Canadian Municipalities (FCM).

CARRIED. 04/99

The City Manager advised that B. Carlton, Director of the International Centre for Municipal Development, FCM, will be in Vancouver on March 5, 2004, and has asked to meet with Council at 3:00 p.m. to discuss this matter.

9.2 Rock Bay Restoration Project

After a presentation by R. MacDonald, Transport Canada, the Environment and Shoreline Advisory Committee, passed the following resolution at its January 21, 2004 meeting:

“That the Environment and Shoreline Advisory Committee encourages The City of Victoria to support, in principle, the intention of Transport Canada and B.C. Hydro to remediate contaminated soil and sediments from the Rock Bay site.”

Action: Councillor Savoie moved that Council receive the resolution of the Environment and Shoreline Advisory Committee, encouraging The City of Victoria to support, in principle, the intention of Transport Canada and B.C. Hydro to remediate contaminated soil and sediments from the Rock Bay site.

CARRIED. 04/98

9.3 Utility Rate Increases

The Committee reviewed a memorandum dated January 20, 2004, from the Manager, Water and Environment, proposing sewer and water consumption fee increases.

Action: Councillor Thornton-Joe moved that effective March 1, 2004, Council approve:

- (a) a sewer consumption fee increase from \$0.59 to \$0.64 per unit; and
- (b) a water consumption fee increase from \$1.33 to \$1.45 per unit.

CARRIED. 04/97

9.4 American Public Works Association Management Innovation Award

In a report dated February 6, 2004, the Manager, Water and Environment, advised Council that the City of Victoria, along with other Canadian municipalities, received an award for its role and participation in the Canadian Water and Wastewater Benchmarking Initiative.

Action: Councillor Fleming moved that the report dated February 6, 2004, from the Manager, Water and Environment, advising that the City of Victoria received the American Public Works Association "Management Innovation Award" for its role and participation in the Canadian Water and Wastewater Benchmarking Initiative, be received for information and filed.

CARRIED. 04/96

10. ADMINISTRATIVE MATTERS

10.1 Disposition of Communications

Committee received a memorandum dated February 9, 2004, 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 January 30, 2004 from the Manager, Administration, be received for information and filed.

CARRIED. 04/95

10.2 Liquor Primary License – Beagle Pub, 301 Cook Street

Committee received a report dated February 6, 2004 from the Manager, Administration, reviewing a request for an amendment to the liquor primary license for Beagle Pub, 301 Cook Street. To remain competitive with other businesses in the City, the applicant proposed changing the hours of sale from:

- a) Sunday to Wednesday from the currently approved hours of 11:00h – 23:00h to 11:00h – 24:00h; and
- b) Thursday, Friday and Saturday from 11:00h – 23:00h to 11:00h – 1:00h.

This application was tabled at the January 15, 2004, Committee of the Whole meeting pending the receipt of additional community input from the Fairfield Community Association and neighbours within 50m of the Beagle Pub.

Discussion ensued and while some Committee members were supportive of approving the request on a trial basis, others were concerned with the number of letters from adjacent property owners opposing the extended hours due to the impact on the community, specifically regarding unreasonable noise disturbances.

Action: 1. That the application by the Beagle Pub to change the hours of sale from:

- (a) Sunday to Wednesday from the currently approved hours of 11:00h – 23:00h to 11:00h – 24:00h; and
- (b) Thursday, Friday and Saturday from 11:00h – 23:00h to 11:00h – 1:00h,

be declined, due to the potential for increased noise during the late hours; and

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:
 - (a) the potential for noise is increased from that of the current operation;
 - (b) the impact on the community is mostly borne by adjacent residential properties who may experience unreasonable noise disturbances from patrons coming and going at a later hour;
 - (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 reports to Council dated January 9 and February 6, 2004, to which Council received eleven letters of support and sixteen opposed including a letter of opposition from the community association. Two petitions were also received.

CARRIED. 04/94

10.3 Liability Insurance – Greater Victoria Festival Society

Committee reviewed a report dated February 11, 2004, from Business Support and Risk Management, providing information on the Victoria Festival Society's renewal premium for its liability insurance. In 2002, the renewal premium was \$1,350. In May 2003, Council provided a \$10,250 grant to the Society to assist with the increased renewal premium of \$12,000. Committee was advised that with the Society's insurance premium in the range of \$14,000 for 2004, a contribution by the City towards the increased insurance costs may set a precedent for requests from other organizations.

Action: Councillor Holland moved that the report dated February 11, 2004, from Business Support and Risk Management providing information on contributions by the City towards insurance costs, be received for information and filed.

CARRIED. 04/93

11. 2003 CITIZEN SURVEY

The Manager, Support Services, advised that in July 2003, Council approved a recommendation that a citizen survey be conducted in partnership with the University of Victoria's (UVic) Centre for Public Sector Studies. In October 2003, Citizen Surveys were mailed to a random sample of 1,400 Victorians to determine their attitudes on a variety of City programs and services. Soki Kaur, a Master of Public Administration student from UVic worked with a staff committee to ensure the survey had statistical validity and to provide technical assistance. As well, the Municipality of Saanich, who recently conducted its own survey, helped develop the workplan and provided the computer software used in the survey.

Key issues respondents would like the City to focus on include capital projects such as City sewer, drainage and water systems, affordable housing, environmental protection and beautification and revitalization of neighbourhoods and downtown. General issues they would like the City to focus on are the presence of street people, transportation issues and downtown parking.

One member of the Committee noted that 72% of those surveyed were pleased with Victoria the way it is at this time. Answers to the survey questions will provide useful information to Council as they set budget priorities, evaluate programs and services, and make decisions about strategic directions to shape the future of the City.

12. 2004 STRATEGIC PLAN

The City Manager reviewed the 2004 Strategic Plan and its four goals:

- (a) Strengthen the Economic Vitality of Downtown;
- (b) Enhance the Quality of Life for all Citizens of Victoria;
- (c) Promote a Green, Clean, Walkable and Safe City; and
- (d) Improve the Quality of Civic Services

Objectives specific to each goal outline strategies and actions to assist with accomplishing the goals.

The Committee requested that the wording of Objective 1 under Goal 2 – “Enhance the Quality of Life for all Citizens of Victoria”, be revised to read “Develop a Comprehensive Housing Strategy”.

Answering a question from the Committee, the City Manager advised that there would be costs associated with accelerating actions to complete them before the target dates.

The Mayor asked the Committee members to review the 2004 Strategic Plan, and directed staff to place it on the February 19, 2004 Committee of the Whole agenda for further discussion.

13. ADJOURNMENT

The meeting adjourned at 1:19 p.m.

Mayor Lowe, Chair