

**Minutes of the Committee of the Whole Meeting of The City of Victoria
Thursday, March 11, 2004**

Committee Present: Mayor Lowe, in the Chair; and Councillors Coleman, Fleming, Fortin, Hughes, Madoff, 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; S. Barber – Heritage Planner; J. Basey – Director of Planning and Development/City Solicitor; L. Chase – Planner; K. Fowler – Manager, Regulatory and Development Services; T. Galavan – Manager, Transportation; K. Hennessey – Senior Buyer; C. Higgins – Coordinator, Corporate Communications; J. Hill – General Manager, Victoria Conference Centre; M. Hill – Downtown Community Development Co-ordinator; S. Hortsing – Project Manager; M. Leskiw – Manager, Parks Division; T. Livelton – Archivist; S. Masters – Manager, Administration; S. McKay – Community Development Co-ordinator; G. Oberg – Manager, Supply Management Services; P. O'Reilly – Director of Engineering; N. Taylor – Executive Assistant to Mayor; B. Wiffen – Property Manager; R. Woodland – Corporate Administrator; W. Zink – Manager, Community Development

1. CALL TO ORDER

The Mayor called the meeting to order at 9:00 a.m.

Councillor Fleming joined the meeting at 9:02 a.m., during discussion of the following item.

2. ADOPTION OF MINUTES – COMMITTEE OF THE WHOLE, MARCH 4, 2004

Action: Councillor Coleman moved that the minutes of the Committee of the Whole meeting held March 4, 2004, be adopted, with the following corrections:

- Page 9, replace Item 9.4, PCC Governance with the following:

“Councillor Madoff updated the Committee on the Provincial Capital Commission’s consideration of reducing the municipal representation on the PCC Board by Saanich and Victoria from two members each to one member each. Committee members discussed the importance of retaining its current two-member representation on the Board.”

Action: Councillor Hughes moved that Councillors Madoff and Fleming be reappointed to their positions as The City of Victoria representatives on the Provincial Capital Commission.

CARRIED. 04/165A”

CARRIED. 04/209

3. DELEGATIONS

3.1 Greater Victoria Public Library – 2004 Operating Budget

John Barton, Chair, Greater Victoria Public Library (GVPL) Board, presented the 2004 Operating Budget indicating that in 2003:

- borrowing increased 7.1%;
- library visits increased 9.1%;
- webpage requests increased 700%; and
- there were 18,885 new registrations.

Advising of a total library expenditure increase of 3.8%, Mr. Barton stated that because library revenue is not increasing at the same rate, the net effect is an average municipal contribution increase of 4.9%. This increase will maintain current levels of service and allow for Sunday hours at Esquimalt Library.

Action: Councillor Hughes moved that:

1. the delegation from the Greater Victoria Public Library presenting the 2004 GVPL Operating Budget, be received; and
2. the 2004 GVPL Operating Budget be referred to the City's 2004 budget process for approval.

CARRIED. 04/208

3.2 Community Social Planning Council – Regional Housing Affordability

The City Manager advised that this item has been removed from the agenda at the request of the delegation, and will be rescheduled.

3.3 Tall Ships Victoria 2005

Bernard Brown, Vice-President, Victoria Tall Ships Challenge 2005 Society, outlined the history of the Society, its constitutional objectives, and provided an overview of the Tall Ships Festival to be held June 23-26, 2005 on Victoria's Inner Harbour. He indicated that the Tall Ships Festival is on a three-year rotation – one year on the East coast, one year on the Great Lakes, and one year on the West coast. Victoria will be the first port of call on the West coast, and will have the first right of refusal to host the event in 2008 and 2011.

Committee members recognized the positive impact this event will have on tourism, and were supportive of the inclusion of youth and the multi-culturalism aspect of the

event. Concerns were also expressed regarding the need to control costs for the City's in-kind services.

4. COMMUNITY DEVELOPMENT

4.1 Victoria Tall Ships Society Support Request

In a report dated March 11, 2004, the Downtown Community Development Co-ordinator reviewed a request for \$50,000 (\$25,000 in 2004 and \$25,000 in 2005) in financial support plus in-kind services from the Victoria Tall Ships Society (VTSS) for the 2005 Victoria Tall Ships event. The economic benefits of the event are estimated to be from approximately \$15 million to \$25 million based on the projected attendance of 150,000 to 200,000 people.

Action: Councillor Coleman moved that:

1. the Victoria Tall Ships Society be funded to \$20,000 in 2004, contingent on providing a progress report and the following information to the satisfaction of the Director of Parks, Recreation and Community Development by May 15, 2004:
 - (a) funding development strategy and 20% confirmed other sponsorship and government funding (excluding in-kind support);
 - (b) event management plan including site layout and support requirements clearly specifying agreed City responsibilities and services to be provided;
 - (c) documented support for Greater Victoria Harbour Authority for facility use and any required capital improvements;
 - (d) risk assessment and funding contingency plans excluding the City as a source of additional funding;
 - (e) demonstrated liability insurance coverage of \$5 million naming The City of Victoria as additional insured.
2. the VTSS be funded to \$30,000 in 2005 and provided with a maximum of \$50,000 in City services support contingent on:
 - (a) a Council review of progress to date at the end of December 2004 and 70% of funding confirmed; and
 - (b) the inclusion of free events in the program;
3. upon completion of the event, the VTSS will be required to submit a final report including financial statements and an independent economic impact assessment clearly specifying benefits provided to the City from the event; and
4. the City is to be recognized as a sponsor of the event in promotional materials.

CARRIED. 04/207

4.2 2005 Cultural Capitals of Canada Grant Application

The Community Recreation Development Co-ordinator presented her report dated March 5, 2004, advising of the Government of Canada's creation of the Cultural Capitals of Canada program that recognizes and supports Canadian municipalities for special activities that harness the many benefits of arts and culture in community life. This three-year national award program recognizes achievements of municipalities that demonstrate an ongoing commitment to arts and culture. Municipalities with a population of 50,000 to 125,000 are eligible to receive funding to a maximum of \$500,000. The national and international designation as a cultural capital would add to Victoria's reputation as a livable city, a cultural destination, and add interest in the City's vibrant arts, culture and heritage.

Committee members suggested including the following in the submission:

- the Children's Museum;
- a focus on the City's Chinese community which is the oldest Chinese community in Canada; and
- highlighting Canada Day events which celebrate diversity and pride in being Canadian.

Action: Councillor Coleman moved that:

1. Victoria City Council approve the submission of The City of Victoria's application for \$949,500.00 to the Cultural Capitals of Canada Program on the theme "Celebrating Our Diversity";
2. The City of Victoria commit, as the applicant, to \$474,750.00, which is composed of a direct contribution of \$216,500.00, subject to the successful receipt of Cultural Capitals funding, to undertake the activities described, and broken down as follows:

2004	\$ 25,500.00
2005	\$179,000.00
2005	\$ 12,000.00 (in-kind)

and the balance of \$258,250.00 be secured through funding partners, sponsorship, grants, and in-kind contributions from the community;

3. the Cultural Capitals of Canada funding recommendations be incorporated into the 2005 budget; and
4. this item be forwarded to Council for consideration at its March 11, 2004 Regular meeting.

CARRIED. 04/206

5. PLANNING AND DEVELOPMENT

Councillor Savoie was excused from the meeting at 10:32 a.m.

5.1 Heritage Alteration Permit #130 – 631 Avalon Road

The Committee reviewed a report dated March 10, 2004, advising of the recommendation of the Heritage Advisory Committee for Heritage Alteration Permit #130, 631 Avalon Road. The applicant proposes construction of a new duplex in the Avalon Road Heritage Conservation Area.

Action: Councillor Madoff moved that the application for a Heritage Alteration Permit be tabled and the applicant be requested to resolve the following issues, as recommended by the Heritage Advisory Committee at its meeting on March 9, 2004:

1. visually reduce the form and massing of the building;
2. incorporate the use of wooden windows with wooden muntin bars and true divided lights;
3. explanation of the colour scheme;
4. consider more design consistency between the front and rear of the building elevations; and
5. reconsider the width of the proposed bargeboards and brackets as they are not heavy enough to emulate the Craftsman style of architecture.

CARRIED. 04/205

Councillor Savoie re-joined the meeting at 10:34 a.m.

5.2 Noise Bylaw – Study Case File #13-01:

The Planner outlined her report dated March 4, 2004, advising that at its February 12, 2004 meeting, Committee directed staff to report on the proposed requirement that all new developments provide a report from an acoustical engineer certifying the standards of the Noise Bylaw are being met. A legal opinion has indicated that Council has the discretion to request this information only under a rezoning application.

Action: Councillor Fleming moved that:

1. Council approve a policy that as a condition of rezoning, applicants be required to provide a noise attenuation study by a qualified engineer at time of building permit within the Intermediate, Harbour Intermediate and Activity Districts, and that a covenant be registered on the title of the subject property to secure this condition; and
2. this item be forwarded to Council for consideration at its March 11, 2004 Regular meeting.

CARRIED. 04/204

6. FINANCE

6.1 Security Services – Victoria Conference Centre (RFP #03-044)

In a report dated February 18, 2004, the Senior Buyer reviewed a proposal analysis for Request for Proposal #03-044 for security services at the Victoria Convention Centre VCC).

Action: Councillor Fortin moved that Request for Proposal #03-044, Security Services, VCC, be awarded to Securiguard Services Ltd., for a three-year period, at an estimated annual cost of \$128,000.00 plus GST, based on being the best overall value and the lowest overall cost for the Victoria Conference Centre. This proposal has a two-year extension option, allowing for a maximum five-year award.

CARRIED. 04/203

Action: Councillor Thornton-Joe moved that this item be forwarded to Council for consideration at its March 11, 2004 Regular meeting.

CARRIED. 04/202

6.2 Sanitary Sewer Main Excavation and Repair (Tender #03-069)

The Committee reviewed a report dated March 4, 2004 from the Senior Buyer outlining repairs included in Tender #03-069, Sanitary Sewer Main Excavation and Repair. The tender was issued in January to four pre-qualified firms. Three firms submitted tenders.

Action: Councillor Fleming moved that:

1. Tender #03-069, Sanitary Sewer Main Excavation and Repair, be awarded to Trittech Group, for a total cost of \$595,990.00, based on being the overall lowest tender; and
2. this recommendation be placed on the March 11, 2004 Council meeting for consideration.

CARRIED. 04/201

6.3 Truck and Backhoe Rental (Tender #03-066)

In a report dated February 20, 2004, the Manager, Supply Management Services provided a brief summary of the tendered rates from Tender #03-066 for truck and backhoe rental.

Action: Councillor Fleming moved that Tender #03-066, Truck and Backhoe Rental, be awarded to C&F Equipment Rentals Ltd., based on being the lowest cost tender, for an estimated total annual cost of \$625,000.00. The contract is for a two-year period, with a one-year extension option.

CARRIED. 04/200

Action: Councillor Thornton-Joe moved that this item be forwarded to Council for consideration at its March 11, 2004 Regular meeting.

CARRIED. 04/199

7. **PARKS**

7.1 **Beacon Hill Park Event Approvals**

In a report dated February 25, 2004, the Manager, Parks Division, advised that in 2002, Council directed staff to proceed with the review, revision and implementation of event application, screening, monitoring and reporting processes for Beacon Hill Park. To further streamline the approval process, revisions to the Beacon Hill Park Policy were recommended.

Action: Councillor Coleman moved that all events be reviewed and approved at the administrative level, using the Appropriate Activity Assessment Framework, with the exception of the following events which will be forwarded to Council for approval:

1. new large events with more than 500 participants; and
2. large events, previously approved by Council, where exemptions to policy were permitted (e.g., Times-Colonist 10K and Victoria International Six-a-Side Cricket Festival).

CARRIED. 04/198

7.2 **20th Annual British Car and Motorcycle Picnic**

The Committee reviewed a report dated February 17, 2004, from the Manager, Parks Division, providing information on an application for a permit to hold the 20th Annual British Car and Motorcycle Picnic in Beacon Hill Park on June 20, 2004. The show involves 250 to 300 vintage British cars and motorcycles and attracts 1,000 to 3,000 spectators.

Committee asked staff to speak with event organizers about the possibility of moving this event to Clover Point.

Action: Councillor Coleman moved that Council approve the 20th Annual British Car and Motorcycle Picnic application for 2004 and future years, provided there are no significant changes, noting the following conditions:

1. no commercial activity of any kind permitted; and

2. applicant to obtain a Park Permit and abide by all rules and regulations.

CARRIED. 04/197

8. EMERGENCY SERVICES

8.1 Facility Use Agreement for Emergency Social Services

In his report dated February 26, 2004, the ESS Program Manager advised that the Victoria Emergency Program plans for, and responds to, the needs of evacuees displaced by emergency situations such as fires, earthquakes and chemical spills. As part of the ongoing planning, facility use agreements are needed to secure the use of buildings as reception centers where evacuees assemble, are assessed, and obtain services.

Action: Councillor Fortin moved that Council approve the formalization of the Emergency Social Services Reception Centre Facility Use Agreement between The City of Victoria and the Church of Jesus Christ of Latter Day Saints located at 2990 Quadra Street.

CARRIED. 04/196

9. ENGINEERING

9.1 Regional Growth Strategy – TravelChoices Strategy

In a report dated March 8, 2004, the Manager of Transportation provided information on the TravelChoices Strategy (TCS), an implementation component of the Regional Growth Strategy for the Capital Region. The TCS establishes a long-term direction and a short-term set of priorities for improving transportation options and choices across the region. The Capital Regional District (CRD) requested the City review the strategy and provide comments to the CRD Board.

Action: Councillor Fleming moved that Council support the Capital Regional District TravelChoices Strategy, with encouragement for priority implementation of Recommendation 8.1, relating to funding and managing regional transportation facilities, services and programs.

CARRIED. 04/195

10. ADVISORY COMMITTEES

10.1 Advisory Transportation Committee

10.1.1 Bike to Work Society

A report dated March 2, 2004 from the Secretary, Advisory Transportation Committee (ATC), advised that the Advisory Transportation Committee recently learned that the possibility of acquiring funds from the Province of British Columbia has become uncertain because organizations are now expected to address the

Treasury Board for funding support, which may not be granted. Believing support of the Bike to Work Society is essential, the ATC passed the following resolution at its meeting of February 17, 2004:

“The Advisory Transportation Committee recommends Council provide support annually to the Bike to Work Society at a level that is not less than previous years.”

Action: Councillor Fleming moved that the report dated March 2, 2004, from the Secretary, Advisory Transportation Committee, recommending Council's annual support of the Bike to Work Society, be received for information.

CARRIED. 04/194

10.1.2 Dockside Lands

Following a presentation on the draft Development Concept for the Dockside Lands to the Advisory Transportation Committee (ATC) at its meeting on February 17, 2004, the Committee expressed concerns regarding the design of roads, road conditions, access to roads and properties, signage, sidewalks and safety. The Committee felt that while the draft Dockside Development Guidelines spoke of sustainability, it did not showcase the opportunity to mix business and residential initiatives. As a result of these discussions, the ATC passed the following resolution:

“The Advisory Transportation Committee expresses its concern to Council that the draft Development Concept for the Dockside Lands is non-sustainable and motor vehicle oriented. Further, the Committee recommends to Council, given the opportunity afforded by the significance of the Dockside Lands site and its adjacency to downtown that the:

- 1. planning principles be amended to incorporate and encourage alternative transportation; and*
- 2. Transportation Demand Management principles be incorporated in the document.*

Action: Councillor Fleming moved that the report dated March 2, 2004, from the Secretary, Advisory Transportation Committee, outlining the Advisory Transportation Committee's concerns regarding the draft Development Concept for the Dockside Lands, be received for information.

CARRIED. 04/193

11. ADMINISTRATIVE MATTERS

11.1 Disposition of Communications

Committee received a memorandum dated March 5, 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 Coleman moved that the Disposition of Communications dated March 5, 2004 from the Manager, Administration, be received for information and filed.

CARRIED. 04/192

11.2 Victoria City Archives Mandate

The Committee reviewed a report dated March 5, 2004, from the Corporate Administrator advising of an increasing number of electronic requests for access, and requests for the commercial and non-commercial reuse of City archive material. Proposed amendments to the Victoria City Archives mandate to acknowledge these significant new service areas were put before Committee. The updated mandate specifically outlines the Archives' role to provide services for the appropriate use or reuse of archival material. Staff proposes a formal mechanism for the licensing of Archives' images via a proposed Archives Use Bylaw.

Committee members raised concerns regarding charges for academic and non-profit organizations, and were satisfied that there was enough flexibility in the licensing scheme to accommodate these groups.

Action: Councillor Madoff moved that Victoria City Council:

1. endorse the proposed City of Victoria Archives Mandate; and
2. consider the proposed Archives Use Bylaw at an upcoming Council meeting.

CARRIED. 04/191

11.2 Electronic Participation at Council Meetings

In a report dated March 8, 2004, the Corporate Administrator reviewed Council's instructions to include provisions in the draft Council Bylaw to enable electronic participation by Council members at Council meetings. The Corporate Administrator proposed using existing teleconferencing equipment owned by the City to enable electronic participation, which will enable two absent Council members to attend via telephone at one time. However, due to the lack of visual exchanges of information, a Council member's participation is restricted in adjudicative proceedings such as Public Hearings on land use and heritage matters.

Action: Councillor Fortin moved that Victoria City Council endorse proposed Section 14 of the draft Council Bylaw, and consider the draft Council Bylaw at the next Regular Council meeting.

CARRIED. 04/190

11.3 Proclamation - "Male Survivors of Sexual Abuse Awareness Month"

Action: Councillor Savoie moved that April 2004, be proclaimed “Male Survivors of Sexual Abuse Awareness Month” in The City of Victoria, British Columbia.

CARRIED. 04/189

12. COUNCILLOR INQUIRIES

12.1 Remote E-mail Access for Members of Council

Councillor Madoff asked when recent problems with the e-mail system would be resolved, i.e., members of Council not being able to access their e-mail from outside of City Hall.

12.2 Crystal Methamphetamine

The Committee discussed the increasing abuse of crystal methamphetamine in the region. Noting the damaging, permanent effects of this drug and the propensity for increased violence, Committee members agreed that the City needed to be proactive before the problem becomes an epidemic. Proposed courses of action included:

- defining the problem and seeking input from other resources;
- working with the School Districts;
- holding community meetings to inform parents and the public of the dangers associated with the use of this drug;
- soliciting the assistance of youth to educate children.

The Mayor and the City Manager agreed to discuss a strategy to address this issue.

12.3 Draft Development Concept for the Dockside Lands

Action: Councillor Fortin moved that the draft Development Concept for the Dockside Lands be referred to all City Advisory Committees for review.

CARRIED. 04/188

12.4 Tree Protection Bylaw

Concern was expressed regarding the adequacy of the Tree Protection Bylaw in protecting trees. Specifically, the bylaw offers little protection to trees located within a proposed development envelope. The Director of Planning and Development was requested to bring forward amendments to the City’s Tree Protection Bylaw to better ensure the preservation of trees in the City, especially those within a development envelope.

13. COUNCILLOR INFORMATION SHARING

13.1 Community Social Services Funding

Councillor Savoie outlined the impacts on the community resulting from provincial Social Services cuts.

Action: Councillor Savoie moved that:

Whereas community social services are vital to the health and well-being of thousands of British Columbians, especially women, people with disabilities, children and families in need, and the most vulnerable people in our society; and

Whereas these critical services are dependent on adequate funding by the provincial government; and

Whereas the provincial government has already cut \$100 million from the community social services sector since 2001, and plans to cut at least \$70 million more before March 31 of this year; and

Whereas these cuts are having a devastating impact on families and communities;

Therefore be it resolved that Council send a letter to the B.C. government calling on Premier Gordon Campbell, Minister of Finance, Gary Collins, and the Minister of Children and Family Development, Christy Clark, to put on hold any further cuts to community social service funding in the upcoming 2004/2005 budget, and to make every effort to restore program funding to the pre-2001 level.

CARRIED. 04/187

13.2 Merger of CUPE Locals 50 and 388

Councillor Fleming commended City management staff and CUPE Local 50 and 388 staff for working together to merge the two locals.

14. CLOSED MEETING - 11:37 A.M.

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

Staff Present: D. Atkinson – Director, Parks, Recreation & Community Development; J. Basey – Director of Planning and Development/City Solicitor; C. Higgins – Coordinator, Corporate Communications; J. Hill – General Manager, Victoria Conference Centre (part); S. Hortsing – Property Manager; M. Leskiw – Manager, Parks Division (part); M.B. MacKenzie - Recording Secretary; J. Martignago – City Manager; N. Taylor – Executive Assistant to the Mayor; R. Woodland – Corporate Administrator

Action: 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.

14.1 Legal - Agreement

In a report dated March 5, 2004, the City Solicitor provided an update on the transfer of the Canadian's Pacific Hotels Corporation interest in the Fairmont Empress Hotel to the Legacy group of companies. Pacific Life, the mortgage holder, requires that the Legacy group complete a number of agreements with the City to ensure Pacific Life's security with respect to the Victoria Conference Centre lease.

Action: Councillor Madoff moved that the recommendations outlined in the report dated March 5, 2004, from the City Solicitor and the General Manager, Victoria Conference Centre, be approved.

CARRIED. 04/185

14.2 Land – Licence Agreement

The Committee reviewed a report dated February 26, 2004, regarding the renewal of an outdoor patio license agreement between the City and CP Hotels Corporation.

Action: Councillor Madoff moved that the recommendations outlined in the report dated February 26, 2004, from the Property Manager, be approved.

CARRIED. 04/184

14.3 Legal - Contract

The Project Manager updated the Committee on the naming rights issue for the new arena.

14.4 Legal - Agreement

The Committee reviewed a report dated March 5, 2004, regarding the operation of the Children's Farmyard at Beacon Hill Park

Action: Councillor Coleman moved that the recommendations in the report dated March 5, 2004, from the Manager, Parks Division, be approved.

CARRIED. 04/183

14.5 Greater Victoria Public Library – Board Appointment

Action: Councillor Coleman moved that the letter of resignation dated March 4, 2004, from Patrick Murphy, member of the Greater Victoria Library Board, be received.

Staff was asked to prepare a report listing recommended appointees for the March 18, 2004, Committee of the Whole meeting for consideration.

15. ADJOURNMENT

The meeting adjourned at 11:58 a.m.

Mayor Lowe, Chair