

**Minutes of the Committee of the Whole Meeting of the City of Victoria
held Thursday, June 10, 2004**

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

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

Staff Present for a Portion of the Meeting: D. Atkinson – Director, Parks, Recreation and Community Development; J. Basey – Director of Planning and Development/City Solicitor; L. Chase – Planner; A. Dolan – Business Licence Inspector; R. Johns – Emergency Social Services Program Manager; D. Koch – Manager, Planning Division; C. O'Regan – Community Recreation Co-ordinator; P. Reilly – Director of Engineering; N. Taylor – Executive Assistant to Mayor; C. Timms – Manager, Transportation and Development; R. Woodland – Corporate Administrator; and W. Zink - Manager, Community Development

1. CALL TO ORDER

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

2. ADOPTION OF MINUTES – COMMITTEE OF THE WHOLE, JUNE 3, 2004

Action: Councillor Hughes moved that the minutes of the Committee of the Whole meeting held June 3, 2004, be adopted.

CARRIED. 04/420

3. DELEGATION

3.1 Children's Museum of Victoria Association – Master Plan Presentation

Gaby Ostro, President of the Board of Directors of the Children's Museum of Victoria Association (CMVA), along with members of the Board of Directors, highlighted the CMVA Master Plan, recently completed with financial assistance from the City of Victoria.

Ms. Ostro reviewed possible locations for the future museum including Dockside, Ogden Point and the Janion building. Programs designed to complement formal school education will focus on Victoria and Vancouver Island, and foster creativity in young children, especially pre-schoolers. It is anticipated that the museum will be operational by the year 2007.

Members of the Committee expressed their support of the Children's Museum of Victoria, noting the economic and cultural benefits to the City, and its fit with the City's 2004 Strategic Plan initiatives.

4. EMERGENCY SERVICES

4.1 Facility Use Agreement for Emergency Social Services

In a report dated June 1, 2004, the Emergency Social Services Program Manager reviewed the proposed Facility Use Agreement between the City of Victoria and the James Bay United Church at 511 Michigan Street. If approved, the church will be used as a reception centre for evacuees displaced by emergency situations such as house/apartment fires, earthquakes and chemical spills.

Action: Councillor Fleming moved that Council approve the formalization of the Emergency Social Services Reception Centre Facility Use Agreement between the City of Victoria and the Trustees of the Congregation of the James Bay United Church at 511 Michigan Street.

CARRIED. 04/419

Action: Councillor Hughes moved that the City Solicitor be instructed to draft a bylaw delegating the power to enter into Emergency Social Services Facility Use Agreements to the Corporate Administrator and the Fire Chief.

CARRIED. 04/418

5. FINANCE

5.1 Tender No. 04-006 – Admirals Road Watermain Replacement

The Senior Buyer reviewed his report dated June 2, 2004, regarding Tender No. 04-006, Admirals Road Watermain Replacement. Of the nine contractors meeting pre-qualification requirements, three submitted tenders.

Action: Councillor Fleming moved that:

1. Tender No. 04-006, Admirals Road Watermain Replacement, be awarded to Knappett Industries Ltd., at a total cost of \$415,265.93, based on being the overall lowest tender; and
2. This matter be brought forward for consideration at the June 10, 2004 Regular meeting of Council.

CARRIED. 04/417

6. PARKS, RECREATION AND COMMUNITY DEVELOPMENT

6.1 Adaptable Housing Regulations – Study Case File No. 10-04

The Committee reviewed a report dated June 4, 2004, from the Manager, Community Development, advising of a zoning bylaw amendment adopted by the

District of Saanich requiring new apartment residential development to incorporate adaptable design features including:

- solid blocking behind bathroom walls for future installation of grab bars;
- wiring for automatic door opener at main entry;
- wider doors and doorways;
- more maneuvering room at suite entry and common area doorways;
- minimal thresholds throughout the building;
- more accessible switches, outlets and door handles; and
- at least one “minimally accessible bathroom”

Saanich staff circulated the zoning bylaw amendment to other municipalities in the Capital Regional District with the aim of harmonizing standards between local municipalities.

Action: Councillor Fortin moved that as recommended in the report dated June 4, 2004, from the Manager, Community Development Division and the Planner, City Council:

1. Endorse the Saanich Adaptable Housing Regulations and Voluntary Guidelines, and that the City Solicitor be instructed to prepare the necessary Zoning Bylaw amendments based on the Saanich Adaptable Housing Regulations (with requisite modifications), and that these amendments be sent forward to a Public Hearing; and
2. Approve the Communications Plan.

CARRIED. 04/416

6.2 Pride Parade and Festival Beer Garden Application

In a report dated June 4, 2004, the Manager, Parks Division reviewed the Victoria Pride Society’s application for a beer garden at the 19th Annual Pride Festival to be held at Fisherman’s Wharf, 1:00 p.m. to 4:00 p.m., Sunday, July 4, 2004.

The purpose of the beer garden is to help cover costs of holding the event, and all proceeds will be directed back to the Victoria Gay, Lesbian Bisexual and Transgendered Pride Society. The beer garden will operate on a trial basis for 2004, and if successful, permission may be requested in future years.

Action: Councillor Fortin moved that Council:

1. Approve, on a trial basis for 2004 only, the application for a Special Occasion Liquor Licence, subject to the group obtaining support from the James Bay Neighbourhood Environment Association; and
2. Require the applicant to abide by all rules and regulations.

CARRIED. 04/415

7. PLANNING AND DEVELOPMENT

7.1 **Heritage Designation – 1176 Yates Street**

At its June 3, 2004, Committee of the Whole meeting, staff was asked to prepare a report for the June 10, 2004 Committee of the Whole meeting providing information on a Demolition Order for 1176 Yates Street, and the possible inclusion of the building in the City's Heritage Registry.

The Manager, Planning Division, advised that the City issued a Demolition Permit for the building at 1176 Yates Street on June 8, 2004. The building, not listed in the City's Heritage Registry, did not have any documented heritage value.

Discussion ensued regarding the heritage value of the building. Staff indicated that property owner's consent is required for heritage designation, and was directed by the Committee to contact the property owner to discuss the possibility of including the building in the City's Heritage Registry.

8. **ENGINEERING**

8.1 **Victoria Accord, Q Lot at Superior/Menzies/Kingston – Covenant to Replace Development Agreement**

The Committee reviewed a report dated June 1, 2004, from the Manager, Transportation and Development, regarding the history of the 1995 subdivision of Q Lot into three lots, bounded by Superior, Menzies and Kingston Street. As a condition of subdivision, a Subdivision Agreement was entered into for frontage works and intersection and streetscape improvements secured by a Letter of Credit for \$300,000.00.

Two of the lots were developed, but the third lot fronting onto Menzies Street was delayed. In a letter dated March 8, 2004, British Columbia Buildings Corporation (BCBC) advises that it does not intend to develop this site now or in the near future, and wishes to avoid the cost of maintaining the Letter of Credit. BCBC has offered to register a covenant against the title of the lot, with a commitment to construct the same works as in the 1995 agreement, or as may be modified, by mutual agreement, to suit the future site development.

Noting that releasing the Letter of Credit and registering a covenant will delay streetscape improvements, Committee members debated the issue and felt there was some merit to entering into further negotiations with BCBC.

Action: Councillor Savoie moved that this item be tabled, and the Mayor, City Manager and Director of Engineering meet with British Columbia Buildings Corporation to pursue the matter of streetscape improvements at Q Lot, at Superior/Menzies/Kingston Streets.

CARRIED. 04/414

9. **ADMINISTRATIVE MATTERS**

9.1 Disposition of Communications

Committee received a memorandum dated June 4, 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 June 4, 2004 from the Manager, Administration, be received for information and filed.

CARRIED. 04/413

Finance staff was asked to prepare a report reviewing sewer claims and advising if the claims are a result of aging infrastructure.

9.2 Acting Mayor Schedule

In her report dated June 4, 2004, the Executive Secretary advised of a Councillor's request for a change in the Acting Mayor Schedule for 2004.

The Corporate Administrator reminded Committee members that any changes to the Acting Mayor Schedule, must be approved by Council.

Action: Councillor Thornton-Joe moved that Council approve the 2004 schedule change in Acting Mayor duties as follows:

- Councillor Thornton-Joe July
- Councillor Madoff October

CARRIED. 04/412

9.3 Application for Permanent Change to Liquor Licence - Darcy McGee's Pub, 1127 Wharf Street

The Corporate Administrator highlighted the report dated June 1, 2004, regarding an application by Darcy McGee's Pub, to extend the hours of sale from 11:00h – 01:00h Thursday to Saturday and 11:00h – 12:00h Sunday to Wednesday, to 11:00h – 01:00h, seven days a week, to remain competitive within the industry.

Committee members discussed:

- notification requirements for applications;
- noise emanating from liquor establishments;
- staggered closing hours;
- live entertainment/music; and
- Sunday hours of operation

Action: Councillor Fleming moved that:

1. Victoria City Council, after conducting a review with respect to noise and community impacts of the liquor primary permanent change to a liquor licence application for Darcy McGee's Pub, located at 1127 Wharf Street, Liquor Licence No. 212046; supports:
 - (a) The application for the extension of hours of service seven days a week, 11:00h – 1:00h; and
 - (b) Liquor service from 11:00h to 23:00h for the patio;
2. Victoria City Council provides the following comments on the prescribed considerations:
 - (a) The potential for noise is slightly increased from that of the current operation; the operation is in the Intermediate Zone of the Noise Bylaw which allows for a higher noise level threshold for nuisance;
 - (b) The impact on and to the community will be minor; the venue is located in a busy, downtown commercial area that is suitable for a pub with hours past midnight; and
 - (c) The views of the neighbours were solicited through a public notice to surrounding residents and property owners. One e-mail of opposition was received.

CARRIED. 04/411

10. COUNCILLOR INFORMATION SHARING

10.1 Motor Vehicle/Bicycle Accident – Craig Stenberg

The Mayor advised that Craig Stenberg, a City employee, was struck by a motor vehicle while on his bicycle at the corner of Yates and Vancouver Streets on June 9, 2004. Craig was taken to Victoria General Hospital with numerous injuries. On behalf of Council, the Mayor conveyed support to Craig and his family, and wished him a speedy and full recovery.

10.2 Remote E-mail Access

Mayor Lowe advised Committee members that remote e-mail access, is now available through the City's website.

10.3 Orcas in the City

Councillor Thornton-Joe distributed a map identifying locations in Victoria to view orcas from the Lions Society of BC "Orcas in the City" project. Almost 50 of these orcas will be on display around the City until October at which time they will be auctioned off with proceeds going to Easter Seal House and Camp Shawnigan.

10.4 Canada Day Fireworks

Councillor Thornton-Joe announced that due to a successful fundraising campaign, there will be fireworks on Canada Day. She outlined the family-oriented Canada Day events, and thanked all sponsors for their generous contributions.

10.5 Public Participation - Strategies

Councillor Fortin relayed concerns from citizens attending a recent Fernwood Community Association meeting. Outlining a recent increase in social problems in the Fernwood area believed to be a result of displacement from the downtown core, he relayed the community's wishes to be involved in the policy development to address the issues.

The Manager, Community Development, provided an update on steps being taken to deal with the issues arising around the Open Door and Pandora Avenue. A report will be placed on an upcoming Committee of the Whole agenda.

10.6 Souper Bowls of Hope – June 11, 2004

The Mayor reminded everyone of the 7th Annual Souper Bowls of Hope, to be held at the Fairmont Empress, 11:00 a.m. to 1:30 p.m., Friday June 11, 2004. Proceeds support downtown Summer programs and extended hours for the Alliance Club's Youth Drop-In Centre.

Councillor Hughes was commended for her work in organizing this event that benefits the community.

11. CLOSED MEETING - 10:18 A.M.

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

Staff Present: D. Atkinson – Director, Parks, Recreation & Community Development; J. Basey – Director of Planning and Development/City Solicitor; D. Chow – Manager, Recreation Services; M.B. MacKenzie - Committee Secretary; J. Martignago – City Manager; C. O'Regan – Community Recreation Co-ordinator; N. Taylor – Executive Assistant to Mayor; B. Wiffen – Property Manager; R. Woodland – Corporate Administrator; and W. Zink – Manager, Community Development

Action: Councillor Thornton-Joe moved that Committee of the Whole convene a closed meeting that excludes the public under Section 11(6) of the Council Bylaw for the reason that the following agenda items deal with matters specified in Section 11 (3) and/or (4) of the Council Bylaw.

CARRIED. 04/410

12.1 Legal – Business Licence

Action: Councillor Savoie moved that Council approve the recommendations in the report dated May 28, 2004, from the Business Licence Inspector.

CARRIED. 04/409

12.2 Land/Legal – Lease, No. 2 Centennial Square

Action: Councillor Savoie moved that that Council accept the counter-offer from Mr. Sanchez in the amount of \$200,000.00 to purchase the balance of the lease, on terms and conditions satisfactory to the City Solicitor.

CARRIED. 04/408

Action: Councillor Fleming moved that this matter be brought forward for consideration at the June 10, 2004 Regular meeting of Council.

CARRIED. 04/407

12.3 Land – Offers to Purchase, Thetis Nursery Parcel

Action: Councillor Fleming moved that Council counter the offer to purchase from Unity Development Ltd. as recommended in the report dated June 2, 2004, from the Property Manager.

CARRIED. 04/406

Action: Councillor Holland moved that this matter be brought forward for consideration at the June 10, 2004 Regular meeting of Council.

CARRIED. 04/405

12.4 Appointments – Advisory Committees

The Committee reviewed a report dated 2004, from the Corporate Administrator, regarding appointments to fill vacancies on City Advisory Committees.

Action: Councillor Thornton-Joe moved that Victoria City Council consider the following appointments:

1. Advisory Design Panel:
 - (a) Jean Anne Wightman to fill the vacancy for the Alternate Landscape Architect position for the balance of the Committee's term, which expires December 31, 2004; and
 - (b) Neil Barman to fill the vacancy for the Citizen Representative position for the balance of the Committee's term, which expires December 31, 2004;
2. Advisory Housing Committee:

- (a) Molly Harrington to fill the vacancy for one of the Citizen member positions for the balance of the Committee's term, which expires December 31, 2004; and

3. Advisory Planning Commission:

- (a) Kevin Key to fill the vacancy for the balance of the Committee's term, which expires December 31, 2004.

CARRIED. 04/404

Councillor Fortin declared a non-pecuniary conflict of interest with the following matter, and was excused from the meeting at 10:55 a.m.

Councillor Hughes was excused from the meeting during discussion of the following item.

12.5 Land – Burnside Gorge Community Centre

The Director of Parks, Recreation and Community Development and the Community Recreation Co-ordinator provided an update on the Burnside Gorge Community Centre.

Action: Councillor Savoie moved that Council approve Option D, as presented at the June 10, 2004 Committee of the Whole meeting, with the following revisions:

- 1. The construction of a Community Centre that costs \$3.7 million, and is a minimum of 14,500 sq. ft., and may include a full size outdoor basketball court;
- 2. The following funding strategy:

Infrastructure Grant	\$2,000,000.00
Burnside Gorge Community Association	500,000.00 (plus furnishings/ equipment (\$300,000.00))
City of Victoria	\$1,200,000.00

CARRIED. 04/403

Howard Liptrot, President, Burnside Gorge Community Association, and Paul Gerrard, a member of the Burnside Gorge Community Association Board of Directors, were invited to join the meeting at 11:40 a.m. to hear the Committee's decision regarding the project.

Mr. Liptrot reiterated the need for a Community Centre and an indoor gym, and thanked Council for its support.

11. ADJOURNMENT OF CLOSED MEETING

The meeting adjourned at 11:50 a.m.

Mayor Lowe, Chair