

## **MINUTES – COMMITTEE OF THE WHOLE**

### **MEETING HELD THURSDAY, AUGUST 12, 2004, 8:00 A.M.**

- Committee Present:** Mayor Lowe, Chair, Councillors Coleman, Fleming, Fortin, Hughes, Madoff, Savoie, and Thornton-Joe. Councillor Holland arrived at 8:30 a.m.
- Staff Present:** J. Martignago, City Manager; and M. Moodrey, Committee Secretary
- Staff Present for a Portion of the Meeting:** Messrs. J. Basey, Director of Planning & Development/City Solicitor; B. Dellebuur, Transportation Planner, Engineering; S. Hortsing, Project Manager - Arena, M. Lam, Acting Manager of Planning Division; M. McCliggott, Comptroller; M. Sluggett, Chief Building Inspector; C. Timms, Manager of Transportation & Development, Engineering; B. Wiffen, Property Manager, Planning & Development;
- Ms D. Atkinson, Director of Parks, Recreation & Community Development; L. Baryluk, Planner, Planning Division; C. Bloedorn, Dockside Project Manager; K. Fowler, Manager of Regulatory & Development; S. Masters, Acting Corporate Administrator; K. Ramsay, Community Development Planner; W. Zink, Manager, Community Development Division;
- Also Present for a Portion of the Meeting:** Kate Panayatof, Community Advisor for Victoria West Community Association for the Dockside Project

### **APPROVAL OF AGENDA**

The Agenda of the August 12, 2004 Committee of the Whole meeting was circulated. The following changes were outlined by the City Manager:

1. Closed Meeting: Addition of report to Item No. 03 – Contract and Construction Update;
2. Closed Meeting: Councillor Inquiries - Councillor Madoff
3. Regular Meeting: Councillor Inquiries – Councillor Fleming
4. Regular Meeting: Councillor Sharing – Councillor Thornton-Joe

**ACTION:** It was moved by Councillor Hughes that the Agenda of the August 12, 2004 Committee of the Whole meeting be approved as amended.

CARRIED 04/557

### **ADOPTION OF MINUTES**

The Minutes of the July 22, 2004 meeting was circulated.

**ACTION:** It was moved by Councillor Hughes that the Minutes of the July 22, 2004 Committee of the Whole meeting be approved as circulated.

CARRIED 04/556

**CLOSED MEETING – 8:05 A.M.**

**ACTION:** Councillor Hughes 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 04/555

**LEGAL/LAND – DISPOSITION OF LAND**

**ACTION:** Councillor Madoff moved that it be recommended to Council that Victoria City Council authorize City staff to proceed with negotiations to either sell or lease Lot 182A, subject to:

1. successful rezoning;
2. registration of statutory rights of way and easements as outlined in the “*Executive Summary*” of the report;
3. fair market value return on land; and
4. reversionary clause, if no building permit issue within 12 months.

CARRIED 04/554

**LAND / LEGAL – LEASE – ANTOINE’S RESTAURANT**

**ACTION:** Councillor Coleman moved that the recommendation be declined and that this report be received for information.

CARRIED 04/553

**LEGAL/LAND - EXTENSION OF AGREEMENT**

**ACTION:** Councillor Fortin moved that it be recommended to Council that Victoria City Council approve the request of the Fernwood Community Centre Society (FCCS) to permit the continued siting of the portable trailer in Stevenson Park for a period of up to four years, subject to:

1. The FCCS entering into a License of Occupation (nominal fee) for use of the parkland that provides for the right for either party to withdraw with reasonable notice (90 days).
2. The FCCS ensuring that youth programming remain a priority use for this portable.
3. The FCCS ensuring that all necessary permits and licenses for the renovation and operation are obtained, and maintaining responsibility for all costs associated with the renovation, servicing, operation and removal of the portable building.

4. The FCCS notifying neighbours on Gladstone of the intended new use of the portable.

CARRIED 04/552

#### **LEGAL/LAND – POINT HOPE SHIPYARD**

**ACTION:** Councillor Hughes moved that Victoria City Council receive this report for information.

CARRIED 04/551

#### **LEGAL/LAND - SITE CLEAN UP – POINT HOPE SHIPYARD**

Councillor Coleman corrected the second paragraph, line 2, of the “Executive Summary” to show that the number of months should be “22 months” instead of “32 months”.

**ACTION:** Councillor Coleman moved that it be recommended to Council that Victoria City Council:

1. approve the repayment schedule, as attached, and instruct the Finance Department to prepare a cheque for September 1, 2004 in the amount of \$75,000, with funding from the Capital Remediation Budget; and
2. instruct the Property Manager to postpone collection of the rent portion only (property tax portion to be collected as usual) of the monthly billing, until the debt is retired.

CARRIED 04/550

#### **LEGAL/LAND – DOCKSIDE PROJECT**

**ACTION:** Councillor Hughes moved that Carola Bloedorn, Project Manager for the Dockside Project and Kate Panayatof, Community Advisor for Victoria West Community Association for the Dockside Project, be allowed to attend the Closed Committee of the Whole meeting of August 12, 2004.

CARRIED 04/549

**ACTION:** Councillor Madoff moved that it be recommended to Council that Victoria City Council accept the recommended shortlist of Proponents for the Dockside Request for Expressions of Interest.

CARRIED 04/548

#### **LAND/LEGAL - EXTENSION OF AGREEMENT**

**ACTION:** Councillor Fortin moved that it be recommended to Council that Item No. 6 on the Agenda, “*Extension of Agreement – Portable Building in Stevenson Park*”, be forwarded for consideration at the August 12, 2004 Victoria City Council Meeting.

CARRIED 04/547

## **ADJOURNMENT OF CLOSED MEETING**

Committee agreed that Closed Meeting Item No. 03 – *Contract & Construction Schedule Update*, Item No. 10 – *Burnside*, and the *Closed Meeting Councillor Inquiries* be forwarded for consideration, later, at this Committee of the Whole meeting.

**ACTION:** Councillor Fortin moved the adjournment of the Closed Meeting at 9:05 a.m.

CARRIED 04/546

Councillor Holland apologized to the Chair and Committee for being late.

## **DELEGATION**

### **VETERANS MEMORIAL COMMITTEE**

Mr. Jack Cockrell, Chair, and Mr. Al C. Fleury, Co-Chair, made a presentation to Committee on the progress of the Memorial project. Mr. Cockrell attributed the project's success to the City of Victoria because the City was a valued partner to the Veterans Memorial Committee throughout the planning stages, fundraising and public relations for the past two years.

Mr. Cockrell referred to the correspondence of S. Vanderleest of the Save-On-Foods Group to the Mayor regarding the intention of the Save-On Foods Group to slightly modify the name of the new arena with the inclusion of the word "Memorial", which in Mr. Cockrell's opinion is a "mountain high change for the thousands of veterans, their families and friends." He also expressed that the new name "Save-On-Foods Memorial Centre" is the final link for the old Memorial Arena and the new multi-purpose facility. On behalf of the Veterans Memorial Committee and the veterans, Mr. Cockrell expressed his sincere thanks to the Save-On-Foods Group for their gracious gesture of changing their name to acknowledge the veterans. An original copy of the ceremonial program for dedication of the Memorial Arena dated September 25, 1949 was presented to the Victoria City Council with a suggestion that this document be placed in a time capsule.

Mr. Fleury gave a brief overview of the financial status of the Memorial project. He indicated that their fund raising methods for the memorial display is almost complete. The original budgetary goal of \$50,000 had to be adjusted to approximately \$80,000 due to the increase in costs. He credited the community for their generosity in helping the Veterans Memorial Committee meet their new budgetary goal. The memorial display will review a century of service by Canadians in uniform. On behalf of the Veterans Memorial Committee, Mr. Fleury thanked all the sponsors, supporters and benefactors of the Memorial project, who have made this project a big success.

Committee thanked Mr. Cockrell and Mr. Fleury for their report on behalf of the Veterans Memorial Committee. Committee also thanked the Save-On-Foods Group for changing the multi-purpose facility's name to keep the word "memorial" in their name.

04/545

## **PLANNING & DEVELOPMENT**

### **3180 DOUGLAS STREET, REZONING NO. 04-16**

Committee received a memorandum dated July 29, 2004 from the Planning Division with respect to the application of Keycorp Consulting Ltd. on behalf of 624332 BC Ltd. to rezone Lot A, Plan 14727 from C-1N to a new zone to permit a drive-thru coffee establishment. The proposed building is 153m<sup>2</sup> and one-storey with a total of 25 seats (16 indoor and 9 outdoor). Surface parking for 21 cars is provided. Access is right turn in, right turn out only from Douglas Street with access from Alpha Street as well. City staff advised that the car-oriented, free standing food sales outlet aspect of this commercial use and the density are not in keeping with the more intensive commercial use permitted under the existing zoning for this site.

**ACTION:** Councillor Fortin moved that this matter be tabled pending a further review by the applicant to:

1. create a more intensive, mixed use of the site; and
2. review the site planning and streetscape to create a more pedestrian friendly development.

CARRIED 04/544

### **824 RICHMOND AVENUE** **DEVELOPMENT VARIANCE APPLICATION NO 04-28** **CONCURRENT WITH REZONING APPLICATION 04-04**

Committee received a memorandum dated July 29, 2004 from the Planning Division. At the July 22, 2004 Council meeting Victoria City Council closed the Public Hearing on this application and requested a staff report on plans showing driveway access to the proposed new house from Richmond Avenue rather than the lane.

The initial set of plans was submitted by the applicant on February 12, 2004. They show a driveway from Richmond Avenue providing access to both the existing house and the proposed new house to its rear. The front of the proposed new house is towards Richmond Avenue and faces the rear of the existing house. Its back faces the lane. A wheel chair ramp is required in the front yard of the proposed house to make it accessible. The house also includes wide doors, wide hallways and wide stairs to accommodate a lift and accessible bathrooms.

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

1. Victoria City Council receive this report for information;
2. This report be made part of the official record of the Rezoning Application No. 04-4; and
3. This matter be forwarded for consideration at the August 12, 2004 Council meeting.

CARRIED 04/543

Councillor Hughes declared a potential pecuniary conflict of interest with the following matter, and was excused from the meeting at 9:55 a.m.

**66 / 68 SONGHEES ROAD**  
**DEVELOPMENT PERMIT NO. 04-31**

Committee received a memorandum dated August 06, 2004 from the Planning Division with respect to the application of Westbank Projects Corp. for a Development Permit to construct a residential complex on a vacant site to the west of an existing six-storey multiple dwelling. The proposal includes a six-storey 'horse-shoe' shape block, a two-storey townhouse block and a nine-storey 'reverse S' shape block connected by an underground parking structure accessed directly from Songhees Road. The proposal has demonstrated a positive and careful, yet unique, response to the Songhees Policy and Design Guidelines with a contemporary design expression. The applicant, by his letter of August 5, 2004, requested variances for height, parking numbers, and parking provisions across zoning boundaries. The requested variances are supported. The Advisory Design Panel at its meeting of August 04, 2004 reviewed the proposal and recommended approval.

The Development Permit application is not subject to a notification requirement and a hearing.

- ACTION:** Councillor Madoff moved that it be recommended to Council that Victoria City Council authorize the issuance of a Development Permit in accordance with:
1. Plans stamped "Development Permit Application 04-31" dated August 04, 2004.
  2. Development meeting all requirements with the following variances:

Section 10.10.4	Maximum height relaxed from 17.5m to 20m and number of storeys from 5 to 6.
Section 10.10.8(1) [SMD 3]	Parking requirement relaxed from 1.6 parking spaces per unit (195 stalls) to 1.31 parking spaces per unit (157 stalls).
Section 18 General Regulations	– relaxation to permit building and parking to be constructed (both) over zoning boundary.
Section 10.18.4 [SMD-11]	Maximum height relaxed from 28m to 28.75m and number of storeys from 8 – 9.
Section 10.18.9(1) [SMD-11]	Parking requirement relaxed from 1.6 parking spaces per unit (106 stalls) to 1.22 parking spaces per unit (81 stalls).
  3. Site consolidation to be arranged to the satisfaction of the Director of Planning & Development.
  4. An amended landscape and tree plan addressing Park's comments to be resolved to Park's Division satisfaction prior to Building Permit stage.
  5. Final plans to be in accordance with plans identified above, with the incorporation of responses to the Advisory Design Panel's recommendations, to the satisfaction of the Director of Planning & Development.

6. City staff to review with the Applicant the outboard boulevards issue, with the aim of providing outboard boulevards along the Kimta Road frontage and the Songhees Road frontage. If this is not achievable, then City staff report back to Committee.

CARRIED 04/542

Councillor Hughes returned to the meeting at 10:25 a.m.

**225 MENZIES STREET**  
**DEVELOPMENT PERMIT NO. 04-35**

Committee received a memorandum dated July 29, 2004 from the Planning Division with respect to the application of 671289 BC Ltd. for a Development Permit to construct a new commercial/residential building on Lot 1 of Lots 1783, 1784, 1785 and 1786, Victoria City, Plan 17692, commonly known as 225 Menzies Street. The proposal is for a six storey mixed use development. The ground floor is commercial, the second storey houses 18 seniors housing units and the third, fourth and fifth storey contain 30 units of market rate housing, and the sixth storey contains roof accesses to the roof top gardens. The access to the development's surface and underground parking is through a separate lot (secured by easement) from Toronto Street. The Advisory Design Panel at its meeting of July 28, 2004 reviewed the proposal and recommended its approval.

The applicant has by letter requested variances to the number of storeys, rear setback and rear yard landscape strip.

The Development Permit application is not subject to a notification requirement and a hearing. However a concurrent rezoning application is in progress and will require a Public Hearing.

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

1. Final consideration of the Development Permit be considered in the same Council meeting as the Public Hearing for the rezoning application;
2. That Victoria City Council authorize the issuance of a Development Permit in accordance with:
  - (a) Plans stamped "Development Permit Application No. 04-35" dated July 02, 2004.
  - (b) Development meets proposed draft zone except:
    - Number of storeys relaxed from 5 to 6
    - Rear setback from property line relaxed from 4.4m to 0.1m for parkade structure.
    - Schedule C7.2(h) – relax rear yard landscape strip from 0.6m to 0m.
  - (c) Further review prior to building permit stage by the Advisory Design Panel regarding signage details, street and building lighting, and materials used for rooftop partitions, glazing, walkway fence, parking area access and pedestrian link from Menzies to Toronto.

- (d) Relocate the four pedestrian lights from the public boulevard to within the property boundary.
  - (e) Final plans to be in accordance with plans identified above with the incorporation of responses to Advisory Design Panel's recommendation to the satisfaction of the Director of Planning & Development.
3. City staff, in consultation with the developer of 225 Menzies and representatives of the James Bay Community, develop and implement a traffic calming plan and provide a community amenity package aimed at creating an animated village area and supporting viability of the retail component.
  4. City staff to prepare a report to Council to address the reconsideration of the Streetscape and Landscaping plans for the public area as submitted by the Applicant

CARRIED 04/541

## **ENGINEERING - COMMITTEES**

### **225 MENZIES STREET – REZONING APPLICATION**

Committee received a memorandum dated August 04, 2004 from the Transportation Planner, Department of Engineering. Committee of the Whole at its meeting on June 17, 2004 referred a rezoning application for 225 Menzies Street to the Advisory Transportation Committee for its review. The Advisory Transportation Committee, at its meeting on July 20, 2004, heard a presentation from a representative of Cielo Properties Inc., representing the applicant for 225 Menzies Street. Following the presentation, the Advisory Transportation Committee members discussed the issues as requested and unanimously passed the following motion:

*“The Advisory Transportation Committee recommends City Council support a mid-block crosswalk on Menzies Street between Toronto Street and Michigan Street and reduce the speed limit from 50 km/h to 30 km/h.”*

Transportation staff reviewed the Advisory Transportation Committee's recommendation and are unable to support a marked crosswalk at this location, due to its proximity to the existing marked crosswalk and the stop-controlled intersection of Menzies Street and Simcoe Street. Speed studies indicate the 85<sup>th</sup> percentile speed on Menzies Street is 42 km/h. Arbitrarily lowering the posted speed from 50 km/h to 30 km/h is unlikely to result in a corresponding decrease in the 85<sup>th</sup> percentile speed.

City Staff recommend working with the developer and James Bay community representatives to develop a traffic-calming plan, to reduce vehicle speed and to improve safety and crossing opportunities for pedestrians adjacent the proposed development at 225 Menzies Street. It is expected that the developer will fund any improvements identified through this plan.

**ACTION:** Councillor Holland moved that this report be received for information.

CARRIED 04/540

## **PLANNING**

### **645 TYEE ROAD – DEVELOPMENT PERMIT 04-12**

Committee received a memorandum dated July 20, 2004 from the Planning Division with respect to an application for a Development Permit on 645 Tyee Road, to allow the temporary location of additional parking required for:

- a restaurant in Upper Harbour Place Phase 1 – 8 spaces;
- and parking lost during construction of Phase 2 – 9 spaces;

for a total of 17 spaces to be located on a City-owned lot at 388 Harbour Road. The Applicant has requested the temporary off-site parking for approximately one year. City staff do not have any objection to the proposed temporary off-site parking.

The Development Permit application is not subject to a notification requirement and a hearing.

- ACTION:** Councillor Fortin moved that it be recommended to Council that Victoria City Council authorize the issuance of a Development Permit in accordance with:
1. Plans stamped “Development Permit application 04-12” dated February 06, 2004.
  2. Development meeting all bylaw requirements with the following variances:  
Schedule “C” Section 5(1) Variance to permit required parking for 17 parking spaces to be located on Lot A, Plan VIP56972 (City of Victoria Parking Lot) until completion of Phase II parking structure.
  3. Final plans to be in accordance with plans identified above to the satisfaction of the Director of Planning & Development.

CARRIED 04/539

### **229 MONTREAL STREET** **DEVELOPMENT VARIANCE PERMIT NO. 04-38**

Committee received a memorandum dated July 19, 2004 from the Planning Division with respect to an application from Stacey Dewhurst for a Development Variance Permit on 229 Montreal Street to permit the subdivision and construction of a single family dwelling on a lot of 12.8m in the R-2, Two Family Dwelling District zone. The proposal is in keeping with the character of other houses and lots in the area. The 462 m<sup>2</sup> lot area is above the minimum for a single family dwelling. The proposal is supported by City staff.

The Applicant has by letter requested approval of the lot width variance. The Applicant has also submitted signatures of a number of neighbours in support of the proposal. Council's decision is subject to the Local Government Act notification requirements to owner and occupiers of the proposal property. A Council hearing is required for this application.

- ACTION:** Councillor Savoie moved that it be recommended to Council that Victoria City Council authorizes the issuance of a Development Variance Permit in accordance with:

1. Plans stamped "Development Variance Permit application 04-38" dated July 08, 2004.
2. Development meeting all bylaw requirements with the following variances:  
Section 2.1.5(3)(a)(iii) – relax lot width requirement from 15m to 12.8m.
3. Final plans to be in accordance with plans identified above to the satisfaction of the Director of Planning & Development.

CARRIED 04/538

Councillor Madoff declared an indirect pecuniary conflict of interest with the following matter, and was excused from the meeting at 10:40 a.m.

### 1400 – 1450 GOVERNMENT STREET

Committee received a memorandum dated August 05, 2004 from the Heritage Planner, Planning Division, with respect to an application from Cielo Properties for:

- (a) Heritage Designation
- (b) Heritage Alteration Permit No. 137
- (c) Tax Incentive (Residential Conversion)
- (d) Heritage Alteration Permit for Subdivision.

The application is to permit the rehabilitation and residential conversion of the Heritage Registry building at 1400 – 1450 Government Street to create 42 rental apartments on the second and third floors, and new retail/commercial space on the ground floor. The basement of the building will be converted to parking, with access from the rear. The estimated cost of the project is \$8.8 million. The Applicant, Cielo Properties, is requesting Council's approval of a 10-year tax exemption to assist with the cost of seismic upgrading the building estimated at \$1.3 million to \$1.4 million. Council approval of a Heritage Alteration permit is required to permit exterior alterations to the structure and to permit subdivision of the property from the adjacent office building at 595 Pandora Avenue. The approving officer has given preliminary subdivision approval, subject to Council issuing a Heritage Alteration Permit and completion of technical issues.

The application for Heritage Designation and Heritage Alteration Permit was reviewed by the Heritage Advisory Committee at its meeting of July 13, 2004 and was recommended for approval. The application for a Tax Exemption was reviewed by the Victoria Civic Heritage Trust at its meeting of July 19, 2004 and was recommended for approval. City staff have reviewed the application and support it as it will provide significant public benefits to Old Town and downtown.

The applications for Heritage Designation and for the Tax Incentive are both subject to notification requirements. The Heritage Alteration Permit is not subject to a statutory public hearing and notification requirements.

**ACTION:** Councillor Thornton-Joe moved that it be recommended to Council that:

1. Whereas the buildings at 1400 and 1450 Government Street are worthy of heritage designation, City Council designate them as Municipal Heritage sites.

2. Victoria City Council authorize the issuance of a Heritage Alteration Permit in accordance with:
  - (a) Plans dated July 6, 2004 and preliminary Landscape Plan dated August 05, 2004.
  - (b) Development meeting all bylaw requirements.
  - (c) Final plans to be in accordance with plans identified above.
  - (d) Final review by the Heritage Advisory Committee at building permit stage.
  - (e) Submission of a fully detailed landscape plan, including onsite landscape improvements and offsite hardscaping to the satisfaction of the Director of Planning and Development.
3. Victoria City Council authorize the issuance of a Heritage Alteration Permit #137 to subdivide the above property with 595 Pandora on Lot 1, and 1400 – 1450 Government Street on Lot 2.
4. The City Solicitor be instructed to prepare a Tax Exemption Bylaw for 1400 – 1450 Government Street for 10 years pursuant to Section 342 of the Local Government Act, with the following conditions:
  - (a) That a covenant identifying the tax exemption be registered on land title and any possible future strata titles.
  - (b) Final costs of seismic upgrading be verified by the Victoria Civic Heritage Trust.

CARRIED 04/537

Councillor Madoff returned to the meeting at 10:42 a.m.

### **CITY PLANNING DIVISION OPERATIONAL REVIEW**

Committee received a memorandum dated August 03, 2004 from the Director of Planning and Development with respect to the operational review of the City Planning Division. The Spaxman Consulting Group Ltd. has been selected, commencing on September 8, 2004, to carry out an operational review of the City Planning Division to:

- Examine key stakeholders' expectations for the division;
- Analyze the current operations and business processes to carry out the mandate;
- Assess whether the current resources are sufficient and being deployed appropriately; and
- Recommend the right mix and alignment of the resources and improved business processes to enhance the capacity of the division to meet community expectations.

In preparation, a staff workshop was held on June 17, 2004 to perform an environmental scan, draft the Division's current mandate, mission and values and map out strategic directions.

**ACTION:** Councillor Savoie moved that this report be received for information.

CARRIED 04/536

The Chair, Mayor Lowe, excused himself from the meeting at 10:46 a.m. and Councillor Holland assumed the position of Chair at 10:47 a.m.

## **ENGINEERING**

### **RAILYARDS REQUEST FOR A MASTER DEVELOPMENT AGREEMENT**

Committee received a memorandum dated August 05, 2004 from the Manager of Transportation and Development, Engineering Department, advising that Chris Le Fevre requested an amendment to the Master Development Agreement for the Railyards development to defer completion of the section of Galloping Goose trail in front of the Phase 2 townhouses (Lot C), which are now under construction, and the proposed Phase 3 commercial building (Lot K) and, in exchange, to accelerate the completion of the remainder of the trail to the Point Ellice Bridge. Final design for the section of trail requested to be deferred has not yet been submitted. The Cycling Advisory Committee is recommending some adjustment of the conceptual trail design to comply with the Greenway Plan.

Under the Master Development Agreement, the section of trail requested to be deferred is required to be completed before the developer applies for occupancy of the Phase 2 townhouses, scheduled for November 2004. It is unlikely that a design could now be finalized, approved and constructed to meet this schedule. It is also noted that the design for this section of the Galloping Goose trail is required to be completed before the Phase 4 subdivision plan for the proposed parcel F can be approved.

Committee requested to be informed of the updates on the construction.

- ACTION:** Councillor Savoie moved that it be recommended to Council that:
1. Victoria City Council approves an amendment to the Master Development Agreement for the Railyards development in regard to the timing for design and construction of the Stage 2 Waterfront Linear Park and Dual Trail (Galloping Goose Trail) on the frontage of Lot C (Phase 2 townhouses), Lot K (Phase 3 commercial building) and Stage 3 Waterfront Linear Park and Dual Trail.
  2. The complete Engineering and landscape design of these sections is to be submitted to the City for review and approval by December 31, 2004. Construction is to be complete before Bike to Work Week in June 2005.
  3. Security in an amount satisfactory to the Director of Engineering is to be provided by the developer under a construction agreement for the Phase 2 townhouse section deferred beyond occupancy of these townhouses, and written notice of the deferral in a form satisfactory to the Director of Planning and Development is to be delivered to all purchasers of Phase 2 townhouses prior to completion of their purchases.
  4. This matter be forwarded for consideration at the August 12, 2004 Council meeting.

CARRIED 04/535

### **GALLOPING GOOSE TRAIL – RAILYARDS CROSS SECTION**

Committee received a memorandum dated August 03, 2004 from the Cycling Advisory Committee. At its meeting of July 27, 2004, the Cycling Advisory Committee discussed the

following concerns regarding portions of the Galloping Goose trail through the Railyards Development:

1. The proposed one meter landscaped buffer between the paved rolling trail and the granular strolling trail from the new dock facility to the south end of the property.
2. The possible installation of benches in the one-meter strip; congestion and probable conflict at narrow sections, and the cost associated with maintaining natural spaces.
3. The granular strolling trail does not facilitate skateboarders, people in wheelchairs/scooters, people pushing stroller, and roller-bladers.

The following motions was passed:

*"The Cycling Advisory Committee recommends the portion of the Galloping goose Trail, through the Railyards Development, be consistent with the City of Victoria Greenways Plan."*

City staff will forward a copy of the Cycling Advisory Committee's recommendation to the Railyards Developer.

Councillor Savoie, Staff Liaison for the Cycling Advisory Committee, will discuss the above-mentioned motion with the Cycling Advisory Committee at its meeting of August 24, 2004 and then report back to Committee.

**ACTION:** Councillor Savoie moved that this report be received for information.

CARRIED 04/534

### **PRO WALK / PRO BIKE CONFERENCE**

Committee received a memorandum dated July 28, 2004 from the Cycling Advisory Committee and the Advisory Transportation Committee. Both Committees expressed interest in having the City of Victoria cover registration fees for the upcoming Pro Walk / Pro Bike Conference, held in Victoria, B.C., on September 7 – 10, 2004. As a result, the following motion was passed:

*"That the City of Victoria fund delegate fees for one Cycling Advisory Committee member and one Advisory Transportation Committee member for the Pro Walk / Pro Bike 2004 Conference, at a cost of \$350 US each."*

City staff advised that training/conference funding for advisory committee members is not covered within Department operating budgets, Council budgets, or City policy. However an exception was made in the past to enable the Chairs of the advisory committees to attend the Downtown 2020 Conference.

**ACTION:** Councillor Madoff moved that this report be received for information.

CARRIED 04/533

**ACTION:** Councillor Hughes moved that it be recommended to Council that the City of Victoria fund delegate fees for one Cycling Advisory Committee member and one Advisory Transportation Committee member for the Pro Walk / Pro Bike 2004 Conference, at a cost of \$350 US each.

CARRIED 04/532

## **CAR FREE DAY**

Committee received a memorandum dated July 28, 2004 from the Advisory Transportation Committee on the topic of this year's international Car Free Day taking place in the Cook Street Village on September 19, 2004 to raise awareness for more efficient and cleaner forms of transportation. Cook Street will be closed from Southgate to Dallas Road for a maximum of six hours. Some merchants are not supportive of this event because of the effect it may have on their businesses. The Advisory Transportation Committee felt they wanted to express their support for this event by passing the following motion:

*"The Advisory Transportation Committee endorses the International Car Free Day in Cook Street Village on September 19, 2004."*

City staff have reviewed the motion.

**ACTION:** Councillor Fleming moved that this report be received for information.

CARRIED 04/531

## **PARKS, RECREATION & COMMUNITY DEVELOPMENT**

### **HORTICULTURE CENTRE OF THE PACIFIC – GRANT REQUEST**

Committee received a memorandum dated August 12, 2004 from the Department of Parks, Recreation & Community Development regarding a grant request from the Horticulture Centre of the Pacific. At the May 27, 2004 Committee of the Whole meeting, the Spring 2004 Special Project Grant recommendations were presented, including a grant request from the Horticulture Centre of the Pacific to the City of Victoria for a one-time only funding of \$15,000 to hire an Executive Director in 2004/2005. The intent of this position is to free up board members to undertake critical fundraising and developmental work needed to increase the Centre's long term sustainability.

City staff discussed with the Horticulture Centre several opportunities for partnership if the Victoria City Council would approve this one-time funding request. The Horticulture Centre of the Pacific has agreed to work cooperatively with the City of Victoria to:

- Provide training and education support to Parks Division staff;
- Provide opportunity for Master gardener program students to conduct research projects in Victoria under the supervision of Park staff;
- Provide public/community education programs;
- Provide an opportunity for a Council Member or designate to participate on the Board.

**ACTION:** Councillor Madoff moved that it be recommended to Council that the Victoria City Council approve a grant of \$10,000 for 2004/2005 to the Horticulture Centre of the Pacific subject to:

1. The Horticulture Centre of the Pacific confirming the hiring of an Executive Director.
2. The Horticulture Centre of the Pacific acknowledging the City of Victoria as a program sponsor and continuing to work with City staff on education, research and other partnership opportunities.

CARRIED 04/530

Mayor Lowe returned to the meeting at 11:15 a.m. and resumed the position of Chair.

## **FINANCE**

### **CORRECTIONS TO ASSESSMENT ROLLS**

Committee received a memorandum dated June 30, 2004 from the Department of Finance. The City has received Supplementary Rolls #2 for 2004 and #14 for 2003 prepared under the provisions of the Assessment Act. Section 434 of the Local Government Act requires that "... *the Collector shall report the facts to Council which shall authorize the necessary adjustment.*"

The 2004 budgeted amount for taxes uncollectable was \$250,000.00. The amount spent to June 30, 2004 is \$44,162.07 leaving a balance of \$205,837.93.

**ACTION:** Councillor Fleming moved that it be recommended to Council that the adjustments to taxes based on the revised assessments, be approved.

CARRIED 04/529

## **ADMINISTRATION**

### **DISPOSITIONS OF COMMUNICATIONS**

Committee received Dispositions of Communications dated July 26, August 03 and August 09, 2004. Councillor Fortin indicated that Items 5 and 6 on page 1 of the July 26, 2004 Disposition of Communications, which state: "*outlining the position of the Burnside Gorge Community Association*" are incorrect and that the Burnside Gorge Community Association was merely outlining the comments and opinions expressed at the Community meetings.

**ACTION:** Councillor Hughes moved that the Dispositions of Communications dated July 26, August 03 and August 09, 2004 be received for information and filed.

CARRIED 04/528

## **COUNCILLOR INQUIRIES**

Councillor Fortin asked how the Victoria Capital team made out. Mayor Lowe indicated that the Victoria Capital team came second. The Triple A Viper team also won the provincial. Councillor Holland added that the Little League Girl Softball, Beacon Hill team won the Canadian Championship and is now in Portland, US, to attend the World Series.

04/527

Councillor Fleming inquired about the parking lot in James Bay located at Montreal and Simcoe Streets and asked what is happening with respect to the overnight use by recreation vehicles. Committee requested that the City Manager report to Committee on this matter.

04/526

## **COUNCILLOR INFORMATION SHARING**

Councillor Thornton Joe informed Committee that the delegation of the People's Congress from Jiangsu Province, which is where our Sister City, Suzhou is located, presented to her as Deputy Mayor, a gold cicada insect on piece of Jade carved as a leaf and to Councillor Fortin a silk brocade embroidered with an imperial 5-clawed dragon on July 31, 2004. The Chair of the delegation was Mr. Li Guacharo.

Councillor Thornton Joe further indicated that the Tourism Victoria complimented the City of Victoria on the excellence of service provided to the tourists and locals to make them feel welcomed. The City of Victoria has been nominated for a Tourism Victoria Hospitality Award.

04/525

## **CLOSED MEETING – 11:25 A.M.**

**ACTION:** Councillor Savoie 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 04/524

Councillor Fortin declared a non-pecuniary conflict of interest with the following matter, and was excused from the meeting at 11:25 a.m.

## **LEGAL/LAND - BURNSIDE**

The Director of Parks, Recreation and Community Development gave a verbal update to Committee on the project.

04/523

Councillor Fortin returned to the meeting at 11:30 a.m.

Councillor Thornton-Joe declared a non-pecuniary conflict of interest with the following matter, and was excused from the meeting at 11:30 a.m.

## **COUNCILLOR INQUIRIES (CLOSED MEETING) DEVELOPMENT (HERITAGE ALTERATION) PERMIT**

Councillor Madoff had an inquiry with respect to a Development (Heritage Alteration) Permit and asked that City staff report to Committee on what the Applicant has committed to GMC.

04/522

Councillor Thornton-Joe returned to the meeting at 11:45 a.m.

The Mayor excused himself from the meeting at 11:46 a.m.

Councillor Holland assumed the position of Chair at 11:48 a.m.

## **LEGAL/LAND CONTRACT**

The Mayor returned at 12:05 a.m. and resumed the position of Chair.

The Project Manager, Victoria Centre, gave an update to Committee with respect to the construction of the complex.

04/521

## **ADJOURNMENT OF CLOSED MEETING**

**ACTION:** Councillor Coleman moved the adjournment of the Closed Meeting at 12:35 p.m.

CARRIED 04/520

## **DELEGATION**

### **GREATER VICTORIA HARBOUR AUTHORITY / PROVINCIAL CAPITAL COMMISSION**

The Inner Harbour Steering Committee (IHSC), which is responsible for creating the plans governing the development of Victoria's inner harbour, presented its draft Development Framework to Victoria City Council. The IHSC, comprised of the City of Victoria, the Provincial Capital Commission (PCC), the Greater Victoria Harbour Authority (GVHA) and the First Nations, commissioned the drafting of an integrated, high-level Development Framework for the Victoria Inner Harbour that will enable the process to advance from the planning phase to implementation. The Development Framework uses the Victoria Harbour Plan as approved by the Victoria City Council in November 2001, as its foundation. The framework lays out the intention, principals, and goals of the waterfront sites that are earmarked for the development on the inner harbour.

Mr. Johnston spoke on behalf of Chief Andy Thomas of the Esquimalt First Nation, who sent his regrets and apologies for not being to attend this meeting. Chief Andy Thomas noted that the people of the Esquimalt nation have been waiting a long time to be active participants in the new economy and that the development of the inner harbour will be a milestone opportunity for the First Nations living in this region.

Mr. Stewart Johnston, Chair of the Greater Victoria Harbour Authority, and Mr. Bill Wellburn, Chair of the Provincial Capital Commission, spoke about the Victoria Inner Harbour Framework's vision, values, goals, objectives, implementation strategies and planning considerations. The Vision Statement is:

*"As a vital part of the most livable city in Canada, we envision a completed Inner Harbour where people live, learn, work and play; a spectacular gateway into Victoria's past and into its future, monumental in look and feel, linking communities and people together."*

Mr. Johnston and Mr. Wellburn further outlined the following schedules for the Development Framework:

1. Milestones and meeting dates for the Dockside Working Group:
  - (a) Request for Proposal;
  - (b) Communications & Advertising; and
  - (c) Request for Expressions of Interest.
2. Public Consultation Plan – once endorsed for release, the IHSC proposes to launch a public consultation process to receive input on the Development Framework. The activities include:
  - (a) Development Framework publicly released by IHSC – August 12, 2004
  - (b) Public Information Sessions (time and venue) announced – early September 2004;
  - (c) Public Information Sessions convened – late September 2004;
  - (d) Public Feedback on Development Framework received and considered – early October 2004;
  - (e) Development Framework revised and finalized, which includes report back of feedback received and revised Development Framework.

The critical success factors of the Victoria Inner Harbour Development Framework are identified as:

1. Collaborative partnership:
  - Inner Harbour Steering Committee (IHSC) partners co-owns this Development Framework and are prepared to invest in development projects;
  - The public support of the Development Framework as a synthesis of existing plans, which are products of comprehensive public consultation processes.
  - City Council supports the enhancements to the City's Victoria Harbour Plan outlined in this Development Framework as consistent with the theme and direction of that Plan.
2. First Nations benefit from increased economic opportunities flowing from the Development Framework and projects;
3. IHSC partners support further divestiture of federal government lands and assets to the GVHA;
4. The level of safety and security required by Canadian and US border authorities for international marine transportation and tourism facilities can be provided without jeopardizing the financial viability of development projects;
5. Environment sustainability – development projects in the inner harbour accommodate and meet the public interests and concerns regarding environmental sustainability of the Inner Harbour.
6. Economic viability:
  - The Development Framework lays the foundation for the development and implementation of development projects on the sites identified.
  - Development project business cases can be developed that attract private sector investment and participation without having to rely on public funding from governments.

- Government partners facilitate development projects in their zoning and regulatory activities.
7. The Public Harbour mixed uses – public access to, or use of the Harbour is a priority in development projects.
  8. Character of Harbour properties:
    - Viewscales and view corridors to and from the Harbour are preserved in the development projects;
    - Projects amplify and accentuate the Harbour setting and the character of adjacent landmark buildings.

Councillor Savoie pointed out two issues for the Critical Success Factor:

1. Environmental sustainability – add integration of natural system (a one system approach);
2. Pathways – Victoria is the cycling capital of the world, so there is a need to integrate cyclists by providing pathways for cyclists and pedestrians instead of just pedestrian walkways.

Both Mr. Johnston and Mr. Wellburn thanked Victoria City Council for allowing GVHA and PCC to give an interim report and they look forward to working with the City of Victoria in the future.

Mayor Lowe on behalf of Council thanked Mr. Johnston and Mr. Wellburn for such a comprehensive presentation and indicated that the City of Victoria looks forward to meeting this challenge.

04/519

The meeting adjourned at 2:30 p.m.

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Mayor Alan Lowe, Chair